

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 17 June 2021. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Boulton, Convener; Councillor Stewart, the Depute Provost, Vice Convener; and Councillors Allan, Cooke, Copland, Cormie, Greig, 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.

DECLARATIONS OF INTEREST

1. Councillor Cooke declared a personal interest in regards to items 6.1 and 6.2 on the agenda, Kings College applications, as he knew one of the objectors and also knew a member of University Court. He did not feel that the interest was significant and did not feel it was necessary to leave the meeting during consideration of the applications.

Councillor Cormie also declared an interest in regards to items 6.1 and 6.2 on the agenda, Kings College applications, as he was a member of Grampian Youth Choir and an objection had been submitted from a member. He also did not feel that the interest was significant and did not feel it was necessary to leave the meeting during consideration of the applications.

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 20 MAY 2021

2. The Committee had before it the minute of the previous meeting of 20 May 2021, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE PLANNER

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

The Committee resolved:-

to note the information contained in the Committee business planner.

At this juncture, the Convener advised that items 6.1 and 6.2 on the agenda would be considered at the same time.

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KINGS COLLEGE ABERDEEN - 201069

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

That the application for detailed planning permission for the erection of a teaching and learning hall, removal of 1954 stack extension and kitchen extension to the old library, (James MacKay Hall), external alterations of Cromwell Tower, Old Senate Wing, Elphinstone Hall Kitchen Extension, Linklater Rooms and 1921 book stack, formation of new teaching and learning spaces within existing buildings and associated public realm works at Kings College Aberdeen, 201069, be approved subject to the following conditions:-

Conditions**PRE-DEMOLITION****(1) CONSTRUCTION METHOD STATEMENT**

No development (including demolition or site setup) shall commence unless a site-specific construction method statement has been submitted to and approved in writing by the planning authority. The method statement shall include details of (i) where site compounds would be located; (ii) how the construction site and compounds would be accessed; (iii) how the historic environment outwith the site would be safeguarded during construction. Thereafter construction shall be undertaken in accordance with the approved statement.

Reason – to safeguard the historic environment during construction.

(2) ARCHAEOLOGY

No development (including demolition or site setup) 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 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.

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(3) TREE PROTECTION

No development (including demolition or site setup) shall take place unless the tree protection fencing and ground root protection, shown in Tree Survey Report (April 2021) by Struan Dalgleish Arboriculture and associated drawings, has been implemented. Thereafter the fencing shall remain in place for the duration of construction of the development.

Reason – to protect trees from damage during construction. in accordance with Policy NE5 - Trees and Woodlands.

(4) DEMOLITION METHODOLOGY

No development (including demolition or site setup) shall take place unless a methodology for the demolition of the bookstack extension and James Mackay Hall kitchen extension has been submitted to and approved in writing by the planning authority. The scheme shall include measures to protect the retained structures and buildings around the down-takings and details of how the existing structures will be made good once the demolition works have been carried out and include details of the reuse or retention for future use of any granite down-takings. Thereafter development shall be undertaken in accordance with the approved scheme.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(5) STONE CLEANING

No development (including demolition or site setup) shall take place unless details of any proposed stone cleaning have been submitted to and approved in writing by the planning authority. The ACC Supplementary Guidance on Stone Cleaning and Historic Environment Scotland's Technical Advice Note (TAN 09 – Stone Cleaning of Granite Buildings) must be considered in developing the proposals. Thereafter development shall be undertaken in accordance with the approved scheme. In this condition 'stone cleaning' means the cleaning of stone using abrasive, chemical or high pressure water (above 50 psi).

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(6) CREATION OF OPENINGS AND MAKING GOOD OF STONEMWORK

No development (including demolition or site setup) shall take place unless a methodology for the formation of all new openings or other alterations to existing stonework has been submitted to and approved in writing by the planning authority. The scheme shall include details of the making good of any stonework exposed by down-takings or affected by the creation of openings. Thereafter development shall be undertaken in accordance with the approved scheme.

