

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 18 April 2019. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Boulton, Convener; Councillor Jennifer Stewart, the Depute Provost, Vice Convener; and Councillors Allan, Cooke, Copland, Cormie, Greig, Avril MacKenzie and Malik.

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.

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 21 MARCH 2019

1. The Committee had before it the minute of the previous meeting of 21 March 2019, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE PLANNER

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

Councillor Cormie queried when the May Baird Avenue application would be reported to Committee. In response Daniel Lewis, Development Manager advised that this was scheduled to come to the May meeting.

The Committee resolved:-

to note the information contained within the Committee business planner.

REPLACEMENT OF FRONT DOOR OF PROPERTY (RETROSPECTIVELY) - 66 TILLYDRONE AVENUE

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

That the retrospective application for the replacement of a front door to the property of 66 Tillydrone Avenue, 190233/DPP, be approved unconditionally.

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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 application unconditionally.

APPROVAL OF MATTERS SPECIFIED IN CONDITION 23 (JUNCTION LAYOUT) - LAND AT ROWETT SOUTH JUNCTION BETWEEN FORRIT BRAE AND A96

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

That the application for the approval of matters specified in condition 23 (junction layout) of Planning Permission in Principle ref 140844, to prevent right turn movement from the A96 into Forrit Brae or from Forrit Brae onto the A96 eastbound, 190281/MSC, be approved unconditionally.

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

The Committee resolved:-

to approve the application unconditionally.

ALTERATIONS TO FACADE - ABERDEEN RAILWAY STATION

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

That the application for alterations to the façade at Aberdeen Railway Station, 190374/PNR, be granted prior approval.

The Committee heard from Robert Forbes, Senior Planner, who spoke in furtherance of the application and answered questions from members.

The Committee resolved:-

to grant prior approval.

ERECTION OF THREE CLASS 3 (FOOD AND DRINK) UNITS INCLUDING TWO DRIVE-THRU FACILITIES - LAND ADJACENT TO VETERINARY HOSPITAL KINGSWELLS

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

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That the application for the erection of three class 3 (food and drink) units, including two with drive-thru facilities, at the land adjacent to the Veterinary hospital, Kingswells Aberdeen, 181336/DPP, be refused.

The Committee heard from Matthew Easton, Senior Planner, who spoke in furtherance of the application and answered various questions from members. Scott Lynch, Senior Engineer, also answered questions in regard to the roads. It was noted that in relation to the parking spaces on site, the report should state 97 standard spaces. Mr Easton also highlighted that 488 letters of representations were received, of which 237 objected and 251 were in support.

The Convener, seconded by Councillor Cooke, moved:-

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

Councillor Malik, seconded by Councillor Allan, moved as an amendment:-

That there be a willingness to approve the application conditionally subject to a legal agreement. It was considered that the proposed development complies with Policy B2 (Specialist Employment Areas) as it would service the nearby Prime Four Business Park employees. The proposed development also complies with Policies D1 (Quality Placemaking by Design), R6 (Waste Management Requirements for New Developments) and NE6 (Flooding, Drainage and Water Quality). The proposed development would also have a positive economic impact on the city and surrounding areas and would add to the limited local amenities for residents, outweighing adopted policy on the location of such uses.

On a division, there voted:- for the motion (4) – the Convener and Councillors Cooke, Copland and Greig; for the amendment (5) – Councillors Allan, Cormie, MacKenzie, Malik and Jennifer Stewart.

The Committee resolved:-

to adopt the amendment and therefore approve the application with the following conditions.

Conditions

1. ARCHAEOLOGICAL WRITTEN SCHEME OF INVESTIGATION

No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written

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scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason – To safeguard and record the archaeological potential of the area.

2. TREE PROTECTION

No development shall take place unless a further revised scheme showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority. Thereafter no development shall take place unless the approved scheme has been implemented.

Reason – to ensure adequate protection for the trees on site during the construction of the development.

3. BIRD HAZARD MANAGEMENT PLAN

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with Aberdeen Airport. The submitted plan shall include details of –

- Management of any flat/shallow pitched roofs (pitch less than 15°) on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 8 ‘Potential Bird Hazards from Building Design’
- Arrangements for the collection (including litter bins) and storage of putrescible waste
- Signs deterring people from feeding the birds

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 building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority in consultation with Aberdeen Airport.

Reason – To manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport

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4. ECOLOGY SURVEY RECOMMENDATIONS

Development shall take place in accordance with the recommendations contained within section 4.3 – 4.6 of the Ecology Survey produced by Direct Ecology and dated 20 December 2018 (Version 2).

Reason – to in order to mitigate the impact of development on species and habitats.

5. LANDSCAPING

No development shall take place unless a further revised scheme of hard and soft landscaping has been submitted to and approved in writing by the planning authority. The scheme shall include:

- (i) Existing landscape features and vegetation to be retained.
- (ii) The location of new [trees, shrubs, hedges, grassed areas and water features] - Delete as appropriate.
- (iii) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- (iv) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment.
- (v) An indication of existing trees, shrubs and hedges to be removed.
- (vi) A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason – To help integrate the development into the local landscape.

6. EXTERNAL LIGHTING

No development shall take place unless a scheme of all external lighting for the development has been submitted to and approved in writing by the planning authority. Thereafter lighting should be installed in accordance with the approved scheme.

