

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 13 February 2014. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Cameron (as substitute for Councillor Corall), Cormie, Grant, Greig, Lawrence, MacGregor, Jean Morrison MBE, Samarai, Jennifer Stewart, Stuart (as substitute for Councillor Jaffrey), Thomson and Townson.

**The agenda and reports associated with this minute can be found at:-**  
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=2879&Ver=4>

**Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.**

### MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 16 JANUARY 2014

1. The Committee had before it the minute of its previous meeting of 16 January 2014.

**The Committee resolved:-**  
to approve the minute.

#### **SITE 6 KIRKTON DRIVE, RAITHS INDUSTRIAL ESTATE - 131414**

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

That the Committee approve the application in respect of hazardous substances consent to permit the storage of 48 tonnes of liquefied propane gas (LPG) on site, subject to the following condition:-

(1) That the hazardous substance shall not be kept or used other than in accordance with the application particulars provided in the hazardous substances consent application form (revised as per email dated 19th December 2013), nor outside the areas marked for storage of the substance on the plan which formed part of the application (see Drawing No 9751/9000 Revision C: Proposed water main and site storage layout, dated 23 August 2013) - in order to ensure that the circumstances on site remain in line with those on which the assessment by the Health and Safety Executive was carried out.

**The Committee resolved:-**  
to approve the recommendation.

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**27 HAMMERFIELD AVENUE - 131159**

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

That the Committee approve unconditionally the application in respect of planning permission to erect an extension to the rear elevation of the property.

The Committee heard from Daniel Lewis, Development Management Manager, who advised that the original proposal had been amended since the application had first been submitted and referred to the fact that the incorrect property had been identified on the plan, however once this had been rectified, neighbour notification and the site visit by the planning officer had been carried out in terms of the correct procedure.

Councillor Boulton stated that she would not be content to make a recommendation for approval based on the information before Committee and moved as a procedural motion, seconded by Councillor Townson:-

That a site visit be undertaken to allow members the opportunity to visualise the size of the extension, and its impact in the context of the surrounding area.

On a division, there voted:- for the procedural motion (9) – the Vice Convener; and Councillors Boulton, Cameron, Greig, Jean Morrison MBE, Samarai, Jennifer Stewart, Thomson and Townson; against the procedural motion (6) – the Convener; and Councillors Cormie, Grant, Lawrence, MacGregor and Sandy Stuart.

**The Committee resolved:-**

to adopt the procedural motion, and therefore defer consideration of the application meantime to enable members to visit the site.

**LAND AT WEST HUXTERSTONE, LANGSTRACHT KINGSWELLS - 130912**

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

That the Committee express a willingness to approve the application in respect of planning permission for the erection of 97 residential dwellings and associated landscaping, open space, car parking, access road and SUDS, but to withhold the issue of the consent document until the applicant had entered into a legal agreement with the Council to secure (1) on-site affordable housing provision; (2) Strategic Transport Fund contributions; (3) developer contributions towards off-site affordable housing provision, upgrading of local education facilities, upgrading of local community and recreational facilities, upgrading of the local core path network, and local healthcare facilities; and (4) provision of a footpath along the southern side of the Langstracht between the application site and Fairley Road, returning down Fairley Road, and the provision of a

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pedestrian crossing on Fairley Road near the junction with the Langstracht, and subject to the following conditions:-

(1) that no more than 70 of the hereby approved residential units shall be completed until such time as an RCC compliant road link to Fairley Road has been provided, all to the satisfaction of Aberdeen City Council, as Planning Authority - in order to allow satisfactory vehicular access to the site and ensure compliance with the West Huxterstone Masterplan; (2) 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, such a programme shall be submitted in advance for the written approval of Aberdeen City Council as Planning Authority - in the interests of protecting items of historical importance as may exist within the application site; (3) that no hereby approved development shall take place, unless there has been submitted to and approved in writing by Aberdeen City Council as Planning Authority, a detailed scheme of site and plot boundary enclosures. No individual dwellinghouse shall be occupied unless the approved plot boundary treatment has been implemented in its entirety - in order to preserve the amenity of the neighbourhood; (4) that no individual dwellinghouse hereby approved shall be occupied unless the car parking areas relative to that house have been constructed, drained, laid-out and demarcated in accordance with drawing No. 96333/1001 rev P of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by Aberdeen City Council as Planning Authority. Such areas shall not thereafter be used for any other purpose other than the parking of cars ancillary to the development - in the interests of public safety and the free flow of traffic; (5) Development shall not commence until a bird hazard management plan has been submitted to and approved in writing by Aberdeen City Council as 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, measures put in place for the safe dispersal of birds, and thereafter the such approved measures shall be implemented in full – to avoid endangering the safe movement of aircraft and the operation of Aberdeen Airport through the attraction of birds; (6) that no hereby approved development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems (with a 1 in 200 year event level) has been submitted to and approved in writing by Aberdeen City Council as Planning Authority and thereafter no individual house shall be occupied unless the drainage required for that house has been installed in complete accordance with such an approved scheme - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained; (7) that no hereby approved development shall be carried out unless there has been submitted to and approved in writing by Aberdeen City Council as Planning Authority a further detailed scheme of landscaping for the site, including indications of all existing trees and landscaped areas and details of any to be retained, together with measures for their protection in the course of development, and the proposed