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Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

PRE-CONSTRUCTION**(7) DRAINAGE**

No development shall take place unless a detailed scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the planning authority. Thereafter the development shall not be brought into use unless the development has been implemented in accordance with the approved scheme and is available for use.

Reason – to safeguard water quality and to ensure that the development can be adequately drained.

(8) EXTERNAL PUBLIC REALM AND LANDSCAPING

No development associated with the construction of the development shall take place unless a scheme providing details and material specifications (including samples) for the public realm works proposed on drawing 4542 (PL) 1510 and 4542 (PL) 1687 have been submitted to and approved in writing by the planning authority. Thereafter the building shall not be brought into use unless the works have been constructed in accordance with the approved scheme.

Reason – to integrate the development into the surrounding area.

(9) WASTE STORE AND PORTERS BOTHY

No development shall take place unless a scheme showing construction details of the porters bothy and waste storage area has been submitted to and approved in writing by the planning authority. The scheme shall include details of the proposed new stonework, metal gates, window and door. Thereafter (i) development shall be undertaken in accordance with the approved scheme; (ii) no part of the building shall be brought into use unless the waste storage area has been constructed and is available for use; and (iii) the waste storage areas shall thereafter not be used for any other purpose other than the purpose of storing waste generated by the development.

Reason – to ensure (i) an appropriately high quality of detailing commensurate with the setting of the proposal and (ii) that there is sufficient space for the storage of waste and to maintain the amenity of the area.

(10) EXTERNAL FINISHING MATERIALS

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No development shall take place unless a scheme detailing all external finishing materials of the proposed building has been submitted to and approved in writing by the planning authority. The scheme shall include –

1. Detailed specifications of all materials to be used on the external areas of the building (including samples)
2. Elevational drawings clearly showing which materials are to be used on each part of the building
3. 1:20 construction drawings, showing the size of granite cladding blocks to be used
4. 1:20 construction drawings, showing the detailing of points where there would be a change in the surface finishes (for example where glazed sections of frontage meet granite-clad sections)

Thereafter the development shall be finished in accordance with the approved scheme unless a written variation has been approved by the planning authority.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(11) EXTERNAL LIGHTING STRATEGY

No development associated with the construction of the development shall take place unless a scheme for any external lighting of the new and existing buildings and its external areas has been submitted to and approved in writing by the planning authority. Thereafter the building shall not be brought into use unless the approved scheme has been implemented and is operational.

Reason – to integrate the development into the surrounding streetscape and skyline.

(12) CROMWELL TOWER

No development shall take place unless a scheme showing

- (i) how the proposed new staircase and associated structure adjacent to the Cromwell Tower would abut the existing building;
- (ii) a methodology for all new and altered openings on the elevations of the Cromwell Tower; and
- (iii) details (including samples) of any reclaimed stone to be used have been submitted to and approved in writing by the planning authority. Thereafter development shall be undertaken in accordance with the approved scheme.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(13) OLD SENATE WING – DOOR

No development shall take place unless details (including 1:10 elevation and section) of the proposed new profiled metal doors proposed at the Old Senate Wing have

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been submitted to and approved in writing by the planning authority. Thereafter development shall be undertaken in accordance with the approved details.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(14) OLD SENATE WING – ENTRANCE

No development shall take place unless detail (including 1:10 elevation and section) and a methodology for the creation of the new opening on the east elevation of the Old Senate Wing; and (ii) details of how the new podium and canopy would abut the existing building, have been submitted to and approved in writing by the planning authority. Thereafter development shall be undertaken in accordance with the approved details.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(15) BIRD CONTROL MEASURES

No development shall take place unless details of any bird control measures proposed for the exterior of the buildings has been submitted to and approved in writing by the planning authority. Thereafter development shall be undertaken in accordance with the approved details.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

PRE-OCCUPATION

(16) CYCLE PARKING

The development shall not be occupied unless a scheme for cycle parking has been submitted to and approved in writing by the planning authority. The scheme shall include details of short stay cycle parking near the entrances to the development and long-stay secure and covered cycle parking (including within the grounds of 50-52 College Bounds). Thereafter the development shall not be occupied unless the approved scheme has been implanted and is available for use.

