

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 22 August 2013. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; and Councillors Boulton, Cameron (as substitute for Councillor Corall), Finlayson, Grant, Greig (as substitute for Councillor Delaney), Jaffrey, Lawrence, MacGregor, McCaig, Jean Morrison MBE and Thomson.

**The agenda and reports associated with this minute can be found at:-**  
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=2873&Ver=4>

### MINUTE OF MEETING OF THE DEVELOPMENT MANAGEMENT SUB COMMITTEE OF 18 JULY 2013

1. The Sub Committee had before it the minute of its previous meeting of 18 July, 2013.

**The Sub Committee resolved:-**

to approve the minute.

### MINUTE OF MEETING OF THE DEVELOPMENT MANAGEMENT SUB COMMITTEE (VISITS) OF 25 JULY 2013

2. The Sub Committee had before it the minute of the meeting of the Sub Committee (Visits) of 25 July, 2013.

**The Sub Committee resolved:-**

to approve the minute.

### DEVELOPMENT MANAGEMENT SUB COMMITTEE - OPERATION OF SITE VISITS - 12 MONTH REVIEW - CG/03/081

3. The Sub Committee had before it a report by the Acting Director of Corporate Governance which provided information for members to consider the procedures for the operation of its site visits as determined at the August 2012 meeting of the Sub Committee wherein it was agreed that the approved procedures be reviewed in twelve months' time.

**The report recommended:-**

that the Sub Committee agree –

- (a) that applications which have been the subject of a site visit should be determined at the Town House immediately following the site visit (or other suitable venue as agreed by the Sub Committee); and
- (b) to consider extending the requirements for continuity in terms of decision making to instances where applications have been referred to Council for final

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determination and therefore agree that all members need to have a level of detail regarding the application prior to determining it at Council meeting. An option to cover this could be the provision of sufficiently detailed maps/ plans/ photographs and video footage of the site which could be shown/ displayed at the Council meeting to assist members.

### **The Sub Committee resolved:-**

- (i) that applications deferred to a site visit should be determined on site within the terms of the agreed guidance/ protocol (as detailed in the report);
- (ii) to approve recommendation (b) in the report.

### **FORMER ABERDEEN SEAFOOD PARK, PALMERSTON ROAD, ABERDEEN - P130710**

4. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

a willingness to approve, subject to conditions (as detailed below) but to withhold the issue of the consent document until either (a) the applicant has entered into a legal agreement with the Council to secure, or (b) the applicant has made a payment to the Council of the agreed developer contributions towards:- the Strategic Transport Fund; the widening of Palmerston Place on its westbound approach to the junction with South College Street; recreational and access improvements in the vicinity, specifically enhancements to the core path alongside the riverside; and the implementation of a controlled parking zone in the immediate area, for the demolition of the existing buildings and erection of an office development falling within Class 4 of the Town and Country Planning (Use Classes) (Scotland) Order 1997, and associated car parking at the former Aberdeen Seafood Park, Palmerston Place, Aberdeen, subject to the following conditions:-

- (1) That, unless the planning authority has agreed in writing to a variation, the development hereby approved shall not be occupied unless there has been submitted to, and approved in writing by, the planning authority a detailed travel plan that complies with the framework Travel Plan: July 2013 (final revisions 26/7/13). The detailed travel plan shall specify (amongst other things) measures to deter the use of the private car, in particular single occupant trips and provide detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets and any such approved travel plan is being complied with in its entirety.
- (2) That the development hereby approved shall not be occupied unless a new signalised junction has been formed at the junction of Raik Road and North Esplanade West, Raik Road has been reconfigured to allow two way flow of traffic, a pedestrian crossing has been formed across Palmerston Road linking directly to the path beneath the ramp up into the Union Square multi-storey car park in the position shown on AL (90) 001 Rev D - Proposed Landscaping (Public Realm), unless the planning authority has given written consent for a variation.
- (3) That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing

