

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 19 June 2014. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Corall, Cormie, Donnelly (as substitute for Councillor Grant from article 5), Grant (to article 4), Greig, Jaffrey, Lawrence, MacGregor, Thomson, Townson, Young (as substitute for Councillor Jean Morrison MBE) and Yuill (as substitute for Councillor Jennifer Stewart).

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=2883&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.

ORDER OF AGENDA

1. The Convener advised the Committee that item 2.4 (Former Royal Cornhill Hospital, Berryden Road – reference 130381) had been withdrawn from the agenda.

MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 28 MAY 2014

2. The Committee had before it the minute of its previous meeting of 28 May 2014.

The Committee resolved:-

to approve the minute as a correct record.

LAND TO NORTH OF HOPETOUN GRANGE - 140153

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 for a partial amendment to planning application reference 130029 in respect of the land to the north of Hopetoun Grange, to allow for an additional 20 units and a change of house types, but to withhold the issue of the consent document until an amended legal agreement between the applicant and the Council has been secured identifying developer contributions towards primary education, community facilities, sports and recreation, core path networks and the strategic transport fund, subject to the following conditions:-

- (1) that the hereby approved development shall not be occupied unless the lane to the west of the site, between the A96 and the southern boundary of plots

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22/23, as shown hatched on drawing number DL002-85 Rev c and dated 12 March 2013, is upgraded to an adoptable standard for pedestrians and cyclists. Notwithstanding that the phasing of construction on site may impact on when safe access and use of the path by pedestrians may be available, details of the proposed upgrading work to the path must nevertheless be submitted to and approved by the planning authority, and the upgrading work must be completed prior to any residential unit being occupied - in order to ensure that the proposed development offers access to more sustainable forms of travel to and from the development; (2) that no part of the development hereby approved shall be occupied unless a schedule of work relating to upgrading of bus shelters, seating, lighting, timetable information and boarding kerbs for bus stops on the A96 and on Scattie Park has been submitted to and approved by the planning authority, and subsequently the upgrading work has been implemented prior to the occupancy of any residential unit implemented - in order to encourage more sustainable forms of travel to and from the development; (3) that no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission, which scheme shall include no boundary enclosure above a maximum height of 1 metre being permitted to the front of any residential unit within the development hereby approved. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety, as it relates to that building - in order to preserve the amenity of the neighbourhood and in the interests of road and public safety; (4) that no construction work pursuant to the planning permission hereby approved shall be undertaken by cranes or scaffolding of a height greater than 9.2 metres above ground level without prior consultation and approval of Aberdeen International Airport - in order to avoid endangering the safe movement of aircraft and the operation of Aberdeen International Airport; (5) that there shall be no means of direct vehicular access from the application site to the trunk road (A96). Pedestrian access to the trunk road shall be restricted to the pedestrian / cycle path immediately to the west of the site - to minimise interference with the safety and free flow of the traffic on the trunk road; (6) that the applicant shall liaise with Transport Scotland, and its Operating Company, in regard to the timing, traffic management and standard of construction required for the pipeline crossing under the trunk road (A96) - to minimise interference with the safety and free flow of the traffic on the trunk road; (7) that no development shall take place unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'; (8) that no development hereby approved shall be carried out unless there has

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been submitted to and approved in writing by the planning authority a detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area; (9) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

INFORMATIVE

Environmental Services have provided confirmation that a noise assessment submitted by the developer was sufficient to purify Condition 2 of the previous planning application (Ref 130029), and on that basis they have raised no objection to this new proposal, however they would recommend the installation of attenuation trickle vents in the bedroom of all properties across the 3.3ha site in order to reduce the impact of aircraft noise.

Members asked questions in relation to the effect on school capacity where there was an increase to the number of houses proposed as part of such developments, and officers advised that the developer contribution team discussed proposals with the Education, Culture and Sport Service in order to come to an arrangement on any contributions required to mitigate these additional properties. The Committee requested that future reports include a statement from the Education, Culture and Sport Service on any capacity issues as a result of an application.

At this juncture, Councillor Lawrence stated that he felt that the proposed development could have an impact on one of the adjacent properties and requested that the Committee undertake a site visit.

The Committee resolved:-

- (i) to request that future planning application reports contain a statement from the Education, Culture and Sport Service on any capacity issues caused by the application; and
- (ii) to defer consideration of the application until a site visit had been undertaken.

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**ABERDEEN AIRPORT SPORTS AND SOCIAL CLUB, FARBURN TERRACE, DYCE
- 140209**

4. 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 erection of a helicopter hangar at Aberdeen Airport Sports and Social Club, Farburn Terrace, Dyce, subject to the following conditions:-

(1) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. B219 004 Rev B of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic; (2) that the development hereby granted planning permission shall not be occupied unless all drainage works detailed on Plan No B9917 100, or such other plan as may subsequently be approved in writing by the planning authority for the purpose, have been installed in complete accordance with the said plan - in order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained; (3) that development shall not commence until a bird hazard management plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of any flat/shallow pitched/green roofs which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with the Advice Note 8 'Potential Bird Hazards from Building Design'. The Bird Hazard Management Plan shall be implemented, as approved, on completion of the development and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the planning authority - it is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport; (4) that no development shall take place unless there has been submitted to and approved in writing a detailed Green Transport Plan, which outlines sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets - in order to encourage more sustainable forms of travel to the development; (5) that the maximum development height shall be 70.183m AOD. In the event that during construction, cranes or scaffolding is required, then their use must be subject to separate consultation with Aberdeen International Airport (AIA). The applicant should ensure that the requirements of the British Standard Code of Practice for the safe use of cranes is adhered to, and for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome - in the interests of the safe movement of aircraft and the

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operation of Aberdeen Airport; and (6) that no development shall take place unless a scheme for proposed external lighting has been submitted to and approved in writing. Thereafter the agreed scheme shall be implemented in accordance with the details as so agreed - in order to ensure safe movement of aircraft and the operation of Aberdeen Airport.