Reason – to encourage cycling.

OTHER

(17) SOFT LANDSCAPING

All soft landscaping and tree planting proposals shall be carried out in accordance with the approved scheme (drawing 4542 (PL) 1687) and shall be completed during the

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planting season immediately following the commencement of the development or as otherwise 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 ensure provision of the replacement planting.

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 recommendation, therefore approve the application conditionally.

LISTED BUILDING CONSENT - KINGS COLLEGE ABERDEEN - 201070

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

That the application for listed building consent for the erection of a teaching and learning hall, demolition of 1954 book stack extension and kitchen extension to old library (James MacKay Hall), internal and external alterations of Cromwell Tower, Old Senate Wing, Elphinstone Hall Kitchen Extension, Linklater Rooms and 1921 book stack to allow for formation of new teaching and learning spaces within existing buildings, and associated public realm works at Kings College Aberdeen, 201070, be approved conditionally.

Conditions

PRE-DEMOLITION

(1) EVIDENCE OF CONTRACTS

No demolition shall take place unless evidence of a contract being in place for the construction of the development approved by planning permission 201069/DPP has been submitted to and approved in writing by the planning authority.

Reason – to ensure that the book stack extension and James Mackay Hall kitchen extension are not demolished without satisfactory redevelopment proposals being in place.

(2) DEMOLITION METHODOLOGY

No development (including demolition or site setup) shall take place unless a methodology for the demolition of the bookstack extension and James Mackay Hall kitchen extension has been submitted to and approved in writing by the planning

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authority. The scheme shall include measures to protect the retained structures and buildings around the down-takings and details of how the existing structures will be made good once the demolition works have been carried out and include details of the reuse or retention for future use of any granite down-takings. Thereafter development shall be undertaken in accordance with the approved scheme.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(3) STONE CLEANING

No development (including demolition or site setup) shall take place unless details of any proposed stone cleaning have been submitted to and approved in writing by the planning authority. The ACC Supplementary Guidance on Stone Cleaning and Historic Environment Scotland's Technical Advice Note (TAN 09 – Stone Cleaning of Granite Buildings) must be considered in developing the proposals. Thereafter development shall be undertaken in accordance with the approved scheme. In this condition 'stone cleaning' means the cleaning of stone using abrasive, chemical or high pressure water (above 50 psi).

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(4) CREATION OF OPENINGS AND MAKING GOOD OF STONWORK

No development (including demolition or site setup) shall take place unless a methodology for the formation of all new openings or other alterations to existing stonework has been submitted to and approved in writing by the planning authority. The scheme shall include details of the making good of any stonework exposed by down-takings or affected by the creation of openings. Thereafter development shall be undertaken in accordance with the approved scheme.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

PRE-CONSTRUCTION**(5) WASTE STORE AND PORTERS BOTHY**

No development shall take place unless a scheme showing construction details of the porters bothy and waste storage area has been submitted to and approved in writing by the planning authority. The scheme shall include details of the proposed new stonework, metal gates, window and door. Thereafter development shall be undertaken in accordance with the approved scheme.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

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(6) EXTERNAL FINISHING MATERIALS

No development shall take place unless a scheme detailing all external finishing materials of the proposed building has been submitted to and approved in writing by the planning authority. The scheme shall include –

- 1) Detailed specifications of all materials to be used on the external areas of the building (including samples)
- 2) Elevational drawings clearly showing which materials are to be used on each part of the building
- 3) 1:20 construction drawings, showing the size of granite cladding blocks to be used
- 4) 1:20 construction drawings, showing the detailing of points where there would be a change in the surface finishes (for example where glazed sections of frontage meet granite-clad sections) Thereafter the development shall be finished in accordance with the approved scheme unless a written variation has been approved by the planning authority.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(7) EXTERNAL LIGHTING STRATEGY

No development associated with the construction of the development shall take place unless a scheme for any external lighting of the new and existing buildings and its external areas has been submitted to and approved in writing by the planning authority. Thereafter the building shall not be brought into use unless the approved scheme has been implemented and is operational.

