

Planning Application No:- 140573 Variation of Condition 33 of Planning Reference P091761
(Refers to Controlled Parking Zone delivery)

Representations of Garthdee Community Council

Condition 33 was introduced under Planning Application P091761 where the following documents are significant in its imposition:

1. Committee Report to Planning Committee of 18.03.2010

- In the introductory History section of the Report, the Planning Officer says:-
"The approach by RGU has been to adopt a Masterplan to the development of the Garthdee Campus" (See reference 9 below).
- Under the heading Proposal the report itemises supplementary documents made available for consultation including:
 - Pre-application Consultation report; (See reference 3 below)
 - Transport Assessment ; (See reference 4 below)
- The proposal attracted 56 letters of objection;
- Under Consultations the Report acknowledges that: *"ROADS SECTION do not object to proposal though do raise a number of concerns which will require to be covered by conditions and a legal agreement."* This is spelled out in a memo of 12.03.2010 (See reference 6 below)
- Under Representations the Report says *"56 letters of objection and one letter of support have been received. All letters highlight roads, traffic and parking consequences for a development of this scale and nature as by far and away their main objection."* The community were concerned that the extension and intensification of University development would impose undue pressure on residential roads, particularly with the reduction of on-site parking places below that allowed for under National Planning Guidance.
- Under the heading PLANNING POLICY, the Report fails to recognise that the RGU Garthdee Development Framework Parts 1 and 2 (See reference 9 below) had been adopted on 18 June 2009 as Supplementary Planning Guidance by the Planning Committee;
 - Under the heading MASTERPLANNING AND PRE-APPLICATION CONSULTATION, the Report makes reference to the above Development Framework and the consultations that went along with it. It also refers to the pre-application consultation activities of the University as covered in the Pre-application Consultation Report (See reference 3 below)
- In the Evaluation part of the report there is coverage of Roads, Traffic and Parking. The report refers to an extension of the period of the CPZ saying:

"Though the parking provision on site will be lower than the maximum permissible it has to be viewed in combination with a revised Green Travel Plan and an extension to the time period within the Garthdee Controlled Parking Zone." This can only refer to an extension of the time when the University absolves residents of any requirement to pay for Residential Exemption Permits, to comply with the undertaking given in the Statutory Public Notices posted and published when the CPZ was made.

- This report makes no reference to an geographical extension to the CPZ only to the extension to the time period of 'free-for-residents' provision on the CPZ first made in 2002.

2. The Decision Notice includes

- Condition 33 which is very clear and its wording is wisely written in that the protections provided by it MUST be in place at the time the Development becomes occupied. It says: *"That the development hereby approved shall not be occupied unless a scheme for the extension of the Garthdee Controlled Parking Zone (CPZ) to include the uncontrolled area bounded by Auchinyell Road, Garthdee Road and the A90 Anderson Drive has been submitted to and approved in writing by the local planning authority. The agreed CPZ scheme shall thereafter be implemented in full prior to the occupation of the development and all costs borne by the applicant unless otherwise agreed in writing with the planning authority."*
- In spite of a requirement that the Decision Notice gives reasons for its conditions, it only does this in very general terms referring to compliance with the Development Plan, the Master Plan and the Green Travel plan which was to be covered by a legal agreement. It goes on to say *"a summary of the required terms of the legal agreement are given in the Report of Handling on this application which can be inspected by viewing the documents associated with this application via the City Council's website"* This is not the case as no summary of required terms is provided in the Report of handling.