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numbers AL (0) 03 Rev C, AL (0) 04 Rev C, AL (0) 05 Rev C and AL (0) 06 Rev D of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development. (4) That the development hereby approved shall not be occupied unless the shower, changing room and locker facilities for cyclists and the cycle and motorcycle storage provision shown on the approved plans specified in this decision document have been implemented in full, unless the planning authority gives written approval for a variation. (5) That the development hereby approved shall not be occupied unless the scheme of external façade lighting shown on drawing G1549 Revision C - External Facade Lighting of the approved plans has been implemented in its entirety, unless the planning authority has given written consent for a variation. (6) That the development hereby approved shall not be occupied unless the scheme of hard landscaping the public realm shown on drawing AL (90) 001 Rev D - Proposed Landscaping (Public Realm) and the drawing marked Proposed External Finishes 12075G has been implemented in its entirety, unless the planning authority has given written consent for a variation. All planting, seeding, turfing and hard landscaping works comprised in the approved scheme of landscaping shown on drawing AL (90) 001 Rev D - Proposed Landscaping (Public Realm) and the drawing marked Proposed External Finishes 12075G shall be carried out in the first planting season following the completion of the development, unless the planning authority has given written consent for a variation. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority. (7) That the development hereby approved shall not be occupied unless the angled on-street car parking spaces around the entire perimeter of the Seafood Park block (Palmerston, Raik, Poynerook and Stell Road frontages) has been removed and replaced by parallel parking as shown on shown on drawing AL (90) 001 Rev D of the plans hereby approved, unless the planning authority has given written consent for a variation. (8) That the development hereby approved shall not be occupied unless (i) any long term monitoring and reporting that is required by the approved scheme of contamination or remediation strategy dated July 2013 or that otherwise has been required in writing by the planning authority has been undertaken; and (ii) unless a report has been submitted and approved in writing by the planning authority that verifies that the remedial works have been carried out in full accordance with the remediation strategy dated July 2013, unless the planning authority has given written consent for a variation. (9) That the development hereby approved shall not be occupied unless the Low Zero Carbon Technology equipment specified in the report entitled "Low Carbon Statement May 2013" and dated 2 May 2013 and those specified by the report entitled "LZC Technologies Contribution" July 2013 and dated 12 July 2013 have been installed and are fully operational, unless the planning authority has given written consent for a

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variation. (10) That the development hereby approved shall not be occupied unless a scheme of signage or other treatment to enliven the west facing elevation of the stairwell/lift extension (to the south elevation of the office building hereby approved has been submitted to and approved in writing by the planning authority and subsequently implemented on site.

### **The Sub Committee resolved:-**

to approve the application (as detailed within the report) with an extra condition as follows:-

“that the development hereby approved shall not be occupied unless provision has been made for at least one electric vehicle charging point within the multi-storey car park hereby approved, or else on street and that the charging point is fully operational; unless the planning authority has given written consent for a variation.”

### **HOPETOUN GRANGE "LAND TO NORTH OF" BUCKSBURN - P130029**

5. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

a willingness to approve, subject to conditions (as detailed below) but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to secure the identified developer contributions towards primary education, community facilities, recreation, core path networks and the Strategic Transport Fund for a proposed development of 65 residential houses, including infrastructure and landscaping at Hopetoun Grange (land to the north of), Bucksburn, Aberdeen, subject to the following conditions:-

(1) That the Dollar flatted properties proposed as part of the residential units of the development hereby approved shall not be occupied unless acoustically attenuated ventilators have been installed within the lounge accommodation of these aforementioned properties. (2) That no development pursuant to this planning permission shall take place unless there has been submitted to and approved in writing for the purpose by the planning authority, report on three days of noise measurements, to be undertaken at a representative location in the vicinity of the development. These measurements should be weekday LAeq 1 hour or 15 minute readings and calculated to obtain 18 hour LAeq (23:00 - 07:00). Whilst these measurements may be unmanned, short term measurements when helicopters are in flight overhead should also be taken. If the noise measurement assessment report demonstrates the need for noise attenuation to be incorporated into the fabric of the residential units of the development hereby approved, then such attenuation measures as may be recommended by the planning authority shall be implemented in full prior to occupation of any residential unit. (3) That the SUDS basin is constructed as per the detail included in the Drainage Assessment Issue 1 by Fairhurst dated 4 July 2013, and is capable of retaining flows up to and including the 1 in 200 year store event plus climate change. (4) That the discharge rate, as outlined in the Drainage Assessment Issue 1 by Fairhurst dated 4 July 2013, does not exceed

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the greenfield flows as per the design calculations. (5) That no development shall take place unless there has been submitted to and agreed in writing by the planning authority detailed plans showing the visibility splays for all new road junctions, including for the 3 no. driveways accessing onto Hopetoun Grange, and thereafter the junctions shall be constructed in full accordance with the approved plans. (6) That the development hereby granted planning permission shall not be occupied unless the lane to the west of the site between the A96 and the point that it interacts with what will become the spine road to the future development to the west is upgraded to an adoptable standard for pedestrians and cyclists. Notwithstanding that the phasing of construction on site may impact on when safe access and use of the path by pedestrians may be available, details of the proposed upgrading work to the path must nevertheless be submitted to and approved by the planning authority, and the upgrading work must be completed prior to any residential unit being occupied. (7) That the development hereby granted planning permission shall be completed in full accordance with Drawing No DL002 Rev H which demonstrates the provision of a service strip between the street and residential dwellings along the proposed shared surface road, and that no future development takes place within the aforementioned service strip. (8) That no part of the development hereby approved shall be occupied unless a schedule of work relating to upgrading of bus shelters, seating, lighting, timetable information and boarding kerbs for bus stops on the A96 and on Sclattie Park identified in the Transport Statement (Issue 2 Rev 3 by Fairhurst) has been submitted to and approved by the planning authority, and subsequently the upgrading work has been implemented prior to the occupancy of any residential unit implemented. (9) That no development pursuant to this planning permission shall take place unless formal approval has been secured for access under the trunk road (A96) and under a section of 3rd party land lying immediately to the east of the site to provide connection to the proposed surface water drainage and public sewer. (10) That no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission, which scheme shall include no boundary enclosure above a maximum height of 1 metre being permitted to the front of any residential unit within the development hereby approved. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety. (11) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include both soft and water landscaping, indications of all existing trees and landscaped areas on the land and details of any to be retained, together with measures for their protection in the course of development, and shall also clearly identify the locations where root barrier protection shall be implemented. The scheme shall include the proposed areas of trees/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting, with all