Reason – to integrate the development into the surrounding streetscape and skyline.

(8) CROMWELL TOWER

No development shall take place unless a scheme showing

- a) how the proposed new staircase and associated structure adjacent to the Cromwell Tower would abut the existing building;
- b) details and methodology for all new and altered openings on the elevations of the Cromwell Tower;
- c) details (including samples) of any reclaimed stone to be used within Cromwell Tower;
- d) details of all architectural and historic features within Cromwell Tower and whether they are to be retained;
- e) details of the existing and proposed corncicing mouldings and their locations;
- f) details of all new doors;
- g) details of the refurbishment for compliant access of the existing stair to the observatory;
- h) details of the refurbishment of the observatory interior; and

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- i) a methodology for the installation of the platform lift have been submitted to and approved in writing by the planning authority. Thereafter development shall be undertaken in accordance with the approved scheme.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(9) OLD SENATE WING – WINDOW RELOCATION

No development shall take place unless details (including 1:10 elevation and section) of the relocation of window 7 to opening 14 at the Old Senate Wing (as noted on page 3 of 4542 (PL) S001 (Rev.P1) – Part 2) have been submitted to and approved in writing by the planning authority. Thereafter development shall be undertaken in accordance with the approved details.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(10) OLD SENATE WING – DOOR

No development shall take place unless details (including 1:10 elevation and section) of the proposed new profiled metal doors proposed at the Old Senate Wing pend have been submitted to and approved in writing by the planning authority. Thereafter development shall be undertaken in accordance with the approved details.

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(11) OLD SENATE WING – ENTRANCES

No development shall take place unless detail (including 1:10 elevation and section) and a methodology for the creation of the new opening on the east elevation of the Old Senate Wing; and (ii) details of how the new podium & canopy and separate steps would abut the existing building, have been submitted to and approved in writing by the planning authority. Thereafter development shall be undertaken in accordance with the approved details

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(12) LOWERED CEILINGS

No development shall take place unless details of any proposed lowered ceilings within the existing buildings have been submitted to and approved in writing by the planning authority. The details shall include 1:10 sections of any new proposed lowered ceilings showing how these relate to existing historic features (e.g. cornicing being retained)

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and existing window opening (e.g. not cutting across any windows). Thereafter development shall be undertaken in accordance with the approved details

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(13) SECONDARY GLAZING

No development shall take place unless details of any proposed secondary glazing within the existing buildings have been submitted to and approved in writing by the planning authority. The details shall include 1:10 vertical and horizontal sections showing how the secondary glazing sits in the existing windows. Thereafter development shall be undertaken in accordance with the approved details

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

(14) BIRD CONTROL MEASURES

No development shall take place unless details of any bird control measures proposed for the exterior of the buildings has been submitted to and approved in writing by the planning authority. Thereafter development shall be undertaken in accordance with the approved details

Reason – to ensure an appropriately high quality of detailing commensurate with the setting of the proposal.

The Committee resolved:-

to approve the recommendation therefore approve the application conditionally.

GREAT WESTERN HOTEL, 239 GREAT WESTERN ROAD ABERDEEN - 210417

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

That the application for detailed planning permission for the construction of a permanent external seating area in the rear car park, at Great Western Hotel, 239 Great Western Road, be approved subject to the following conditions:-

Conditions

1. Construction Details

No development shall take place pursuant to this permission unless details of the proposed wall construction / material and the proposed canopy housing have been submitted to and approved in writing by the planning authority. The external area shall

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not be used unless the development has been constructed in accordance with the details as may be so approved.

