

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 28 May 2014. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton (to article 4), Cormie, Donnelly (as substitute for Councillor Boulton from article 5), Grant (from article 5 onwards), Greig, Jaffrey, Lawrence, MacGregor, Jean Morrison MBE, Samarai, Jennifer Stewart, Sandy Stuart (as substitute for Councillor Corall), Thomson, Townson and Young (as substitute for Councillor Grant to article 4).

The agenda and reports associated with this minute can be found at:-  
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MIId=2882&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 24 APRIL 2014

1. The Committee had before it the minute of its previous meeting of 24 April 2014.

**The Committee resolved:-**

to approve the minute as a correct record.

### MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS) OF 2 MAY 2014

2. The Committee had before it the minute of the meeting of the Planning Development Management Committee (Visits) of 2 May 2014.

**The Committee resolved:-**

to approve the minute as a correct record.

### GRANDHOME ESTATE, DANESTONE - 131535

3. 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 in principle for a mixed-use development comprising up to 4,700 homes, town and neighbourhood centres, including commercial, retail, leisure and hotel uses, employment land, community facilities, energy centre, open space and landscaping, and supporting infrastructure including access on the Grandhome Estate,

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Danestone, but to withhold the issue of the consent document until the applicant had entered into a section 75 legal agreement with the Council to secure (1) the provision of 25% affordable housing in accordance with the Development Framework, to include a range of delivery options, including on-site provision and a gypsy traveller halting site; (2) developer contributions towards primary education provision (2 three stream schools) and a new secondary school plus serviced land for the foregoing; (3) developer contributions towards community facilities, library, sports provision, playing fields and healthcare; (4) developer contributions towards the Strategic Transport Fund; and (5) developer contributions towards mitigation on the local roads network; and subject to the following conditions:-

(1) That this permission shall lapse unless applications for those Matters Specified in Conditions (MSC) where development may not commence prior to determination of the condition (known as 'suspensive conditions') in respect of the first phase of development (as defined by the phasing plan required to be submitted by condition 4 below, or such other plan as is subsequently agreed) are made to the Planning Authority within 4 years of the date of this planning permission. Thereafter:-

MSC applications (suspensive only) for each subsequent phase shall be made within 3 years of the date of the final approval of the MSCs (suspensive only) in the preceding phase of development, as identified in the phasing plan to be submitted to and approved by the Planning Authority in accordance with Condition 4 of this permission, whichever is the later, or, the latest of the following:-

- (i) The expiration of 6 months from the date on which an earlier application for the requisite MSC was refused
- (ii) The expiration of 6 months from the date on which an appeal against such refusal was dismissed;

In order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006;

(2) That the development hereby granted permission shall be begun before the expiration of two years from the final approval of the matters specified in conditions for the respective phase or, in the case of approval on different dates, the final approval of the last such matters to be approved for the respective phase - in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006; (3) No development in connection with each respective phase of the planning permission hereby approved shall take place until full details of the siting, design, external appearance and landscaping within the relevant phase of the development and the means of access serving the relevant phase of development have been submitted to and approved in writing by the Planning Authority. The development shall then be implemented in complete accordance with the approved details, or those subsequently approved. Depending on the phase, and unless otherwise agreed in writing with the planning authority, the MSC applications shall include (1) a detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing

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ground levels and a fixed datum point within the relevant phase of development; (2) a detailed Drainage Plan for the relevant phase of development, including full details of the proposed means of disposal of surface water from the relevant phase of development, including how surface water run-off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures. The final location of SUDs, including ponds, should be appropriately positioned in accordance with an agreed flood risk assessment; (3) full details of the connection to the existing Scottish Water foul water drainage network for the relevant phase of development; (4) details of all cut and fill operations in the relevant phase of the development; (5) the details of all roads, footpaths and cycleways throughout the relevant phase of the development, including the progressive upgrading of Whitestripes Road where the development fronts and accesses that road; (6) details of any screen walls/fencing to be provided within the relevant phase of the development; (7) details of all landscaping, planting and screening associated with the relevant phase of the development; (8) full details of the layout, siting, design and finish of all residential properties, including the gypsy traveller site, throughout the relevant phase of development; (9) full details of the layout, siting, design and finish of all non-residential properties throughout the relevant phase of development. This shall include but is not limited to; community facilities, health centre, schools, commercial premises, energy centres, pumping stations, and water treatment works; (10) full details of all waste/recycling collection points, for residential and non-residential properties; in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006;