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replacement planting on site undertaken on the basis of 2 for 1 for every tree removed. Such landscaping scheme shall include a high percentage of native species both in terms of the proposed trees (eg Sessile oak, Scots pine, Field maple and aspen) and the hedgerows, whilst also taking into account that the choice of species should discourage bird activity (feeding/roosting) which may present a bird strike threat to aircraft operating at Aberdeen International Airport. (12) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority. (13) That no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the planning authority and any such scheme as may have been approved has been implemented. (14) That any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied. (15) That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks. (16) That no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. (17) That no construction work pursuant to the planning permission hereby approved shall be undertaken by cranes or scaffolding of a height greater than 8.2 metres above ground level without prior consultation and approval of Aberdeen International Airport. (18) That no development pursuant to the planning permission hereby approved shall take place until a bird hazard management plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of the developer's commitment to managing the risk of attracting birds to the site during excavation activities, and the measures in place for the safe dispersal of birds and thereafter the agreed measures shall be implemented in full. (19) That no development shall take place unless details of all measures for deterring birds from the proposed Sustainable Urban Drainage System scheme have been submitted to and approved in writing by the planning authority. Such details shall outline the measures being put in place to avoid endangering the safe operation of aircraft

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through the attraction of birds and thereafter such measures should be implemented in complete accordance with the approved details. (20) That there shall be no means of direct vehicular access from the application site to the trunk road (A96). Pedestrian access to the trunk road shall be restricted to the footpath immediately to the west of the site. (21) That the applicant shall liaise with Transport Scotland and its Operating Company in regard to the timing, traffic management and standard of construction required for the pipeline crossing under the trunk road (A96). (22) That no development pursuant to the planning permission hereby approved shall take place unless detailed plans showing lighting schemes required during construction and for the completed development are submitted and approved in writing by the planning authority. Such lighting schemes shall incorporate flat glass, full cut off design with horizontal mountings, and shall ensure that no light spill occurs above the horizontal. (23) That no development shall take place unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full. Thereafter no building shall be occupied unless the recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full. (24) That no development pursuant to this development shall take place unless further detailed specification has been submitted to and approved in writing by the planning authority clearly demonstrating that the load-bearing capacity of the proposed combined cycleway/footpath is capable for use by emergency service vehicles. (25) That no development pursuant to the planning permission hereby approved shall be carried out unless a method statement for the use of no-dig road and path construction within the root protection areas of retained trees has been submitted to and approved in writing for the purpose by the planning authority. (26) That no development pursuant to the planning permission hereby approved shall be carried out unless drawings showing specific finished ground levels, finished road levels, and finished ground floor levels of dwellings across the site have been submitted and approved in writing for the purpose by the planning authority.

The Sub Committee were circulated with a further condition as follows:- “that no residential unit within the development hereby approved shall be occupied unless all footway/ cycleways and vehicular roads have been constructed to the legal boundary of land in the applicant’s ownership (even if this requires the demolition of a mutually owned wall or/ and trees removed) as shown on drawing no. 92490/1001revF unless the planning authority have given written consent for a variation.

**The Sub Committee resolved:-**

to defer consideration of the application meantime to enable members to visit the site. The reasons for visiting the site were to look at the potential links to the road network at the site as well as the volume of traffic in the area.

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**LAND ADJACENT TO NORTH DEESIDE ROAD, PITTENGULLIES BRAE, PETERCULTER - P130230**

6. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

a willingness to approve, subject to conditions (as detailed below) but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to secure the identified developer contributions towards affordable housing units, provision of community facilities and recreation, library, core path improvements, healthcare and Strategic Transport Fund for the erection of a 32 No unit residential development with ancillary site works and landscaping at land adjacent to North Deeside Road, Pittengullies Brae, Peterculter, Aberdeen, subject to the following conditions:-