Reason – In order to preserve the amenity and character of the conservation area.

2. Restriction of hours / noise generation

The external seating area hereby approved shall not be used outwith the hours from 10am until 10pm on any day. No amplified music or live events shall be played / performed within the structure hereby approved.

Reason – In order to protect the amenity of nearby residential premises due to potential noise disturbance.

3. Cycle Parking

The external seating area hereby approved shall not be used unless provision has been made within the site for secure visitor cycle parking in accordance with details which shall have been submitted to and approved in writing by the planning authority.

Reason – In the interest of sustainable travel and discouragement of car parking.

4. Waste Storage

The external seating area hereby approved shall not be used unless provision has been made within the site for bin storage on site in accordance with drawing no.100 hereby approved, or such other drawing as may be approved by the planning authority.

Reason – In order to protect the amenity of nearby residential premises due to potential waste generation.

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

At this juncture, Councillor Greig, moved as an amendment:-

That the application be refused due to not complying with policies H1 (Residential Amenities), T5 (Noise) and also Noise Supplementary Guidance and the resulting impact on local residential amenity.

Councillor Greig's amendment failed to attract a seconder and was therefore not put to the vote.

The Committee resolved:-

to approve the recommendation and therefore approve the application conditionally.

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95 CHARLESTON ROAD NORTH ABERDEEN - 210461

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

That the application for detailed planning permission for the erection of a 2 storey extension to the rear and formation of a new window to the side at 95 Charleston Road North Aberdeen, 210461, be approved unconditionally.

The Committee heard from Jemma Tasker, Planner, who spoke in furtherance of the application and answered questions from members.

The Committee resolved:-

to approve the application unconditionally.

FORMER WOOD GROUP BUILDING, WELLHEADS PLACE ABERDEEN - 201292

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

That there be a willingness to approve the application conditionally for detailed planning permission for the change of use from office to private medical clinic at the former Wood Group building, Wellheads Place Aberdeen, 201292 and to notify Scottish Ministers.

Conditions

(1) NOISE

That the medical clinic use hereby approved shall not be implemented unless

- (i) details of compliance with the noise levels (LAeq,1hr 40 dB) for private offices, small treatment rooms, interview rooms, consulting rooms and small meeting rooms containment within the Department of Health – Special Services - Scottish Health Technical Memorandum HTM 08-01 document and
- (ii) and any mitigation measures required have been implemented.

Reason – to ensure occupants of the building are protected from any unreasonable levels of noise.

(2) CYCLE PARKING

That the medical clinic use hereby approved shall not be implemented unless

- (i) details of the location and design of the proposed secure and covered cycle store have been submitted to and approved in writing by the planning authority and
- (ii) the cycle store has been installed and is available for use.

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Reason – to encourage travel to and from the site by cycling.

(3) ACCESSIBLE PARKING

That the medical clinic use hereby approved shall not be implemented unless the parking spaces identified on figure 4 of the Transportation Statement (A/200859 (November 2020) by Cameron + Ross) have been converted to accessible spaces and are available for use.

Reason – to ensure sufficient availability for those requiring an accessible parking space.

(4) RESTRICTED ACTIVITIES

The medical clinic hereby approved shall not be operated unless –

- No patients are permitted to stay at the premises overnight.
- No procedure where any patient is under a general anaesthetic is undertaken at the premises.

Reason – to ensure that the vulnerability of the population attending the site remains as described in the application.

(5) RESTRICTION ON CLASS 2 (FINANCIAL, PROFESSIONAL AND OTHER USES) USE

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) and the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), this planning permission allows for use as a medical clinic only. No other uses within Class 2 (Financial, Professional and Other Uses) or a change of use to Class 1 (Shops) are permitted.

Reason – to ensure that the vulnerability of the population attending the site remains as described in the application.