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areas of tree/shrub planting including details of phased implementation, numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area; (8) that all planting, seeding and turfing comprised in the approved scheme of landscaping required by condition 7 shall be carried out in the first planting season following the completion of the 97<sup>th</sup> dwellinghouse and any trees or plants which, within a period of 5 years from such completion, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of an appropriate size and species, or in accordance with such other scheme as may be submitted to and approved in writing by Aberdeen City Council as Planning Authority - in the interests of the amenity of the area; (9) that no hereby approved dwellinghouse shall be occupied unless a 'scheme of tree protection during development' and a plan and report illustrating appropriate management proposals for the care and maintenance of all trees/hedgerows to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by Aberdeen City Council as Planning Authority. Such approved protection/management proposals shall be carried out, unless the planning authority has given prior written approval to any variation - in order to preserve the character and visual amenity of the area; (10) 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 Aberdeen City Council as 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" as soon as practicable - in order to preserve the character and visual amenity of the area; (11) 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 during development' required by condition 11 without the written consent of Aberdeen City Council as 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 - in order to ensure adequate protection for the trees on site during the construction of the development; (12) that no dwelling hereby granted planning permission shall be occupied unless the 'Play Area' indicated on plan No.: HUX/POS Rev F is completed, laid out and equipped in accordance with a detailed scheme, including a programme of future maintenance, which has been submitted to and approved in writing by Aberdeen City Council as Planning Authority. The approved 'Play Area' shall not thereafter be used for any purpose other than as a Play Area - in order to ensure the timely and future provision of play facilities at the site; (13) that no more than 70 of the hereby approved dwellinghouses shall be occupied unless the road and associated footways as shown on drawing 96333/1001 Rev P, connecting to the land to the west, have been constructed in full accordance with the hereby approved plans up to the legal boundary of the application site, unless Aberdeen City Council as Planning Authority has given written consent for any variation - in the interests of ensuring pedestrian connectivity and facilitating a future vehicular link to the west of the site; (14) that no development shall take place unless the mitigation measures as

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identified in the Northern Ecological Services report (final report dated 20/08/2013) have been implemented in their entirety - in the interests of safeguarding the fauna and habitats on-site; (15) at least 2 months prior to the commencement of any works, a site specific environmental management plan (EMP) must be submitted for the written approval of Aberdeen City Council as Planning Authority (in consultation with SEPA and other agencies such as SNH as appropriate) and all work shall be carried out in accordance with such approved plan. Such plan must address the following: surface water management and pollution prevention; soils management; site waste management; and noise & dust management - in order to minimise the impacts of necessary demolition/construction works on the environment; (16) that lighting schemes required during construction phases or in association to the completed development shall be of a flat glass, full cut off design, mounted horizontally and shall ensure that there is no light spill above the horizontal - to avoid endangering the safe operation of aircraft through confusion with aeronautical ground lights or glare; (17) that no development pursuant to the planning permission hereby approved shall take place unless a scheme of street and footpath lighting has been submitted to, and approved in writing by Aberdeen City Council as Planning Authority. No development shall be carried out unless in full accordance with the scheme of lighting approved in writing by the planning authority - in the interests of public safety and protecting wildlife; and (18) that none of the affordable housing units (plots 36-55) hereby granted planning permission shall be occupied unless a scheme detailing cycle storage provision has been submitted to, and approved in writing by Aberdeen City Council as Planning Authority, and thereafter implemented in full accordance with said scheme - in the interests of encouraging more sustainable modes of travel.

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

to approve the recommendation.

### **BISHOPS COURT, 29 ALBYN PLACE - 131464**

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

That the Committee **refuse** the application in respect of planning permission for the erection of a two storey extension to the southern end of the existing extension and associated infrastructure works to provide additional office accommodation on the following grounds:-

(1) that the proposal, if approved, would be detrimental to and thus not preserve or enhance the character of Conservation Area 4 (Albyn Place / Rubislaw) and the setting of the Category B listed buildings on the site and the adjacent site due to the excessive length, the loss of the sense of open space within the feu, and the inappropriate design of the extension and its relationship to the existing building, contrary to Scottish Planning Policy, Scottish Historic Environment

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Policy and Policies D1 (Architecture and Placemaking) and D5 (Built Heritage) of the Aberdeen Local Development Plan; and  
(2) that the proposal, if approved, would set an undesirable precedent for similar developments in Conservation Area 4 that would significantly adversely affect and undermine the special character of the area.

Councillor Greig moved, seconded by the Convener:-

That the application be refused in accordance with the recommendation and grounds set out in the report.

Councillor Cormie moved as an amendment, seconded by Councillor Townson:-

That the application be approved in terms of economic development, as it would help local business; as the application was in a well established commercial area; as the proposal would not be visible from the street; and as there was a precedent in the area for extensions which extended beyond the building line.

On a division, there voted:- for the motion (10) – the Convener, the Vice Convener; and Councillors Boulton, Cameron, Grant, Greig, Lawrence, Jean Morrison MBE, Jennifer Stewart and Thomson; for the amendment (5) – Councillors Cormie, MacGregor, Samarai, Sandy Stuart and Townson.

**The Committee resolved:-**

to adopt the motion.

**PLANNING DIGEST - EPI/14/018**

6. The Committee had before it a report by the Head of Planning and Sustainable Development which advised members of recent appeal decisions, recent updates in Scottish Government Planning Advice and other aspects of the planning service.

**The report recommended –**

that Committee note the outcome of the appeals in relation to 34-36 St Peter Street, and the Former Hilton Nursery School.

**The Committee resolved:-**

to approve the recommendation.

- **RAMSAY MILNE, Convener**.