3. The Pre-application Consultation Report

- On page 6 this report sets out the University's commitment to openness about its proposals, saying *"The University have been genuinely keen from the conception of the project to ensure that the evolving design could be communicated to as wide a range of stakeholders as possible in order to inform the work being carried out by the design team. At each stage in the development of the project key public exhibitions of the design proposals have been put on display and the University has used every effort to publicise these events to the local community. Senior members of both the University team and the design team have been in attendance at each of these events in order to respond to any queries posed by members of the public."*

- In particular, local residents had queries about parking and impact upon local roads as is acknowledged also on page 6, saying: *“there have been concerns expressed regarding the extent of car-parking provisions and the possible impact of traffic on the local road network. The Transport Assessment and University Green Travel Plan submitted in support of the Planning Application set out in detail how these matters will be resolved successfully”*. It should be noted that assurances were given both in the written information provided at the events and by answers to queries about the protection of the Garthdee community from overspill parking.
- The schedule of formal commentary itemised on page 9, in addition to those raised in person at the events, when we were reassured about parking concerns with the measures proposed by the University, demonstrates the level of disquiet there was about parking and traffic issues.
- Page 10 reiterates parking and traffic as a *“chief area of concern”*. It goes on to identify that *“When viewed in combination with a revised Campus Green Travel Plan, and the proposed time period extension of the Garthdee Controlled Parking Zone, the level of parking provision is deemed to be at an optimum with regards to meeting the demands of the University, protecting the environment and minimising the impact on the surrounding community.”* At the public events it was made clear by the University and design teams that the University recognised its responsibility to continue to protect residents from charges for the Residential Exemption Permits as the pressures were created entirely by the University’s development. This is restated in the RGU Campus Development Framework which makes explicit reference to the continuation of the ‘free-for-residents’ CPZ.

4. Transport Assessment:

- The Transport Assessment deals principally with traffic generation and road capacity both in total and at key junctions. On-site surveys identified 310 University generated vehicle trips leading to parking in the surrounding residential streets, split between the existing CPZ and the area proposed to be added to the CPZ on a 216:94 split. The Consultants model suggested an increase of 148 CPZ demand due to the on-site parking capacity and increased student/staff numbers with the new proposed development. The proposed CPZ extension was intended both to encourage a modal shift to no-car travel and to protect residential amenity.
- On page 48 the Transport Assessment concludes with *“the University has put a great deal of effort and resources into implementation of measures from the Green Travel Plan to reduce car trips to the University and will continue to develop and implement further measures in the future in partnership with Aberdeen City Council and the bus companies”*.

5. The Green Travel Plan is committed to reducing lone-driver car trips to the University which it achieves by a car-share priority for on-site parking, charging for permits for on-site University parking and, in conjunction with the City Council the implementation and funding of a Controlled Parking Zone on the surrounding residential streets.
6. Roads Service considerations: After Local residents raised concerns over the likely implications of the new development on residential streets not at that time covered by the CPZ, Roads Service comments, in their memo of 12 March 2010, on the Proposal say:
 - o *"I have been advised that an element of overspill parking currently takes place within the uncontrolled areas of Garthdee / Kaimhill and that whilst road safety and obstruction issues have been dealt with through parking restrictions any intensification of this practice will cause significant road safety, obstruction and residential amenity issues for local residents. [...] Having further considered the implications of the development in terms of road safety, obstruction, traffic generation and the delivery of sustainable travel I would ask that a condition be attached to any approval, if given, that the existing CPZ be extended to include the uncontrolled road area bounded by Auchinyell Road, Garthdee Road and the A90 Anderson Drive. The applicant would be required to fund the CPZ extension, including all associated costs, and this would require too be included within a legal agreement."* Thus a formal request was made by the Roads Section for Condition 33 with the clear intention that it both protect residential Amenity and help to deliver requirements of the Green Travel Plan on modal split by dissuading car based commuting by students and University staff.
7. Before the Decision Notice was issued, the City Council and Robert Gordon University entered into a Planning Agreement under Section 75 of the Planning Act, part of whose responsibility was to ensure the implementation of the extended Garthdee Controlled Parking Zone; *"the agreed CPZ scheme shall thereafter be implemented in full prior to the occupation of the development and all costs borne by the applicant"* as required by Condition 33. There can be no excuse for the CPZ not having been extended, incorporating the new areas prescribed in the Condition and as requested by the Roads Service in response to statutory consultation.
8. There had been extensive consultation prior to the application and proposals to extend the CPZ had specifically been canvassed for, as the Roads Service Memo records. The Roads Service therefor, indulging in an inadequately fact based informal consultation, caused an unacceptable confusion and delay in the making of a Draft Order. Had a fully informed Statutory Consultation taken place by the publishing of a Draft Order, making clear that *'all costs'* were to be met by the University, as is provided for in Condition 33 and the Section 75 Agreement, there would have been

