

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

ABERDEEN, 28 February 2019. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS). Present:- Councillor Boulton, Convener; Councillor Jennifer Stewart, Vice Convener; and Councillors Cooke, Copland and Cormie and Lumsden (as substitute for Councillor Avril MacKenzie).

**The agenda and reports associated with this minute can be found [here](#).**

**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.**

### **DEMOLITION OF EXISTING HOUSE AND ERECTION OF 22 FLATS (2 BEDROOM) & ASSOCIATED CAR PARKING AND ALTERATION TO EXISTING PEDESTRIAN RAILWAY UNDERPASS - 1 WESTERN ROAD ABERDEEN - 081415**

1. With reference to article 6 of the minute of the Planning Development Management Committee of 21 February 2019, where it was agreed to defer the item in order that a site visit be undertaken, the Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended**:-

That the application for the demolition of the existing house and the erection of 22 two bedroom flats and associated car parking and alteration to existing pedestrian railway underpass, be refused.

Following the site visit, the Committee met at the Town House and heard from Daniel Lewis, Development Management Manager, who spoke in furtherance of the application and answered various questions from members.

The Convener, seconded by the Vice Convener moved:-

that the application be approved conditionally, as the proposal would result in the removal of a derelict brownfield site that is detrimental to the amenity of the neighbourhood and the provision of much needed affordable housing. It is not considered to be detrimental to the amenity or privacy of neighbouring residents whilst providing adequate amenity for new residents. Subject to conditions, the proposal is considered on balance to be compliant with Policy H1 of the adopted Local Development and there are material considerations that outweigh the provisions of policies D1, D2 and NE3 of the adopted Local Development Plan.

Councillor Copland moved as an amendment, seconded by Councillor Lumsden:-

that the application be refused in line with the recommendation contained within the report.

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On a division, there voted:- for the motion (5) – the Convener, the Vice Convener and Councillors Cooke, Cormie and Lumsden; for the amendment (1) – Councillor Copland.

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

to adopt the motion and therefore approve the application subject to securing a legal agreement to deliver developer obligations and the following conditions:-

1. The flats hereby approved shall be occupied / managed for social renting purposes only ( i.e. managed by a Registered Social Landlord or by Aberdeen City Council) and for no other affordable or other housing tenure or type.

**Reason** - In order to accord with ACC Car Parking standards. The proposed level of car provision and the location of the site are such that it would not be appropriate for the development to be occupied as mainstream housing.

2. No development pursuant to this planning permission shall take place nor shall the flats be occupied unless a noise impact assessment has been submitted to and approved in writing for the purpose by the Planning Authority. The assessment shall be prepared by a suitably qualified independent noise consultant, shall assess the noise levels likely within the building and shall recommend any measures necessary to ensure a satisfactory noise attenuation for the flats. The flats shall not be occupied unless the said measures have been implemented in full.

**Reason** - In the interest of protection of amenity of prospective residents.

3. No development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. The scheme:
  - will be specifically designed to compensate for, and mitigate the impact of, the loss of green space space on the amenity of adjoining flats at Ferrier gardens
  - shall include proposals as to how the railway underpass will be accessed by way of a new footway/ramp or by maintenance of the existing access.
 All planting, seeding and turfing, hard and soft landscaping and footways comprised in the approved scheme of landscaping shall be carried out in or before 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.

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**Reason** - In the interests of the amenity of the area / protection of the amenity of adjacent residents.

4. 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 boundary enclosures for the development hereby granted planning permission, including clarification of the details of any proposed gate / fencing on the southern boundary of the site. None of the flats hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety.

**Reason** - in order to preserve the amenity of the neighbourhood and in the interest of security / public access.

5. None of the flats hereby granted planning permission shall be occupied unless the cycle storage facilities as shown on drawing no. No. 715/SK02 (Revision A), or such other facilities as may be approved by the Planning authority, have been provided on site.

**Reason** - In the interests of encouraging more sustainable modes of travel.

6. No development shall take place unless it is carried out in full accordance with a scheme to deal with 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.

No flats 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 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 have been carried out, unless the planning authority has given written consent for a variation.

**Reason** - In order to ensure that the site is fit for human occupation

7. 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. 715/SK02 (Revision A) of

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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.

**Reason** - In the interests of public safety and the free flow of traffic.

8. No development shall take place unless a scheme of all drainage works on site 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 installed in complete accordance with the said scheme.

**Reason** - In order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

9. No development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed.

**Reason** - In the interests of visual amenity.

10. The building hereby approved shall not be occupied unless a scheme detailing provision of Low and Zero Carbon Generating Technologies and Water Saving Technology required on site 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.

**Reason**- To ensure that this development complies with requirements for reductions in carbon emissions specified in ALDP policy R7 and the City Council's relevant published Supplementary Guidance document, 'Resources for New Development'.

- **Councillor Marie Boulton, Convener**

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