(1) That this planning permission in principle shall lapse on the expiration of 2 years from the approval of matters specified in conditions being obtained (or, in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained) unless the development to which the permission relates is begun before that expiration. (2) That this planning permission in principle shall lapse unless a further application for approval of the matters specified in condition(s) attached to this grant of planning permission in principle has been made before whichever is the latest of the following; (i) the expiration of 3 years from the date of this grant of planning permission in principle; (ii) the expiration of 6 months from the date on which an earlier application for the requisite approval of matters specified in conditions was refused; and (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed. (3) That no development pursuant to the planning permission in principle hereby approved shall be carried out until such time as a further application has been made to the planning authority for approval of the matters specified in this condition and such approval has been granted; these matters being details of the (i) means of access, (ii) layout of development, (iii) design and external appearance of the building(s) and (iv) the landscaping of the site. (4) That no development shall take place unless details of the siting, layout and materials of the dwellings have been submitted to, and approved in writing by, the planning authority. Thereafter the dwellinghouses shall not be occupied unless built in full accordance with details so approved. (5) That notwithstanding the drainage plan submitted, that no development shall take place within the application site until the applicant has carried out and submitted to, and been approved in writing by, the planning authority (i) a condition survey, preferably through CCTV, of the culverted watercourse adjacent to the development and in the immediate downstream, and (ii) an assessment of flood routing; and, if required, an updated drainage impact assessment, Sustainable Urban Drainage System and outline any flood routing mitigation measures required. Thereafter the development shall not be occupied unless built in full accordance with the details approved. (6) That at least two months prior to the commencement of the development, a full site specific Construction Environmental Management Plan (CEMD) shall be submitted to and approved in writing by the planning authority in consultation with SEPA and



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thereafter all works associated with the development shall be carried out in accordance with the approved CEMD. (7) That no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. (8) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/ shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. (9) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority. (10) That no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the planning authority and any such scheme as may have been approved has been implemented. (11) That any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied. (12) That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks. (13) That no development shall be undertaken unless provision has been made within the application site for the segregation, storage, collection and disposal of residential refuse in accordance with a scheme which has been submitted to and approved in writing by the planning authority. (14) That no development pursuant to this grant of planning permission shall be undertaken unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full. (15) That no development pursuant to the planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been

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submitted to and approved in writing by the planning authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety. (16) That no dwellings hereby granted planning permission shall be occupied unless the area/areas of public open space including the play area as identified on Drawing No. OPL-01C of the plans hereby approved (or such other drawing as may be subsequently approved) have been laid out in accordance with a scheme which shall be submitted to and approved in writing by the planning authority. No development pursuant to this planning permission shall take place unless such a scheme detailing the manner in which the open space is to be managed and maintained has been submitted to and approved in writing by the planning authority. Such scheme shall include provision for a play area comprising at least five items of play equipment and a safety surface. The said area shall not thereafter be used for any purpose other than as a Play Area. (17) That no development shall take place unless there has been submitted to and agreed in writing by the planning authority a scheme for the provision of public footpaths along the road frontages of the site and the provision of a footpath on the south side of the site to the east of Pittengullies Brae linking to the South Deeside Line. Thereafter the public footpaths shall be constructed in full with the scheme submitted and by the occupation of the first unit. (18) That no part of the development shall be occupied unless a schedule of work relating to the upgrading of bus shelters, which may include seating, lighting, shelter, raised kerbs and timetable provision for the bus stops on the westbound and eastbound bus stop has been submitted to, and approved in writing by the planning authority, and subsequently the upgrading work has been implemented prior to the occupancy of any residential unit implemented. (19) That no development shall take place unless there has been a submitted to and agreed in writing by the planning authority detailed plans showing visibility splays for all new road junctions, including driveways on to Pittengullies Brae, and thereafter the junctions shall be constructed in full accordance with the approved plans. Further to this the layout of internal roads and the front garden spaces of the properties be developed without obstruction safety. (20) That no development shall take place unless there has been a submitted to and agreed in writing by the planning authority detailed plans showing measure to reduce speeds in the internal road layout.

**The Sub Committee resolved:-**

to defer consideration of the application meantime to enable members to visit the site. The reasons for visiting the site were to clarify the location of the access road on to the North Deeside Road and its location in relation to the proposed slip road for the Aberdeen Western Peripheral Route.

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**LAND ADJACENT TO NORTH DEESIDE ROAD, PITTENGULLIES BRAE, PETERCULTER - P130229**

7. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:**

a willingness to approve, subject to conditions (as detailed below) but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to secure the identified developer contributions towards affordable housing units, provision of community facilities and recreation, library, core path improvements, healthcare and Strategic Transport Fund in relation to the erection of an 8 numbered unit residential development with ancillary siteworks and landscaping at land adjacent to North Deeside Road, Pittengullies Brae, Peterculter, Aberdeen, subject to the following conditions:-

- (1) That notwithstanding the drainage plan submitted, that no development shall take place within the application site until the applicant has carried out and submitted to, and been approved in writing by, the planning authority (i) a condition survey, preferably through CCTV, of the culverted watercourse adjacent to the development and in the immediate downstream; and (ii) an assessment of flood routing; and, if required, an updated drainage impact assessment, Sustainable Urban Drainage System and outline any flood routing mitigation measures required. Thereafter the development shall not be occupied unless built in full accordance with the details approved.
- (2) That no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed.
- (3) That no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.
- (4) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/ shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. Further to this within plot 8 four heavy standard trees are to be planted in the southern corners of the site.
- (5) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the