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

At this juncture, Councillor Greig moved as an amendment:-

That the application be refused due to the objection received from the Health and Safety Executive.

Councillor Greig's amendment failed to attract a seconder and was therefore not put to the vote.

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The Committee resolved:-

to approve the recommendation and therefore approve the application conditionally and notify Scottish Ministers.

FORMER CRAIGHILL PRIMARY SCHOOL, HETHERWICK ROAD ABERDEEN - 210038

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

That the application for detailed planning permission for the redevelopment of the site to form social housing rented accommodation (99 units), comprising a mix of unit types with associated streets, parking and amenity space at former Craighill Primary School, Hetherwick Road Aberdeen, 210038, be approved with a legal agreement and subject to the following conditions:-

Conditions

1. Materials

That no development shall take place unless a scheme and/or samples 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. Sample panels of the external brick finishes, including mortar, shall be provided. Thereafter the development shall be carried out in accordance with the details so agreed.

Reason: In the interest of visual amenity and to ensure a satisfactory finish of the development.

2. Boundaries (implementation)

Prior to completion of any residential unit to which the boundary relates, the relevant boundary treatments for that plot or block of flats as shown on drawing CH-RF-XX-XX-DRL-0002/RevP05 shall be implemented in their entirety unless otherwise agreed in writing.

Reason: In the interest of residential amenity and to ensure a satisfactory finish of the development.

3. Play areas

That no development shall take place until a scheme providing additional details on the proposed play spaces has been submitted to and approved in writing. Thereafter, these play spaces shall be incorporated in the approved landscaping scheme, and shall not be implemented other than in accordance with the agreed details.

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Reason: In the interest of residential amenity.

4. Landscaping (implementation)

That all planting, seeding and turfing as shown on drawing CH-RF-XX-XX-DR-L-0003/RevP08, or any other such drawing submitted to and approved in writing by the Planning Authority, 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.

Reason: In the interest of visual and residential amenity.

5. Landscaping (maintenance)

That no development shall take place until a scheme for maintenance of the landscaping as shown in drawing CH-RF-XX-XX-DR-L-0003/RevP08 has been submitted and approved in writing. Thereafter, maintenance of the landscaping shall be undertaken in accordance with the approved scheme.

Reason: In the interest of visual and residential amenity.

6. Tree protection measures (1)

That no development shall take place unless a plan 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 and any such scheme as may have been approved has been implemented.

Reason: To ensure adequate protection for the trees on site during the construction of the development.

7. Tree protection measures (2)

That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks.

Reason: To ensure adequate protection for the trees on site during the construction of the development.

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8. Dust

That no development shall take place until:

- a) An 'Air Quality (Dust) Risk Assessment' by a suitably qualified consultant is carried out to predict the likely dust levels resulting from the proposed development and its impact on air quality including a determination of it significant; and
- b) A 'Dust Management Plan', which shall be based on the results of the 'Air Quality (Dust) Risk Assessment' Have been submitted and approved in writing by the Planning Authority. Any such scheme as has been approved shall subsequently be implemented during the construction works.

Reason: In the interest of public health.

9. Contamination

No building(s) part of the hereby approved development shall be occupied unless:

- a) 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
- b) A report specifically relating to the building(s) 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(s) have been carried out Unless the Planning Authority has given written consent for a variation. The final building part of the development hereby approved shall not be occupied unless a report has been submitted and approved in writing by the Planning Authority that verifies that the remedial works have been carried out in full accordance with the remediation plan required under b. as set out above.

Reason: To ensure that the site is fit for human occupation.

10. Bin and bike store (implementation)

That no flat within any individual block shall be occupied unless the relevant bin and bike store as shown on drawing ACCCRH-JMA-ZZ-ZZ-DR-A-PL0102/RevP03 or such other drawing as may subsequently be submitted to and approved in writing by the Planning Authority, have been made available for use.

Reason: In the interest of public health and to promote sustainable transport methods.

11. