

## **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

ABERDEEN, 6 December 2018. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Boulton, Convener; Councillor Jennifer Stewart, Vice Convener; Councillor Donnelly, the Depute Provost (as substitute for Councillor Malike), and Councillors Allan, Cooke, Copland and Avril MacKenzie, Sandy Stuart (as substitute for Councillor Cormie) and Yuill (as substitute for Councillor Greig).

**The agenda and reports associated with this minute can be found at:-**  
<https://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=6265&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 THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 1 NOVEMBER 2018**

1. The Committee had before it the minute of the previous meeting of 1 November 2018 for approval.

**The Committee resolved:-**  
to approve the minute as a correct record.

### **MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS) OF 8 NOVEMBER 2018**

2. The Committee had before it the minute of the Planning Development Management Committee visits of 8 November 2018, for approval.

**The Committee resolved:-**  
to approve the minute as a correct record.

### **MINUTE OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE PUBLIC HEARING OF 11 OCTOBER 2018**

3. The Committee had before it the minute of the Planning Development Management Committee Public Hearing of 11 October 2018, for approval.

**The Committee resolved:-**  
to approve the minute as a correct record.

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### COMMITTEE PLANNER

4. The Committee had before it a planner of future Committee business.

**The Committee resolved:-**

to note the information contained in the Committee report planner.

### MODIFICATION OF PLANNING OBLIGATION OF PLANNING PERMISSION IN PRINCIPLE - DAVIDSON MILL, MUGIEMOSS ROAD, ABERDEEN - 181688

5. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for the modification of planning obligation of planning permission in principle for 110786, for a sustainable mixed-use community, for approximately 900 residents, business and community facilities, with associated infrastructure including footpath and cycle links to the river as well as a new spine road with access from the A947, at Mugiemoos Road, Aberdeen, be approved.

The Committee heard from Dineke Brasier, Senior Planner, who spoke in furtherance of the application and answered various questions from members.

**The Committee resolved:-**

to approve the modification.

### MODIFICATION OF PLANNING OBLIGATIONS ASSOCIATED WITH P140272 - FRIARFIELD ROAD/KIRK BRAE, LAND TO THE NORTH, CULTS - 181749

6. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for the modification of planning obligations associated with P140272, to modify the definition of “application” to include additional application to the obligations, at Friarsfield Road/Kirk Brae, Cults, be approved.

The Committee heard from Nicholas Lawrence, Senior Planner, who spoke in furtherance of the application.

**The Committee resolved:-**

to approve the modification.

### CHANGE OF USE - ABERDEEN PET RESORT - CULTER HOUSE ROAD, ABERDEEN - 181460

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7. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for the change of use of an existing stable building as dog hotel with associated alterations including the installation of windows, doors and cladding with mesh panels, security fence and other associated works, at Aberdeen Pet Resort, Culter House Road Aberdeen, be approved subject to the following conditions:-

### **Conditions**

1) Prior to the dog hotel coming into operation, all noise mitigations measures contained within Section 5.1 of the submitted Noise Impact Assessment (prepared by Grosle Environmental Services, 09/10/2018) shall be implemented in full and remain in-situ for the lifetime of the development.

Reason: In the interests of mitigating the noise impact of the development to ensure compliance with Policy T5 (Noise) in the Aberdeen Local Development Plan 2017 and PAN 1/2011 guidance.

2) That all dogs residing in the ‘dog hotel’ facility shall remain within the confines of the built structure between the hours of 18.00hrs and 08.30hrs daily, as per the recommendations set out in the submitted Noise Impact Assessment.

Reasons: In the interests of minimising noise disturbance from the dog hotel during hours of the day local residents shall expect to enjoy their highest levels of general residential amenity, to ensure compliance with Policy T5 (Noise) in the Aberdeen Local Development Plan 2017 and to adhere to PAN 1/2011 guidance.

3) That the “dog hotel” facility hereby approved shall house no more than 11 dogs at any one time, unless otherwise approved in writing by the Planning Authority following the submission a separate planning application.