The use of low-level, low intensity lighting is recommended, and the use of white green spectrum lighting should be avoided due to its impact upon foraging bats. Lighting should be avoided to the north of unit 1 where it would illuminate the tree line.

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Reason – in order to minimise artificial lighting and its potential impact on bats.

7. COOKING EXTRACTION SYSTEM

No unit shall be occupied unless a scheme showing the proposed means of filtering, extracting and dispersing cooking fumes for that unit has been submitted to and approved in writing by the planning authority.

Thereafter no unit shall be occupied unless the said scheme has been implemented in full and is ready for operation

Reason – in order to protect surrounding residential properties from cooking odours.

8. PROVISION OF ACCESS ROAD AND PARKING

No unit shall be occupied unless

- (i) the access road between that the unit and the A944 has been provided and available for use; and
- (ii) the car, motorcycle, and bicycle parking and electric vehicle charging points associated with that unit have been provided and are available for use in accordance with Fitzgerald Associates drawing 100[2] (Rev.G) 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, motorcycles and bicycles ancillary to the development and use thereby granted approval.

Reason – in the interests of public safety and the free flow of traffic.

9. STAFF TRAVEL PLANS

No unit shall be occupied unless a unit specific travel plan has been submitted to and approved in writing by the planning authority. The travel plan shall outline sustainable measures to deter the use of the private car by staff, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets. Thereafter each member of staff shall be provided with a copy of the travel plan at the start of their employment.

Reason – to encourage more sustainable forms of travel to the development.

10. PROTECTED SPECIES SURVEYS

Unless development commences prior to 31 January 2020 a revised protected species survey shall be submitted to and approved in writing by the planning authority.

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Thereafter the measures identified in the survey shall be implemented during the construction and operation of the development.

Reason – in order to avoid harming protected species.

11. MODIFICATION OF SITE JUNCTION AND A944

No unit shall be occupied unless the junction between the site and the A944 has been modified (including the closure of the central reservation) in accordance with Fitzgerald Associates drawing 100[2] (Rev.G).

Reason – in order to ensure the safety of road users.

12. DRAINAGE

No unit shall be occupied unless the drainage works associated with that unit and detailed on Ramsay & Chalmers drawing 100 (Rev.D) or such other plan as may subsequently be approved in writing by the planning authority for the purpose have been installed in accordance with the approved details

Reason – To safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

13. WASTE STORAGE

No unit shall be occupied unless the waste storage area associated with that unit has been provided and is available for use.

Reason – to preserve the amenity of the neighbourhood and in the interests of public health.

ENFORCEMENT REPORT - 18 HOME FARM GARDENS - PLA/19/241

7. The Committee had before it a report by the Chief Officer – Strategic Place Planning, which informed members of a breach of planning control which comprised the unauthorised erection of timber decking along the rear boundary with associated steps and handrails at 18 Home Farm Gardens, Bridge of Don, Aberdeen.

The report recommended:-

That the Committee –

- (a) authorise the serving of an Enforcement Notice upon the owner of the property, to rectify the breach of planning control; and
- (b) to agree that the breach should be remedied by the removal of the unauthorised timber decking with associated steps and handrails along the rear boundary.

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The Committee resolved:-

to approve the recommendations as contained within the report.

ENFORCEMENT REPORT - INCHGARTH HOUSE - PLA/19/242

8. The Committee had before it a report by the Chief Officer – Strategic Place Planning, which informed members in respect of a breach of planning control comprising the formation of an unauthorised chimney to the north-west gable at Inchgarth House, Inchgarth Road and sought authorisation to commence enforcement action, and if necessary, redress in the Courts as deemed appropriate.

The report recommended:-

that the Committee –

- (a) authorise the serving of an Enforcement Notice upon the owner/occupier of the property, to rectify the breach of planning control; and
- (b) agree that the breach should be remedied by the removal of the unauthorised chimney on the north-west elevation of the application property, or other scheme agreed in writing by the Planning Authority.

The Committee resolved:-

to approve the recommendations as contained within the report.

TREE PRESERVATION ORDER 256 - PLA/19/233

9. With reference to article 7 of the minute of the meeting of 15 February 2018, the Committee had before it a report by the Chief Officer – Strategic Place Planning, which requested the confirmation with modifications of provisional Tree Preservation Order 256/2018 Malcolm Road. The provisional order currently provided temporary protection for the trees identified within the order but required to be confirmed by the Committee to provide long term protection.

The report recommended:-

that the Committee confirm the making of Tree Preservation Order 256/2018 Malcolm Road and instruct the Chief Officer – Governance to attend to the requisite procedures to serve the Order as confirmed upon the interested parties and seek to register the Order with the Registers of Scotland.

The Committee resolved:-

to approve the recommendation as contained within the report.

DATE OF NEXT MEETING - THURSDAY 23 MAY 2019 AT 10AM.

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10. It was noted that the next meeting of the Committee had been changed due to the European Election and would now be held on Thursday 30 May at 10am with a meeting of the Pre Application Forum at 3pm on the same day.

The Committee resolved:-

to note the change in date for the next Planning Development Management Committee

- **Councillor Marie Boulton - Convener**

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