(3) The submission of the first application for the approval of MSC, plans shall incorporate a proposed phasing plan for the development as a whole, including identifying the phase that would include the gypsy traveller site. The development shall not be implemented otherwise than in full accordance with any scheme thereby approved, unless otherwise agreed in writing by the Planning Authority – to provide information relating to the schedule of development for the planning authority and in relation to others conditions;

(4) The landscaping details to be submitted pursuant to Condition 3 above shall include (1) existing and proposed finished ground levels relative to a fixed datum point; (2) existing landscape features and vegetation to be retained; (3) existing and proposed services including cables, pipelines and substations; (4) the location of new trees, shrubs, hedges, grassed areas and water features; (5) a schedule of plants to comprise species, plant sizes and proposed numbers and density; (6) the location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment; (7) an indication of existing trees, shrubs and hedges to be removed; (8) a Biodiversity Action Plan; (9) a Management Plan detailing appropriate management measures for all watercourse buffer strips; (10) a programme for the completion and subsequent maintenance of the proposed landscaping. All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of each respective phase of the development or

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such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of each phase of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted – in the interests of protecting trees and ensuring a satisfactory quality of environment;

(5) The details to be submitted pursuant to Condition 3 for each respective phase of the development shall show the proposed means of disposal of foul and surface water from the relevant phase of the development within the form of a Sustainable Urban Drainage System and include a development impact assessment and detailed design and methodology statement. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEPA, the development shall connect to the public sewer and the relevant phase of the development shall not be occupied unless the agreed drainage system has been provided in its entirety and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme. The details required shall also include details of the future long term maintenance of the system covering matters such as (1) an inspection regime relating to matters such as outlets/inlets; (2) frequency and method of cleaning of filter trenches, removal of silt etc.; (3) grass cutting (and weeding) regime for swales; (4) means of access for future maintenance; (5) how to ensure that planting will not be undertaken over perforated pipes; (6) details of the contact parties for future factoring/maintenance of the scheme to protect the water environment and help reduce flooding;

(6) Prior to the commencement of any phase of development, as identified in the approved phasing plan required by condition 4, for each respective phase full details of the proposed street design for each block, which shall contain, but not be limited to, a parking strategy, road junctions and visibility splays, gradients, level details, finishing/surfacing materials and crossing points, shall be provided for the further written approval of the Planning Authority in consultation with Roads Development. The development shall be carried out in complete accordance with such a plan and buildings shall not be occupied unless the streets and parking areas for the respective block are complete and available for use – in the interests of road safety;

(7) That no development within the phase that includes the ‘town centre’ (including the 2500m<sup>2</sup> single unit of retail floorspace indicated in the approved Grandhome Development Framework) shall take place unless there has been submitted to and approved in writing by, the planning authority a Retail Impact Assessment (RIA) for the Town Centre. The RIA shall assess the proposed scale and mix of town centre uses (Class 1, 2, 3, 7 and 11) and any impact on nearby town, district and neighbourhood centres and the city centre, together with an assessment of the scale and mix of town centre uses that are required to meet the retail and leisure needs of Grandhome residents and adjacent residential communities. The Assessment should also demonstrate how town centre uses should be phased to ensure the vitality and vibrancy of the Town Centre. The precise level of retail and town centre uses shall be informed by the outcome of the RIA to ensure that there is no significant adverse impact on pre-existing

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centres .– in order to ensure that the level of retail floorspace is appropriate to the size of settlement;

(8) Prior to the occupancy of each block, parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the agreed parking strategy in accordance with the Council's Car Parking Standards, unless otherwise agreed in writing with the planning authority - in the interests of road safety;

(9) That, unless otherwise agreed in writing with the planning authority, no more than 50% of the housing in the phase that includes the gypsy travellers site, shall be occupied prior to the travellers site being provided in accordance with a scheme that has been submitted to and approved in writing by, the planning authority – in the interests of ensuring the provision of a gypsy travellers site;

(10) That no development shall commence until such time as a public transport strategy, including proposals for the provision of either new or extended bus services linking the development with the existing public transport network, and details of the phased implementation of the strategy, have been submitted to and approved by the Planning Authority. No dwellinghouse shall then be occupied until the details submitted have been approved by the Planning Authority and shall thereafter be implemented in full in accordance with such a scheme – in the interests of encouraging the use of public transport;

(11) Prior to occupation of any development, and unless otherwise agreed in writing by the Planning Authority, the access junction onto Whitestripes Avenue and signalised pedestrian/cycle crossing will have been constructed in accordance with the submitted scheme or other such scheme as so agreed with the planning authority – in the interests of road safety;

(12) Prior to commencement of the development, details of the frontage treatment along the trunk road boundary shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, and thereafter implemented in complete accordance with such a scheme unless otherwise agreed in writing with the planning authority – to minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents;

(13) No residential units shall be occupied prior to November 2015 (to coincide with the opening of the Third Don Crossing) – in the interests of the traffic management;

(14) That no more than 500 residential units and ancillary uses shall be occupied prior to the Aberdeen Western Peripheral Route being open to traffic, and the consequent removal of trunk road status for the A90 Parkway to restrict the scale of the development in order to minimise the interference with the safety and free flow of traffic on the trunk road;

(15) For the period whilst it remains a trunk road, there shall be no means of direct access to the A90 Parkway for either vehicles or pedestrians – to ensure that the movement of traffic and pedestrians is confined to the permitted means of access thereby lessening the danger to and interference with the free flow of traffic on the trunk road;

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(16) Unless otherwise agreed in writing by the Planning Authority, no more than 501 residential units within the development shall be occupied until (1) a new signalised junction on the Parkway has been constructed; and (2) there has been implemented, modifications to the Buckie Farm Roundabout approach from Whitestripes Avenue. Both (1) and (2) shall be in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority in the interests of road safety.

(17) Unless otherwise agreed in writing by the Planning Authority, no more than 3501 residential units within the development shall be occupied until the signalisation of the Laurel Drive junction with the Parkway has been completed.

The scheme shall be in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority in the interests of road safety.

(18) No development in any particular phase of the development hereby approved shall take place unless a badger survey for that phase has been carried out and submitted to and approved in writing by the Planning Authority. The survey shall identify the location of all setts within the site and its vicinity and shall be undertaken by an experienced badger surveyor. Thereafter no development shall take place within the relevant phase of the development unless detailed mitigation measures to safeguard all existing badger setts located on and in the vicinity of the site have been submitted to and approved in writing by the Planning Authority. These details shall ensure access to fields for foraging and the retention of an adequate foraging area on completion of the development. For the avoidance of doubt there must be a minimum of 30m between any part of the development (including garden ground) and any sett. No development shall take place within the relevant phase unless the mitigation measures which have been agreed in writing by the Planning Authority are carried out in accordance with the agreed scheme – to ensure the protection of badgers;

(19) No development in a particular phase of the development hereby approved shall take place unless a bat survey of the phase has been carried out by a licensed bat worker and submitted to and approved in writing by the Planning Authority. Thereafter, no development shall take place within that phase unless detailed mitigation measures to safeguard bats within the phase have been submitted to and approved in writing by the Planning Authority and the agreed mitigation measures have been carried out in their entirety – in the interests of protecting bats;

(20) No works shall take place within any phase of development, until the developer has secured the implementation of a programme of archaeological works for that phase in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the Council Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the Council's Archaeology Service;

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(21) No development in connection with any phase of the development hereby approved shall take place unless a detailed Flood Risk Assessment, adhering to Technical Guidance for Flood Risk Stakeholders, for that phase has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. All work shall be carried out in accordance with the approved Assessment – in the interests of avoiding flooding;

(22) Prior to the commencement of works in any respective phase, a scheme detailing levels of sustainable drainage (SUDS) surface water treatment shall be submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme prior to occupation of the respective phase. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C697) and should incorporate source control to ensure adequate protection of the water environment from surface water run-off;