widespread support and the order could comfortably have been made before the new development was occupied.

9. The University's RGU Campus Development Framework, adopted by Aberdeen City Council as Supplementary Planning Guidance, says in Part 2 Identity and Connections on Page 29:

- *"parking surveys undertaken by Jacobs (the University's Transportation Consultants) during spring 2009, indicate that current usage of the CPZ is only around 109. With anticipated demand on the CPZ being approximately 269 spaces (109 existing demand + 160 additional demand), it appears that the demands from additional trips can be accommodated through a combination of the retention of the existing CPZ and the proposed increase in on-campus parking provisions. As a result the extension of the time period of the 'free-for-residents' CPZ (with the period to be determined through consultation with the Local Authority) is a key principle of the Masterplan."*
- It should be noted that the Jacobs report actually identified current demand at 310 when the whole of the proposed CPZ is considered with an increase in demand of 148 due to the new build development, after allowing for increases in on-site parking. Suffice it to say, that this clearly commits the University to continuing its coverage of the cost of administering the CPZ to keep it 'free-for-residents'.

10. Both the University and the City Council had given undertakings to the Scottish Executive in 2002 that the CPZ, funded by the University, would be extended as and when necessary. This is published in *The Effect of Maximum Car-Parking Standards Including Inward Investment Implications*.

(<http://www.scotland.gov.uk/Resource/Doc/46905/0030653.pdf>)

- The Report explains its methodology consulting both the City Council and Robert Gordon University on the handling of the Planning Application for the University's first relocation to Garthdee from the City Centre and the agreed making of a Garthdee Controlled Parking Zone all at the University's expense.
- Page 39 says: *"a Controlled parking Zone (CPZ) is to be implemented extending up to 500m from the site. The Council will implement and administer this, although the University will fund its installation and enforcement. If the scheme needs to be extended due to cars parking on streets not covered by the CPZ, then Robert Gordon University will be responsible for funding of the extension of the CPZ."*

CONCLUSIONS

The Community Council object to any further delay in amending the CPZ Order to include the area designated in Condition 33 for its extension. The University should not be allowed

to continue in occupation of the development, in breach of the Condition. In accordance with commitments given in the pre-application consultation events, the application, the adopted Supplementary Planning Guidance and responses to the Scottish Executive in its research, to continue funding the original CPZ, the City Council should advise the University that its Riverside East Building shall be taken out of use until the newly extended CPZ is in place with the University accepting its obligations to absolve the local community from any charges for Residential Exemption Permits. This will allow the City Council to stand by its own commitments to the residents of Garthdee and Kaimhill that Residential Exemption Permits will be provided to residents 'free of charge'.

The original reasons for the Condition remain being:

1. To protect the residential amenity of the neighbouring community
2. To deliver the objectives of the Green Travel Plan and improve the modal split between car based trips and trips on foot, by bicycle or by public transport.
3. The continuing free availability of parking to non-residents in the extension area fails to do either of these things.
4. The charges recently proposed for charges for Residential Exemption Permits is detrimental to residential amenity as it reduces disposable income compromising discretionary expenditure.
5. The overloading of roads leading to the University has become increasingly apparent due to the new development and the amount of car based trips which have not been controlled by the proposed exclusion of free commuter parking in the vicinity of the University.

Paul O'Connor. Chairman.

28 May 2014

PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 19:23
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : kevin murray

Address : 180 garthdee road ab10 7ap aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Think this application should be denied as they have not met there application requirements for free resident parking in the area. I would not mind so much if I could park at my door but I have to park 100 meters away for students during the day time. The amount of cars parked on garthdee road and the surrounding area by the users of the RGU is a joke

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 22:59
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : m watson

Address : 28 craigievair crescent

Telephone :

Email : [REDACTED]

type :

Comment : objecting to this planning due to the parking in garthdee that I have to pay park in my street as the students park in the street as Robert Gordon's collage are killing the greenspace in garthdee

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 13:13
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Debra Gilchrist
Address : 11 Ivanhoe Place
Aberdeen
AB10 7HT

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : (33) That the development hereby approved shall not be occupied unless a scheme for the extension of the Garthdee Controlled Parking Zone (CPZ) to include the uncontrolled area bounded by Auchinyell Road, Garthdee Road and the A90 Anderson Drive has been submitted and approved in writing by the local planning authority. The agreed CPZ scheme shall thereafter be implemented in full prior to the occupation of the development and all costs borne by the applicant unless otherwise agreed in writing with the planning authority. The agreed CPZ Scheme shall then be the whole of the CPZ, which will be one extended Zone, where the applicant is required by the condition to bear all costs, which includes administrative costs of drafting and advertising the order, taking it through statutory consultation procedures, the capital costs of marking out the different parking places, the signing of the CPZ, enforcing the restrictions and administering the provision of residential exemption permits, exempting residents of any costs as these are to be met by the applicant. This relates to residents of the whole CPZ including those in the existing Zone made in 2002 who should be exempt charges for Residential Exemption Permits as was made clear in the Statutory Notices published by Crawford J Langley, Aberdeen City Council Director of Legal and Corporate Services, in 2002. In the pre-application consultation conducted by the applicant, commitments were given to extend the time period which had secretly been imposed on the protection provided for residents from a charge for Residential Exemption Permits. This is reiterated on Page 29 of the RGU Campus Masterplan, which has been adopted as Supplementary Planning Guidance in the Aberdeen City Council Local Development Plan. RGU served notice in ample time for the City Council to make the necessary Road Traffic Order to amend the "Garthdee CPZ" as required by the condition but the City Council failed to do that. This must be done by the City Council as soon as possible and any charges for Residential Exemption Permits should be covered by the applicant as the Condition requires

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 16:14
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Irene Buchan
Address : 109 Auchinyell Road
Garthdee
Aberdeen
Ab107ed

Telephone : [REDACTED]
Email : [REDACTED]
type :

Comment : I wish to place an objection to the above planning application for a variation to condition 33. Planning condition 33 required that the existing CPZ be extended before the building was occupied and that RGU was required to bear all costs pertaining to this extension. This has not been adhered to. In addition there was never any suggestion of a 10 year limit to free CPZ permits for residents in the Garthdee area when planning consent in 1999 was passed after consultation with residents. See page 29 of RGU Campus Masterplan. RGU has little or none benefit to the residents of Garthdee yet we are having to pay £190 FOR 2 PERMITS to park at our own door. The responsibility for parking charges lies directly at RGU's door if they had not been given permission to build in the area there would be no problems with parking. I object strongly to the proposal by RGU as listed in 140573.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 14:55
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Lauren McMillan
Address : 39 Inchbrae Terrace
Garthdee
Aberdeen
AB10 7AN

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the current proposal as a resident of the affected area it is unfair that we should now have to pay to park outside our own homes or for visitors to our family having to pay or receive a parking ticket. According to the original RGU proposal all residents would receive 2 free parking permits as part of the legislation agreement for RGU campus to be built. Furthermore, students parking in garthdee are posing a risk to residents especially young children where on 3 occasions students have driven recklessly across public pathway to escape a private car park that they should not have been parked in to begin with and hence could not get out the barrier. On these occasions my children aged 7 and under and others were nearly knocked down and police were called. Rectify the situation for public safety and give residents their rights back.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 17:08
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Duncan Smith
Address : 98 inchbrae drive
Garthdee
Aberdeen
AB107AL

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object strongly to this proposal. Robert Gordon University has an obligation to subsidise parking in the garthdee area. This was part of their original planning permission for the university.

this application must in my opinion, go to public consultation at the very least.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 22 May 2014 08:33
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Edward Stephen
Address : 12 cairnhill Place,
Newtonhill

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I am contacting you in support of my elderly parents who will have to pay parking for their home in Garthdee as a result of parking charges outside their home of 50 years. Garthdee until relatively recently has been a wholly residential area and now, due to the establishment of a RGU residents are to be forced to pay for parking at their homes. Surely consideration can be made to accommodate the elderly who rely on family visits and perhaps car journeys for shopping and minor pleasures at their time of life. Two reasonable things that would help them and others like them are:

•Pensioners could be exempt from charges.

•Parking restrictions limited to Mon-Fri 8am-5pm (this would allow family visits in evenings and weekend).

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 17:37
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : A Watson
Address : 76 Gaitside Drive
Aberdeen
AB107BD

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object against the extension of Rgu, until the matter with the residents of Garthdee, regarding paying to park at our front door is resolved.

If we require a CPZ to control traffic in the area already, why are you letting Rgu expand even more.

Surely they could build a car-park in their grounds to accomodate even more staff/students.

It's not fair that us as residents have to be penalised!!

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PI

From: Naomi Moran [REDACTED]
Sent: 21 May 2014 12:41
To: PI
Subject: Objection to Planning Application 140573

Dear Sir or Madam,

**Planning Application 140573: Variation of Condition 33 of Planning reference P091761 (Refers to controlled parking zone delivery).
OBJECTION**

I object to RGU's application on the basis that the CPZ as it stands is unenforceable.

Statutory Notices from 2002, which the Council were required to erect to inform residents of the proposal to implement the original CPZ, state that, "Residential exemption permits are available to residents free of charge, and each resident will be eligible to hold two permits."

As a resident in Garthdee I am entitled to a residential exemption permit at no cost but have been refused that to which I am entitled. I therefore object to this proposal on the basis that the current CPZ is illegal and that the Council have no legal authority to charge residents for parking permits.

Aberdeen City Council require a new order under Section 46 of the Road Traffic Regulation Act 1984 to introduce charges to residents for parking permits in Garthdee, No such order exists and hence the charges are invalid: the previous orders stating that permits are to be issued to residents free of charge are still in force.

RGU does not provide benefit to the community and residents should not be penalised for its expansion by being charged for parking permits.

I would also like to add that the details presented on the Council website fail to explain what the application is for.

Sufficient information to allow the public to comment on the proposals has not been available for the statutory period of 21 days. A Supporting Statement is available to view on Aberdeen City Council's Planning website. The website stated that the date this statement was received was 8th May 2014, whereas the map showing the location of RGU received on 30th April. The Supporting Statement was not sent out with the Neighbour Notification.

Therefore, I would like to point out that full details of the proposal have not been available for comment for the required period of 21 days and have only been available for a maximum of 14 days on the website. The only information available for the full duration of the statutory consultation period has been the aforementioned map, which does not give sufficient on the proposals to allow comments to be made.

On the basis of the points made above, I object to the proposed variation of the condition.

PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 12:23
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Lind Westbrook
Address : 14e Auchinyell Terrace
Garthdee
Aberdeen
AB10 7DG

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I strongly object to any further expansion of the CPZ, i cannot get parked when i get home from work as it is for damn students/ lecturers cars! Further more the fact that residents are now having to pay for permits in the existing CPZ is outrageous and not what was agreed on the original agreement. So Garthdee resident will not be supporting anything to do with RGU. It has ruined OUR community!!!!