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planning authority. (6) That no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the planning authority and any such scheme as may have been approved has been implemented. (7) That any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied. (8) That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks. (9) That on each house plot there shall be planted two trees of species to be agreed in writing with the planning authority. These trees are to be planted at half-standard size or larger. Planting shall take place in the first planting season after completion of each house and any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the planning authority gives written consent to any variation. (10) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority. (11) That the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full. (12) That no dwellings hereby granted planning permission shall be occupied unless the area/areas of public open space including the play area as identified on Drawing No. DPL-01B of the plans hereby approved (or such other drawing as may be subsequently approved) have been laid out in accordance with a scheme which shall be submitted to and approved in writing by the planning authority. No development pursuant to this planning permission shall take place unless such a scheme detailing the manner in which the open space is to be managed and maintained has been submitted to and approved in writing by the planning authority. Such scheme shall include provision for a play area comprising at least five items of play equipment and a safety surface. The said area shall not thereafter be used for any purpose other than as a Play Area. (13) That no part of the development shall be occupied unless a schedule of work relating to the upgrading of bus shelters, seating, lighting, shelter, raised kerbs and timetable provision for the bus stops on the westbound and eastbound bus stop has been submitted to, and approved in writing by the planning authority, and subsequently the upgrading work has been implemented prior to the occupancy of any residential unit implemented.

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**The Sub Committee resolved:-**

to defer consideration of the application meantime to enable members to visit the site. The reasons for visiting the site were to clarify the location of the access road on to the North Deeside Road and its location in relation to the proposed slip road for the Aberdeen Western Peripheral Route.

**OLDMILL ROAD, BON ACCORD CRESCENT - P130743**

8. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

a willingness to approve, subject to conditions (as detailed below) but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to retain the development in a single ownership, in relation to a proposal for a mixed use building consisting of serviced residential apartments and a business unit at Oldmill Road, Bon Accord Crescent, Aberdeen, subject to the following conditions:-

- (1) That notwithstanding the details submitted, prior to the laying of the foundations of the building hereby approved details of the granite, including sample board of materials to be provided, shall be submitted to and approved in writing by the planning authority. The details shall include the granite detailing, the brick detailing and the mortar. The development thereafter shall be constructed fully in accordance with the approved detailed.
- (2) That notwithstanding the details submitted, no development shall commence on site until full details of all the boundary treatments have been submitted to and approved in writing by the planning authority. The boundary treatments shall be implemented in full prior to the first occupation of any part of this development.
- (3) That notwithstanding the details submitted, no development shall commence on site until full details of the surface water drainage have been submitted to and approved in writing by the planning authority. The approved drainage shall be implemented in full prior to the first occupation of any part of this development.
- (4) That the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full.
- (5) That the landscaping scheme hereby approved shall be implemented in full in accordance with the approved scheme prior to the first occupation of any part of this development hereby approved.
- (6) That the development hereby approved shall not be occupied until a scheme of maintenance of the landscaping has been submitted to and approved in writing by the planning authority. The landscaping shall be managed in accordance with the approved scheme for a minimum period of five years from the date of first occupation of the development hereby approved.
- (7) That notwithstanding the details submitted, the street lighting, repairs to railings, collapsible bollard and surfacing of Oldmill Lane hereby approved as part of this application shall be installed/completed in accordance with details that shall be first submitted to and approved in writing by

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the planning authority. The works listed shall be installed fully in accordance with the approved details prior to the first occupation of any part of the development hereby approved. (8) That prior to the first occupation of any one of the serviced apartments hereby approved details of the membership to a Car Club scheme for the eligibility of the occupants of the serviced apartments shall be first submitted to and approved in writing by the planning authority. Thereafter the serviced apartments shall continue to operate with membership to a Car Club for the occupants of the serviced apartments in accordance with the approved details. (9) That notwithstanding the details submitted, the cycle parking provision shall be provided in full prior to the first occupation of the development in accordance with details that shall be first submitted to and approved in writing by the planning authority, and thereafter retained at all times for such purpose. (10) That upon the first occupation of any one of the serviced apartments hereby approved, no less than two bicycles shall be provided on site for the use of occupants of any one of the serviced apartments. (11) That no development shall take place unless there has been submitted to and approved in writing a detailed Green Transport Travel Plan, which outlines sustainable measures to deter the use of the private car. The plan shall clearly state what measures will be undertaken to enhance alternative modes of travel, and detailed monitoring, including measures that will be taken to increase uptake of alternative modes of travel than the private car. (12) That not any one of the serviced apartments hereby approved shall be occupied for a period in excess of 90 days in any one calendar year by any one family, individual or group. (13) That notwithstanding the provisions of Class 2 of the schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997 as amended, or any Order revoking and re-enacting that Order, with or without modification, the approval hereby granted relates only to the use of the premises as an office and for no other use or purpose including any other activity within Class 2 of the said Order and including any activity within Class 1 of the said Order. (14) That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1997 as amended, or any Order revoking and re-enacting that Order, with or without modification, no changes to any of the windows or glazing hereby approved shall be changed or altered in any way, and now new windows or openings inserted, without the express prior approval of the planning authority. (15) That notwithstanding the details submitted, the development hereby approved shall not be occupied or brought into first use until the balconies have been installed in full in accordance with details that shall be first submitted to and approved in writing by the planning authority. Details shall include materials, type and height, including samples where may be required. Thereafter the balconies shall be retained in full accordance with the approved details in perpetuity unless otherwise approved in writing by the planning authority. (16) That notwithstanding details submitted, no windows on the south elevation in the ground floor plan and first floor plan (levels three and four) which have louvres fitted shall be of opening or sliding windows. All windows shall be fixed. (17) That the building hereby approved shall not be occupied or brought into first use until louvres have been attached to the ground floor and first floor windows (levels three and four) as identified in the