(23) All open watercourses on site should remain open and not be culverted unless otherwise agreed in writing by the Planning Authority in consultation with SEPA – in the interests of the avoidance of flooding and the environment;

(24) No development in connection with any phase of the development hereby approved shall take place unless a Survey identifying any private water supplies in that phase and a timetable for the carrying out of such work that will be impacted by the development has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. The Survey shall identify measures to protect or replace any identified private water supplies. All work shall be carried out in accordance with the approved Survey – in the interests of ensuring there is no detriment to those users of private water supplies;

(25) No works on any phase of the development hereby approved shall commence unless a detailed site-specific construction method statement has been submitted to and approved in writing by the Planning Authority. The construction method statement shall include details of the proposed routing of construction traffic. Once agreed, all construction works on the site shall comply with the approved construction method statement – in the interests of avoiding pollution;

(26) Prior to the commencement of works on each phase, a site waste management plan shall be submitted for the written approval of the Planning Authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved plan – in the interests of avoiding pollution;

(27) Prior to the commencement of development on each phase, a full site specific environmental management plan (EMP) must be submitted for the written approval of the Planning Authority, in consultation with SEPA and any other relevant agency, and all work shall be carried out in accordance with the approved plan. Such a plan shall include a dust management plan, detailing dust mitigation measures and controls, responsibilities and any proposed monitoring regime. The dust management plan shall be in accordance with good practice recommendations within the Institute of Air Quality Management: Guidance on the Assessment of the Impact of Construction on Air Quality and the Determination of their Significance, December 2011 and guidance on Air Quality

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monitoring in the Vicinity of Demolition and Construction Sites – in the interests of protecting the environment;

(28) Prior to the occupation of any non-residential units, any external plant and equipment to be installed shall be submitted and approved in writing by the Planning Authority, in consultation with Environmental Health. Details are to include an assessment of noise impact on the nearest residential property and recommendations for mitigation measures. Any measures recommended shall be implemented in full prior to the non-residential units being brought into use – in the interests of residential amenity;

(29) That no commercial / employment or residential element of the development shall be occupied unless there has been submitted to and approved in writing by the Planning Authority, a comprehensive Travel Plan for that part of the development, setting out proposals for reducing dependency on the private car. Each Travel Plan shall identify measures to be implemented, the system of management, monitoring, review and reporting, as well as the duration of the plan – in the interests of reducing travel by private car;

(30) That no development shall take place within any individual phase unless there has been submitted, to and approved in writing by, the planning authority an MSC application identifying safe routes to schools within the proposed development. The application shall include details of measures, including a timetable for implementation, required to help ensure safe travel to school and the measures shall be implemented fully in accordance with such a plan – in order to promote sustainable and safe travel;

(31) No development shall take place unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site that has been approved in writing by the planning authority. The scheme shall follow the procedures outlined in “Planning Advice Note 33 Development of Contaminated Land” and shall be conducted by a suitably qualified person in accordance with best practice as detailed in “BS10175 Investigation of Potentially Contaminated Sites - Code of Practice” and other best practice guidance and shall include (1) an investigation to determine the nature and extent of contamination; (2) a site-specific risk assessment; (3) a remediation plan to address any significant risks and ensure the site is fit for the use proposed; (4) verification protocols to demonstrate compliance with the remediation plan;

(32) No building(s) on the development site shall be occupied unless (1) any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken; and (2) a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation. The final building on the application site shall not be occupied 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 plan, unless the



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planning authority has given written consent for a variation - reason: to ensure that the site is suitable for use and fit for human occupation;

(33) Given the site's location near to the airport, development shall not commence until a Bird Hazard Management Plan for the duration of earth works has been submitted to, and approved in writing by, the planning authority. The Bird Hazard Management Plan must outline 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. The measures identified within the plan shall be implemented in full – in the interests of aircraft safety;

(34) In the event that during construction, craneage or scaffolding is required, then their use must be subject to separate consultation with Aberdeen International Airport (AIA). We would like to draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome – in the interests of aircraft safety;

(35) The proposed SUDS pond has the potential to attract feral geese and waterfowl, therefore details of the pond's profile and its attenuation times are requested from the applicant. Development within any phase containing SUDS ponds shall not take place unless there has been submitted, details of the SUDS ponds as above. If the pond is to remain dry for the majority of the year and has a rapid drawdown time, it should not be an attractant. However, should this not be the case, the scheme must outline the measures in place to avoid endangering the safe operation of aircraft through the attraction of birds. The proposal shall be implemented in complete accordance with any measures as so agreed – in the interest of aircraft safety;

(36) That no buildings within any respective phase of the development hereby approved shall be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' Supplementary Guidance has been submitted to the planning authority via a formal application and subsequently approved by that authority, and any recommended measures specified within the that scheme for the reduction of carbon emissions have been implemented in full – to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's Supplementary Guidance;

(37) That no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees 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 the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation - in order to preserve the character and visual amenity of the area;

(38) 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 - in order to preserve the character and visual amenity of the area;

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(39) 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 - in order to ensure adequate protection for the trees on site during the construction of the development;

(40) That no development shall take place within an individual phase unless a plan showing those trees (within the respective phase) 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 - in order to ensure adequate protection for the trees on site during the construction of the development;

(41) No development shall take place in any individual phase of the development hereby approved, unless there has been submitted to and approved in writing by the planning authority and by the radar Operator - NATS (En-route) plc, either (1) detailed plans for the proposed buildings in that individual phase, demonstrating that there would be no detrimental impact upon the operation of the Perwinnes Radar; or (2) details of a scheme to mitigate any detrimental impact upon the Perwinnes Radar. Development shall not take place other than in complete accordance with such a scheme as so approved unless the planning authority and NATS (En-route) plc have given written consent for a variation in the interests of aircraft safety. For the purpose of this condition:- **“Operator”** means NATS (En-route) plc, incorporated under the Companies Act (4129273) whose registered office is 4000 Parkway, Whiteley, Fareham, Hant, PO15 7FL or such other organisation licensed from time to time under section 5 and 6 of the Transport Act 2000 to provide air traffic services to the relevant managed area (within the meaning of section 40 of that Act).

**Informative 1**

Unless otherwise agreed in writing with the Planning Authority, during the construction of any phase of the development, the normal hours of operation for all activity audible at the boundary of the nearest noise sensitive premises shall be between 07:00 to 19:00 hours Monday to Friday; 07:00 to 12:00 hours on Saturday, with no working on Sundays.

**Informative 2**

It is advisable that the developer contact the Council's Waste Aware Team to discuss the appropriate waste storage and uplift arrangements for the residential developments.

**Informative 3**

Developers and applicants are advised that the application site is within the safeguarding zone of Perwinnes Radar Installation, operated by NATS (En Route) plc (“NERL”). On receipt of an application for matters specified in

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conditions (MSC) related to this grant of planning permission in principle (PPiP), the planning authority will consult NERL to determine if proposed buildings and structures would have an adverse impact upon the operation of the radar installation and if mitigation to any impact is possible. If an unacceptable impact and a viable mitigation is identified, the developer will be expected to agree with NERL a mitigation package prior to determination of an application.

The planning authority strongly suggests that prior to submission of an application, early dialogue with NATS is undertaken to find a solution to any impact a development may have on the radar. NATS provide a technical consultancy service to developers wishing to enter into pre-application discussions and further information can be obtained from the NATS Safeguarding Office at NATSSafeguarding@nats.co.uk

The Convener, seconded by Councillor Boulton, moved:-

That the application be approved in accordance with the recommendation contained within the report.

Councillor MacGregor, seconded by Councillor Townson:-

That the application be refused, on the grounds that the proposed transport system could not sustain the size of the development.

On a division, there voted:- for the motion (12) – the Convener; the Vice Convener; and Councillors Boulton, Cormie, Jaffrey, Lawrence, Jean Morrison MBE, Samarai, Sandy Stuart, Thomson, Townson and Young; for the amendment (3) – Councillors Greig, MacGregor and Jennifer Stewart.

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

- (i) to request that officers discuss with the developer the possibility of the gypsy/traveller site being brought forward to an earlier phase of the development; and
- (ii) to adopt the motion.

### **FORMER NIGG CARAVAN PARK, ALTENS FARM ROAD - 140434**

**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 the construction of a 595 space partially decked car park with associated landscaping and lighting columns, to include the demolition of the existing dwelling, but to withhold the issue of the consent document until the applicant (Argon) had entered into a legal agreement with the Council to secure (i) the inclusion of 36 parking spaces within the parking allocation for the future City Park 2 development, or their removal after five years of occupation of City Park 1, (ii) financial contributions towards capacity

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improvements on Wellington Road and (iii) the proposed tenant of the building approved under application P131742 (Wood Group PSN) enter into a legal agreement to implement the actions with the Green Travel Plan and submit regular monitoring reports to the Council, subject to the following conditions:-

(1) that no development (other than site preparation and ground works) shall take place unless the development subject of planning application P131742 has commenced, thereafter the car park shall be used for no purpose other than to accommodate vehicles of staff and visitors associated with the office development which is subject of planning application P131742 - in order to provide a suitable level of vehicle parking for the proposed office building, avoid an overprovision of parking unrestricted parking in the area and ensure the free flow of traffic in surrounding streets; (2) that no development shall take place unless a scheme of all drainage works (including calculations as necessary) designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the planning authority, thereafter no part of the office building shall be occupied unless the drainage has been installed in complete accordance with the said scheme, unless a written variation has been granted by the planning authority – in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained; (3) that an archaeological watching brief shall be carried out during the removal or undertaking of any alterations to the broad consumption dyke located on the east side of the site and identified as 'Dyke F1' in the archaeological report and data structure report produced by Cameron Archaeology, dated 9th December 2013 and entitled 'Nigg Caravan Park, Altens Farm Road, Aberdeen, AB12 3FY' - in the interests of protecting items of historical importance as may exist within the application site; (4) that no development (other than site preparation and ground works) shall take place unless a further detailed scheme for the landscaping for the site (which shall include (i) 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, (ii) tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting and (iii) the proposed materials to be used to surface areas of hard landscaping) has been submitted to and approved in writing by the planning authority - in order to satisfactorily integrate the development into its surroundings and maintain the visual amenity of the area; (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 planning authority - in the interests of the amenity of the area; and (6) that no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work for the areas not already covered by Cameron Archaeologies Evaluation Reports dated 2013 and 2014,

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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 – in the interests of protecting items of historical importance as may exist within the application site.

The Committee discussed parking pressures faced by larger developments in the city, and asked that a letter be sent to the relevant Scottish Minister to request that dispensation be made for Aberdeen in relation to maximum parking standards. Dr Bochel advised that as such an approach would be directly contrary to the requirements of Scottish Planning Policy and transport policies in both the adopted Structure Plan and adopted Local Plan which aim to promote sustainable transportation, modal shift and reduce the reliance on private car as well as being contrary to the adopted Local Transport Strategy previously approved by the Council. With this in mind it would be necessary to refer the matter to the Enterprise, Strategic Planning and Infrastructure Committee for consideration. The Committee further noted the difficulties caused by not being able to legally enforce Green Travel Plan targets, and requested that this also be raised in the letter to the Scottish Government.

**The Committee resolved:-**

- (i) to recommend to the Enterprise, Strategic Planning and Infrastructure Committee that a letter be sent to the relevant Scottish Minister to (a) request that a dispensation be made for Aberdeen in relation to maximum parking standards, and (b) ask for consideration of how targets set within Green Travel Plans could be legally enforced; and
- (ii) to approve the recommendation contained with the report, with an additional condition that Altens Farm Road should not be used as an exit or entrance point for the site.

**HILLHEAD OF CLINTERTY, TYREBAGGER ROAD, KIRKTON OF SKENE - 130918**

**5.** 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 a proposed explosives storage facility comprising 6 buildings access road and bunds at Hillhead of Clinterty, Tyrebagger Road, subject to the following conditions:-

- (1) 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 - in the interests of protecting items of historical importance as may exist within the application site;
- (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

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installed in complete accordance with the said scheme - in order to safeguard water quality and to ensure that the development can be adequately drained; (3) that no development shall take place unless a scheme of all external lighting (including type, lux level and position of all lights) has been submitted to and approved in writing by the planning authority. Thereafter any lighting installed shall be in accordance with the approved scheme; (4) that all planting, seeding and turfing comprised in the approved scheme of landscaping (drawing 130918-01 and planting list 130918-02) 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 - in the interests of integrating the development into the area; (5) that notwithstanding the provisions of Part 8 of the Town and Country Planning (Use Classes) (Scotland) Order 1992 (as amended) the land and buildings which are subject of this planning permission shall be used for no purpose other than (i) the storage of explosives (including fuses, charges, detonators etc.), (ii) the storage of ancillary equipment used for the day to day operation of the facility; and (iii) the assembly of perforating guns - in order to ensure that the site is not used for any purpose which could not justify a green belt location; (6) that should the approved use as an explosives store cease and facilities become redundant, all buildings and other structures shall be removed from the site and the land restored to its former condition (allowing retention of landscaping) to the satisfaction of the planning authority within 6 months - in order to maintain the amenity and landscape quality of the green belt.

The Committee heard that the lighting towers were no longer part of the application.

Councillors Lawrence and Samarai requested that assurances be sought from the Health and Safety Executive in relation to the impact and risks associated with the application, prior to granting approval.

**The Committee resolved:-**

to express a willingness for officers to approve the application, subject to receiving the appropriate assurances from the Health and Safety Executive.

**148 SPITAL, ABERDEEN - 140531**

**6.** 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 the change of use from Class 4 (Business) to Class 1 (Shops) for the property at 148 Spital.

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Councillor Jean Morrison, MBE, requested that a condition in relation to waste disposal provision be attached to the Committee approval.

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

to approve the application, with the condition that the use hereby granted planning permission should not take place unless provision was made for waste disposal and, if appropriate, recycling facilities in accordance with a scheme which has been submitted to and approved in writing by the planning authority - in order to preserve the amenity of the neighbourhood and in the interests of public health.

### **4 WESTFIELD TERRACE, ABERDEEN - 131777**

7. 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 the erection of a two storey dwellinghouse within garden ground, and alterations to the boundary wall at 4 Westfield Terrace, Aberdeen, on the following grounds:-

- (1) That the site lies within garden ground associated with an existing dwellinghouse. As the proposal is considered to have an unacceptable impact on the character of the surrounding area which comprises large dwellings set within generous curtilages, the proposed development does not comply with Policy H1 Residential Areas of the Aberdeen Local Development Plan, not the associated Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages. If permitted, the application would create a precedent for more, similar developments to the further detriment of the character of the surrounding area;
- (2) That the proposal, by nature of its form and siting, relationship to other buildings, and the loss of trees, would not protect and enhance the character and appearance of the Rosemount/Westburn Conservation area, and would therefore be contrary to Policy D5 of the Aberdeen Local Development Plan; and
- (3) That the proposal would result in the loss of a number of existing trees which add to the character and amenity of the area, therefore being contrary to policy NE5 of the Aberdeen Local Development Plan.

Councillor Thomson moved as a procedural motion, seconded by Councillor Jennifer Stewart, that a site visit be undertaken.

On a division, there voted:- for the procedural motion (8) – the Vice Convener; and Councillors Donnelly, Greig, Jaffrey, MacGregor, Jennifer Stewart, Thomson and Townson; against the procedural motion (7) – the Convener; and Councillors Cormie, Grant, Lawrence, Jean Morrison MBE, Samarai and Sandy Stuart.

The Committee then heard Councillor Jennifer Stewart, as local member, speak in support of the application as she would not be in attendance at the site visit. Councillor Stewart suggested that the Committee approve the application, as the development

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would not overlook the current residents; some of the trees referred to in the report were diseased and would require to be removed; and she did not feel that the application would have a detrimental effect on the area.

**The Committee resolved:-**

to adopt the procedural motion and to undertake a site visit on a date to be determined.

**PLANNING DIGEST - EPI/14/150**

8. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised of an appeal which had been upheld by the Scottish Government in relation to Standing Stones, Dyce (130119).

**The report recommended –**

that the Committee note the outcome of the appeal decision.

**The Committee resolved:-**

to approve the recommendation.

**- RAMSAY MILNE, Convener**