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 12:12
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Amanda Beattie
Address : 9 Ivanhoe Walk
Garthdee
Aberdeen
AB10 7EZ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the decision for the incurrence of local residents paying parking permits due to the fact that I believe there are too many loopholes in the proposals and also due to the fact that I have not once received any information regarding this through my door. When RGU was built I was not even aware that the free permits were only to last a certain amount of time. There has been a severe lack of resident consultation and at a meeting I attended, the attitudes of certain councillors was 'I don't live there so I don't care what happens' - these are the words they actually used. It's and absolute shambles and a total disgrace.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 11:40
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : William Lonsdale
Address : 81, Inchbrae Drive,
ABERDEEN
AB10 7AJ

Telephone :

Email : [REDACTED]

type :

Comment : I have made the following representation and object on the basis that the current condition says:
"(33) That the development hereby approved shall not be occupied unless a scheme for the extension of the Garthdee Controlled Parking Zone (CPZ) to include the uncontrolled area bounded by Auchinyell Road, Garthdee Road and the A90 Anderson Drive has been submitted and approved in writing by the local planning authority. The agreed CPZ scheme shall thereafter be implemented in full prior to the occupation of the development and all costs borne by the applicant unless otherwise agreed in writing with the planning authority."
The agreed CPZ Scheme shall then be the whole of the CPZ, which will be one extended Zone, where the applicant is required by the condition to bear all costs, which includes administrative costs of drafting and advertising the order, taking it through statutory consultation procedures, the capital costs of marking out the different parking places, the signing of the CPZ, enforcing the restrictions and administering the provision of residential exemption permits, exempting residents of any costs as these are to be met by the applicant. This relates to residents of the whole CPZ including those in the existing Zone made in 2002 who should be exempt charges for Residential Exemption Permits as was made clear in the Statutory Notices published by Crawford J Langley, Aberdeen City Council Director of Legal and Corporate Services, in 2002. In the pre-application consultation conducted by the applicant, commitments were given to extend the time period which had secretly been imposed on the protection provided for residents from a charge for Residential Exemption Permits. This is reiterated on Page 29 of the RGU Campus Masterplan, which has been adopted as Supplementary Planning Guidance in the Aberdeen City Council Local Development Plan. RGU served notice in ample time for the City Council to make the necessary Road Traffic Order to amend the "Garthdee CPZ " as required by the condition but the City Council failed to do that. This must be done by the City Council as soon as possible and any charges for Residential Exemption Permits should be covered by the applicant as the Condition requires.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 22 May 2014 19:39
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Dr Giancarlo Rizzi

Address : 12 Garthdee Crescent Garthdee, Aberdeen, AB10 7HP

Telephone : [REDACTED]

Email : [REDACTED] type :

Comment : In their Memo of 12/03/2010 the Roads Service asked that a condition be attached to any approval, if given, that the existing CPZ be extended with the applicant required to fund it including all associated cost, and this would require to be included within a legal agreement. That requirement was incorporated in an agreement dated 25 July 2010 whereby RGU was to notify the City Council of an intention to implement the CPZ 15 months before they occupied the consented buildings. The 15 months was included in the agreement on Roads Service advice to allow roads the time to make the order. There had been detailed consultation before the application was made as covered in the report of pre-application consultation so that there should have been no need for an informal consultation as discussed in the Committee Report referred to in the additional information on the application form. Roads should have progressed directly to making the draft order and carrying out the statutory consultation when residents would have been informed of all of the details of charging which was clearly to be covered by RGU, in accordance with the agreement. This would have allowed the extended CPZ to be fully established before RGU occupied the buildings in May 2013. The reason for the CPZ was to protect residential amenity and failure to progress the making of the order has left residents subject to loss of residential amenity. Rather than allowing the University to continue its occupation of the buildings, enforcement action should be taken to close the buildings until such time as the condition is complied with so that residential amenity may be restored in the interim. The residents of Garthdee should not be paying for controlled parking.

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