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submitted plans, in accordance with details that shall first be submitted to and approved in writing by the planning authority. Thereafter the louvres shall be retained and not altered in any way without the prior express written approval of the planning authority. (18) That the bin storage area shown on the approved plans shall be provided on site in accordance with the approved plans and with a wash down and gulley facilities. Thereafter the bin storage area shall be retained at all times for use and shall not be altered in any way without the prior approval of the planning authority. (19) That notwithstanding the details submitted, no development shall take place until full details of the external materials in the location where the lift shaft will appear have been submitted to and approved in writing by the planning authority. Thereafter the development shall be completed in accordance with the approved details. (20) That notwithstanding the details submitted, no development shall commence on site until samples of all the listed materials have been submitted to and approved in writing by the planning authority; (i) glazing; (ii) louvre windows; (iii) anodised aluminium panel and flashing; (iv) roof materials, and all protrusions above the roofline; (v) aluminium/stainless steel mesh blind; and (vi) the aluminium frame section at levels five and six (floors two and three). The development shall be completed in accordance with the approved details.

The Convener moved, seconded by Councillor McGregor:-  
that the recommendation contained in the report be approved.

Councillor Boulton moved as an amendment, seconded by Councillor Greig:-  
that the application be refused as it represented overdevelopment of the site; there were access problems to the site; and the development would have an adverse effect on the amenity of residents in the area.

On a division, there voted:-

For the motion (8) – The Convener; and Councillors Cameron, Grant, Jaffrey, McGregor, McCaig, Jean Morrison MBE and Thomson.

For the amendment (4) – Councillors Boulton, Finlayson, Greig and Lawrence.

**The Sub Committee resolved:-**

to adopt the motion.

**CLIFF HOUSE, CRAIGTON ROAD, ABERDEEN - P121749**

9. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

that the Sub Committee approve the renewal of planning application A8/2045 for the erection of two sustainable five bedroom houses with detached garages at Cliff House, Craighton Road, Aberdeen, subject to the following conditions :-

(1) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of

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landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. (2) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority. (3) That no development shall take place unless a scheme for the protection of all trees to be retained during on the site during construction works plan showing those trees, as shown on drawing CHC-1306-TP and described in the approved tree report (dated 6 June 2013) or as contained in any other such scheme submitted to and approved in writing by the planning authority for this purpose, has been implemented. (4) That any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied (5) That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks. (6) That the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full (7) That no part of the development shall take place unless a plan and site specific method statement for the construction of the driveway close to trees has been submitted to and approved in writing by the planning authority. The construction of the driveway shall follow the principles as described in "The Tree Advice Trust's Arboricultural Practice Note Number 12: Through the Trees to Development" and shall utilise a no dig method of construction. (8) No development shall take place unless there has been submitted to, and approved in writing by, the planning authority (i) a scheme for the supervision of the arboricultural protection measures and works to include the time and method of site supervision, record keeping including updates and That this supervision is administered by a qualified arboriculturalist approved by the planning authority but instructed by the applicant; (ii) a plan and report illustrating appropriate management proposals for the care and maintenance of all of the trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in



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writing by the planning authority. The proposals and scheme of supervision shall subsequently be carried out in complete accordance any information thereby approved in writing by the planning authority. (9) That the dwellinghouse hereby granted planning permission shall not be occupied unless a scheme for the provision of foul sewerage and wholesome water facilities has been submitted to and approved in writing by the planning authority and that the said scheme has been implemented. (10) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme.

**The Sub Committee resolved:-**

to approve the recommendation contained in the report.

