

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 14 January 2016. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Cooney, Corall, Cormie, Dickson, Greig, Jaffrey, Lawrence, Malik, Jean Morrison MBE, Nicoll, Jennifer Stewart, Sandy Stuart and Thomson

The agenda and reports associated with this minute can be found at:-  
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MIId=3787&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 PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 10 DECEMBER 2015

1. The Committee had before it the minute of its previous meeting of 10 December 2015.

In regards to item 12 of the minute, Triple Kirks Student Accommodation, members discussed the developer obligation element and intimated that this had been omitted from the minute.

#### The Committee resolved:-

- (i) to request that the word “developer” be added to resolution (ii) of the minute to read “that officers liaise with the developer and the developer contribution team to determine whether the developer contribution could be directed to support the construction of a 3G pitch with floodlighting at Gilcomstoun School within appropriate timescales”; and
- (ii) to otherwise approve the minute as a correct record.

### RETROSPECTIVE UPGRADE TO CORE PATH NORTH DEESIDE ROAD – 151493

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

That the Committee approve the application for detailed planning permission for the retrospective upgrade of a core path and associated engineering and landscaping works, subject to the following conditions.

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1. That within two months of the date of this decision notice, the rest areas and drainage measures as detailed in drawing number 104591/0006 Rev D hereby approved (or such other drawing subsequently approved by the Council) shall be implemented and completed. Thereafter these measures shall be retained for the lifetime of the development – in order to ensure the path provides sufficient drainage and accessibility in line with the details submitted with the retrospective application.
  
2. That within 2 months of the date of decision a further detailed scheme of landscaping for the site and adjacent areas, which scheme includes 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 planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.
  
3. That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development (including the measures detailed in condition 1) 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.

Members heard from Andrew Miller who advised that a revised condition would be put in place in regards to condition 1.

**The Committee resolved:-**

- (i) to request that condition 1 as detailed in the report be amended to read “that within two months of the date of this decision notice, the rest areas, drainage measures and path surfacing as detailed in drawing number 104591/0006 Rev D hereby approved (or such other drawing subsequently approved by the Council) shall be implemented and completed. Thereafter these measures shall be retained for the lifetime of the development - in order to ensure the path provides sufficient drainage and accessibility in line with the details submitted with the retrospective application.
  
- (ii) to request that officers write to the applicant outlining the Committees concern that the application had been submitted retrospectively and work had been carried out without planning consent; and
  
- (iii) to otherwise approve the application subject to the amended conditions.

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

That the Committee approve the application for planning permission in principle for the Bungalow at Countesswells Road, subject to the following conditions:-

1. No development shall take place unless a matters specified in conditions application has been submitted to and approved by the planning authority comprising –
  - details of layout, bespoke design and external appearance of –
  - (i) buildings and any ancillary structures;(ii) plot boundary enclosures;
  - (iii) storage areas for waste and recyclables, (iv)
  - vehiclular/cycle/pedestrian access; (v) vehicle parking;
  - in order to ensure a satisfactory bespoke design and a layout of the plot that respects the character and built form of the area.
2. That the ridge height of the dwelling subject to a matters specified in conditions application shall not exceed 6.5m – to ensure that the new dwelling does not dominate the site or have have adverse impact on the residential amenity afforded to neighbouring sites.
3. that no development pursuant to the planning permission hereby approved shall be carried out unless a matters specified in conditions application has been submitted comprising a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

### INFORMATIVE

The planning authority would encourage the applicant of the future detailed planning consent to engage in pre-application discussions prior to submission.

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

to approve the recommendation.

### CHESTER HOTEL 59-63 QUEENS ROAD ABERDEEN – 151773

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

That the Committee approve the application unconditionally for the erection of a glass balustrade at the west side roof, first floor rear of Chester Hotel, retrospectively.

Informative

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For the avoidance of doubt the planning consent hereby granted does not give or imply the granting of consent for any use of the area of the roof enclosed by the balustrades hereby approved for any purpose other than as a roof. It does not permit any form of use whatsoever of, or access to, the roof area by patrons of the hotel. This includes but is not exclusive to; the use of the roof as a terrace for eating, drinking, smoking or any form of entertainment or other use by hotel patrons. Should the applicant wish any such alternative use to be considered, a separate application for change of use would require be submitted.

Members raised various concerns in regards to the applicant being allowed to use the area for customers, should it be approved. Ms Readman confirmed that a change of use application would be required to be submitted in order to use the area, and this would not be supported by Planning Officers.

The Convener moved, seconded by Councillor Cooney:-

That the application be approved in accordance with the recommendation set out in the report.

Councillor Jennifer Stewart, moved as an amendment, seconded by Councillor Greig:-

That the application be refused on the grounds that the balustrade would have a detrimental visual impact on the neighbouring properties as well as the effect on the local amenity.

On a division, there voted:- for the motion (9) - the Convener; and Councillors Cooney, Corall, Cormie, Dickson, Lawrence, Malik, Jean Morrison and Sandy Stuart; for the amendment (7) – the Vice Convener, and Councillors Boulton, Greig, Jaffrey, Nicoll, Jennifer Stewart and Thomson.

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

- (i) to request that officers write to the applicant outlining the Committees deep concern that another retrospective application had been submitted from the applicant in regards to the Chester Hotel, as well as to encourage the applicant to be a better neighbour to the neighbouring properties; and
- (ii) to otherwise adopt the motion and therefore approve the application unconditionally.

## **CONFIRMATION OF TREE PRESERVATION ORDER NUMBER 109/2015, 179/2015 AND 231/2015**

5. The Committee had before it a report by the Head of Communities, Planning and Infrastructure, which provided details on three provisional tree preservation orders (TPO) made by the Head of Planning and Sustainable Development under delegated powers.

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The report explained that the Orders currently provided temporary protection for the trees but were required to be confirmed by the Committee to provide long term protection.

**The report recommended:-**

that the Committee -

- (a) confirms the making of Tree Preservation Orders 109/2015, 179/2015 and 231/2015 without modifications; and
- (b) instructs the Head of Legal and Democratic Services to attend the requisite procedures.

**The Committee resolved:-**

to approve the recommendations.

- **Councillor Ramsay Milne, Convener**