Reason: In order to ensure the dog hotel is operated in accordance with the noise mitigation measures detailed in the submitted Noise Impact Assessment, in the interests of the amenity of the surrounding area to comply with Policy T5 (Noise) in the ALDP and to adhere to PAN 1/2011 guidance.

The Committee heard from Jamie Leadbeater, Planner, who spoke in furtherance of the application and answered various questions from members. In regard to questions from the Convener, Mr Leadbeater advised that policy H1 – residential areas, was not applicable as the site did not fall in a designated residential area in the Local Development Plan. Mr Leadbeater also explained that as the houses had not been built on the opportunity site 109, within the Local Development Plan, that this was not a material consideration in the determination of the application.

The Convener, seconded by the Vice Convener moved:-

That the application be refused. In relation to Policy T5, Noise, the Committee had concerns about the noise impact of the development. In relation to Policy

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H1, the Committee had concerns relating to the detrimental impact upon residential amenity in connection with noise emanating from the development particularly in relation to the noise impact on OP site 109 designated on the Aberdeen Local Development Plan Proposals Map.

Councillor Copland, seconded by Councillor Allan, moved as amendment:-

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

On a division, there voted:- for the motion (5) – the Convener, the Vice Convener and Councillors Donnelly, McKenzie and Yuill; for the amendment (4) – Councillors Allan, Cooke, Copland and Sandy Stuart.

**The Committee resolved:-**

to approve the motion and therefore refuse the application.

**CHANGE OF USE FROM CLASS 4 (OFFICES) TO CLASS 7 (HOTEL) COMPRISING 106 BEDS AND ASSOCIATED EXTERNAL WORKS - CUSTOM HOUSE, 28 GUILD STREET, ABERDEEN - 181532**

8. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for the change of use from class 4 (offices) to class 7 (hotel) comprising 106 beds and external works to reconfigure and install two windows to the front roof, add mirrored panels and reconfigure existing access, at Custom House, Guild Street Aberdeen, be approved subject to the following conditions:-

**Conditions****(1) BUILDING ACCESS**

The building shall not be occupied unless a detailed scheme showing the altered main entrance arrangement has been submitted to and approved in writing by the planning authority. Thereafter the building shall not be occupied unless the revised access has been provided and is available for use.

Reason – in order to maintain the character of the conservation area.

**(2) LOCAL EXTRACT VENTILATION (LEV) SCHEME**

No hot food cooking and reheating activities shall be undertaken (including but not limited to; oven cooking, boiling, stewing grilling/broiling, deep fat frying or shallow frying – except for re-heating and hot-holding of pre-cooked soups) unless a scheme of LEV - (including a suitable extract ventilation assessment by a competent person) has been submitted to and approved in writing by the planning authority.

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Thereafter no cooking or reheating activities shall take place unless the LEV system has been installed and is available for use.

Reason – to ensure that food odours and fumes do not adversely affect the amenity of the surrounding area.

**(3) NOISE IMPACT ASSESSMENT**

No development shall take place unless a detailed assessment of the likely sources and levels of noise arising from any mechanical plant, and those audible out-with the premises has been submitted to and approved in writing by the planning authority. The noise assessment shall be carried out by a suitably qualified independent noise consultant. All noise attenuation measures identified by the noise assessment which are required in order to prevent any adverse impacts on the amenity of residents in the surrounding area shall be installed prior to commencement of the use hereby approved, unless the planning authority has given prior written approval for a variation

Reason – to ensure that existing uses in the surrounding area are protected from any noise arising from the development.

**(4) BASEMENT PARKING LAYOUT**

The building shall not be occupied unless a scheme showing the layout of the basement car park (including at least three accessible spaces) has been submitted to and approved in writing by the planning authority. Thereafter the building shall not be occupied unless the car park has been laid out in accordance with the approved scheme and is available for use.

Reason – to ensure that there is adequate parking provision for disabled staff and customers.

The Committee heard from Matthew Easton, Senior Planner, who spoke in furtherance of the application and answered various questions from members. It was noted that conditions 1 and 4 from the committee report would be amended due to errors contained within the report and the revised conditions were detailed above.

**The Committee resolved:-**

to approve the application conditionally as contained above.

- **Councillor Marie Boulton, Convener**

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