**EDGEHILL HOUSE, NORTH DEESIDE ROAD, MILLTIMBER - P130211**

**10.** The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

a willingness to approve, subject to conditions (as detailed below) with consent being withheld pending satisfactory conclusion of a planning agreement relating to the payment of monies in connection with developer contributions and affordable housing provision for the replacement of a house and the construction of 5 additional dwellings with associated infrastructure, improved accesses and tree protection works at Edgehill House, North Deeside Road, Milltimber, Aberdeen, subject to the following conditions:-

(1) That no development shall be undertaken until such time as the existing bus stop on North Deeside Road has been relocated in accordance with drawing 96035/1001, or any other such drawing as submitted to and approved in writing by the planning authority for this purpose. (2) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme. (3) That no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety. (4) That no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed. (5) That no development pursuant to the planning permission hereby approved shall be

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carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. (6) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority. (7) That no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the planning authority and any such scheme as may have been approved has been implemented. (8) That any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied. (9) That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks. (10) That the dwellinghouse hereby approved shall not be occupied unless provision has been made within the site for the off-street parking of motor vehicles in complete accordance with Plan No. 1796-EHD-P03 or such other scheme as may be subsequently approved in writing by the planning authority. (11) That the dwellings hereby granted planning permission shall be occupied unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority. (12) That the dwellings hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full.

**The Sub Committee resolved:-**

To defer consideration of the application meantime to enable members to visit the site. The reason for visiting the site was to clarify the proposed road access to the

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development site onto North Deeside Road; its location in relation to the proposed slip road for the Aberdeen Peripheral Route and the proposed relocation of a bus stop.

**WOODBANK HOUSE, NORTH DEESIDE ROAD, CULTS - P120791**

**11.** The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

that the Sub Committee approve the application for planning permission in principle for the proposed demolition of a former manager's accommodation/ training centre and the redevelopment of the site to provide for the erection of 4 detached dwelling houses with associated access, garages and landscaping improvements at Woodbank House, North Deeside Road, Cults, Aberdeen, subject to the following conditions:-

- (1) That this planning permission in principle shall lapse on the expiration of 2 years from the approval of matters specified in conditions being obtained (or, in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained) unless the development to which the permission relates is begun before that expiration.
- (2) That this planning permission in principle shall lapse unless a further application for approval of the matters specified in condition(s) attached to this grant of planning permission in principle has been made before whichever is the latest of the following:- (i) the expiration of 3 years from the date of this grant of planning permission in principle; (ii) the expiration of 6 months from the date on which an earlier application for the requisite approval of matters specified in conditions was refused; and (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed.
- (3) That no development shall take place unless details of the siting, layout, design and external appearance of the 4 No. new dwellings have been submitted to, and approved in writing by, the planning authority. Thereafter the dwellinghouses shall not be occupied unless building in full accordance with the details so approved.
- (4) That no development pursuant to this grant of planning permission in principle shall be undertaken unless a scheme demonstrating the arrangements for the provision of the internal access road, car parking and pedestrian link to North Deeside Road has been submitted to and approved in writing by the planning authority. Thereafter no dwellings shall be occupied until any such car parking areas so approved have been constructed, drained, laid-out and demarcated in accordance with the drawings approved for that purpose.
- (5) That no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety.
- (6) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied

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unless the drainage has been installed in complete accordance with the said scheme. (7) That no development pursuant to this planning permission shall take place unless there has been submitted to and approved in writing for the purpose by the planning authority an assessment of the noise levels likely within the building, unless the planning authority has given prior written approval for a variation. The assessment shall be prepared by a suitably qualified independent noise consultant and shall recommend any measures necessary to ensure a satisfactory noise attenuation for the building. The property shall not be occupied unless the said measures have been implemented in full. (8) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. (9) That no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the planning authority and any such scheme as may have been approved has been implemented. (10) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority. (11) That the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full. (12) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority. (13) That any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied. (14) That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or

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trunks. (15) That, except as the planning authority may otherwise agree in writing, no construction or demolition work shall take place:- (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays; (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or (c) at any time on Sundays, except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery]. (16) That no development shall be commenced until such time as full details of the mitigation measures proposed in relation to the presence of bats have been submitted to and approved by the planning authority, following consultation with Scottish Natural Heritage, and that thereafter such measures are implemented in full prior to the commencement of development.

**The Sub Committee resolved:-**  
to approve the application.

### **53 WOODCROFT AVENUE, BRIDGE OF DON - P130824**

**12.** The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-** that the Sub Committee approve the application in respect of planning permission for the sub-division of the curtilage and the erection of a single dwelling house adjacent to the existing house, and the erection of a replacement garage (a renewal of a planning permission ref: P100813) at 53 Woodcroft Avenue, Bridge of Don, Aberdeen, subject to the following conditions:-

- (1) That no development pursuant to this planning permission shall take place unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of permanent site boundary enclosures for the dwellinghouse hereby granted planning permission. The dwellinghouse shall not be occupied unless the said scheme has been implemented in its entirety.
- (2) That no development shall take place unless a scheme of all drainage works has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme.
- (3) That no development pursuant to this planning permission shall take place unless tree protection fencing has been erected around the root protection zones of Rowans 3598, 3599 and 3600 in accordance with the recommendation in the Tree Survey Report dated March 2010 and submitted by Straun Dalgleish Arboriculture (a copy of which is attached to this permission). Thereafter the protection fencing shall remain in place for the duration of the construction work and no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks.
- (4) That the dwellinghouse hereby approved shall not be occupied unless the parking spaces, turning area and detached garage which will serve the new dwellinghouse and 53 Woodcroft Avenue have been provided in complete

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accordance with drawing FBD.458/201 (Rev.A) or such other scheme as may be subsequently approved in writing by the planning authority. (5) That the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full.