The Committee resolved:-

to approve the application, subject to the conditions set out in the report.

Councillor Townson declared a non pecuniary interest in the following item as his two children were students at Robert Gordon University, but did not consider that the nature of his interest required him to withdraw from the meeting.

RIVERSIDE EAST BUILDING, GARTHDEE ROAD, GARTHDEE CAMPUS - 140573

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 variation of condition 33 of planning reference P091761 in relation to the implementation of an extension to the Garthdee controlled parking zone, subject to the following conditions:-

(1) Unless otherwise agreed in writing by the Planning Authority, 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 South Anderson Drive shall be submitted to and approved in writing by the local planning authority. The agreed CPZ Scheme shall thereafter be implemented in full within 30 months of the date of occupation of the development (which was 21 May 2013), and all costs associated with the promotion of the extension shall be borne by the applicant; (2) that on full implementation of the car parking provision as shown on the approved development layout the site operators shall prepare and have agreed with the local planning authority a revised Parking Monitoring Policy, the recommendations of which shall be applied to agreed Green Travel Plan for the campus - to ensure the efficient operation of on site parking provision; (3) that prior to the completion of the development hereby approved the developers shall prepare a scheme of additional traffic calming measures within the campus which shall be agreed with the local planning authority and the agreed scheme implemented prior to the occupation of the development - in the interests of the safety of all road users and to restrict vehicle speeds within the campus; (4) that following completion of the development hereby approved the developers shall undertake a review of the junction safety requirements with regard to the operation of the site exit onto Garthdee Road. Such a review shall be carried out annually and the recommendations of the review shall be implemented as agreed with the local

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planning authority. Should, within a 5 year period following the opening of the development, the review indicate a requirement for a traffic light controlled junction at this location, the necessary works shall be carried out by and all costs borne by the site operator to the requirements of the local planning authority - in the interests of traffic safety; and (5) that no part of the development shall be occupied unless a financial contribution towards the provision of park and ride facilities to the south of Aberdeen has been paid to Transport Scotland Trunk Road Network Management Directorate. The value of this contribution shall be agreed in writing with the planning authority in consultation with Transport Scotland Trunk Road Network Management Directorate – to ensure that the safety and free flow of traffic on the trunk road is not diminished.

The Committee heard from Mr Andrew Smith, Traffic Engineering Manager, in relation to the history of the Garthdee controlled parking zone. Mr Smith advised that the delay to the scheme had been on the basis of the results of the informal consultation with local residents. Due to the level of concern raised, the Enterprise, Planning and Infrastructure Committee had agreed in January 2013 that further monitoring of the car parking situation in Garthdee be undertaken.

Councillor Yuill requested an addendum to the conditions outlined in the report, namely:-

that the issuing of the consent document be withheld until a further legal agreement was in place which required the Robert Gordon University to meet the costs of the implementation of the controlled parking zone, including the costs of the permits.

Dr Bochel advised the Committee that this was not a legitimate planning concern and would therefore be open to challenge.

Finally, the Convener advised the Committee that this would be the last Planning Development Management Committee attended by Mr Smith, as he was shortly to retire from the Council. The Committee thanked Mr Smith for his hard work over the years, and wished him well in his retirement.

The Committee resolved:-

to approve the application, subject to the conditions set out in the report.

FRIENDVILLE, GREAT WESTERN ROAD - 140359

6. 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 a change of use to the property Friendville, Great Western Road, to an events / function facility with associated guest accommodation, on the grounds that:-

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(1) the proposal fails to comply with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan in that the proposed use would have an unacceptable impact on the enjoyment of existing residential amenity as the proposed use would result in an increase in noise disturbance, an unacceptable increase in the number of people accessing the premises and a significant increase in vehicular movements both within the site and in the surrounding area; and

(2) the proposal fails to accord with Policy T2 (Managing the Transport Impact of Development) and its associated Supplementary Planning Guidance (Transport and Accessibility) in that insufficient levels of car parking would be provided within the existing car parking area, and the proposal would have an unacceptable impact on Thorngrove Avenue and the surrounding road network, including the potential for overspill parking.

The Committee resolved:-

to refuse the application.

21 UNION STREET - 140273

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 change of use of 21 Union Street from Class 1 retail to a hot food takeaway (sui generis) and the installation of a flue, on the following grounds:-

That the proposal fails to accord with Policy C2 (City Centre Business Zone and Union Street) of the Aberdeen Local Plan, and its associated Supplementary Planning Guidance Notes on Union Street Frontages and Harmony of Uses in that the proposal would see a reduction of class 1 uses in the Union Street area to 61%, below the recommended Sector H percentage of 65%, and there are no material considerations, or significant improvements proposed to the shop frontage which would merit departing from policy.

The Committee resolved:-

to refuse the application.

- RAMSAY MILNE, Convener