### **The Sub Committee resolved:-**

To approve the recommendation contained in the report.

### **LAND TO NORTH OF SITE 13, DENMORE ROAD, MURCAR INDUSTRIAL ESTATE - P130776**

**13.** With reference to article 11 of the minute of meeting of the Development Management Sub Committee of 18 July, 2013, the Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-** that the Sub Committee refuse the application in respect of planning permission for the change of use from an area of amenity ground to private car park with associated landscaping and a new access footpath accessible to the public at land to the north of Site 13, Denmore Road, Murcar Industrial Estate, Aberdeen, on the following grounds:-

That the proposed development fails to accord with Scottish Planning Policy (SPP), Policies NE1 "Green Space Network", BI1 "Business and Industrial Land" and NE5 "Trees and Woodland" of the Aberdeen Local Development Plan and the Council's Supplementary Planning Guidance relating to Open Space as the proposal would result in the loss of an area of open space to the detriment of the surrounding area. The open space was designed into the overall industrial development, and its loss would also cause unacceptable detriment to the amenity of the surrounding area. The development would also set an undesirable precedent for applications of a similar nature throughout industrial estates in Aberdeen.

By way of an update since the previous meeting, the report explained that the applicant had provided justification for the additional car parking requirements and had explained that the primary objective of the car park proposal was to facilitate the further development of the existing Sparrows site immediately to the south of the application site, and this would be done by relocating the car parking spaces and consequently creating a clear site for the development of a new fabrication workshop.

### **The Sub Committee resolved:-**

to approve planning permission on a temporary basis for 2 years to allow the developer to obtain the necessary consents and construct the fabrication workshop (as detailed in Sparrows' statement of justification contained in the report) and agreed that if no plans were forthcoming by the 2 years then the developer would be required to reinstate the green space to the satisfaction of the planning authority, subject to the following conditions:-

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(1) That use of the car parking area hereby approved shall not continue after expiry of two years from the date of this consent unless a fabrication workshop as described in the supporting statement from Donald Coutts Architectural Consultancy Ltd, dated 5 August 2013, has been constructed. Otherwise the site shall, within one year of expiry of the stated 2 year period, be restored to a landscaped area of open space in accordance with a scheme submitted to and approved in writing by the planning authority. (2) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/ shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. (3) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority. (4) That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. O51c/P - 02A of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval. (5) That before the approved parking area is brought into use the proposed access pathway between Denmore Road and Ellon Road shall be constructed in accordance with drawing No. O51c/P - 02A. (6) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme.

**GARTHDEE ROAD, LAND BETWEEN RIVER DEE / BRIDGE OF DEE - P111641**

14. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-** that the Sub Committee refuse the application in respect of planning permission for the erection of new restaurant units with associated car parking, servicing, hard and soft landscaping, and the relocation of a sprinkler tank and pumphouse at land between the River Dee and the Bridge of Dee, Garthdee Road, Aberdeen on the following grounds:-

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(1) That the location of the proposed development within the undeveloped/sparsely developed functional floodplain, would not meet with the requirements of Scottish Planning Policy, Planning Advice Note PAN 69 and Aberdeen Local Development Plan Policy NE6 (Planning and Flooding) by virtue of the increased risk of flooding and could have a potentially detrimental impact on the River Dee Special Area of Conservation (SAC). (2) That the proposed development, by reason of its height, bulk, scale and massing would result in the creation of an obtrusive and incompatible form of development which would fail to respect the character and appearance of the application site and its immediate surroundings which forms part of a natural green corridor on the north bank of the River Dee. The development has not been designed with due consideration for its location and, as such, the development is contrary to Aberdeen Local Development Plan Policy D1 (Architecture and Placemaking). (3) That the proposed development would be contrary to Aberdeen Local Development Plan Policies NE1 (Green Space Network), NE3 (Urban Green Space) and NE5 (Trees and Woodlands) by virtue of the loss and erosion of the Green Space Network, the loss of established trees on site and the loss of urban green space to the detriment of the visual amenity and natural habitat value of the application site. (4) That the full impacts of the proposed development cannot be assessed as the applicant has failed to submit the necessary specialist information which was requested in order to fully assess the potential impact on the River Dee Special Area of Conservation (SAC), and in order to fully assess the traffic impact, drainage and car parking provision of the application site.

**The Sub Committee resolved:-**

to approve the recommendation contained in the report.

**- RAMSAY MILNE, Convener.**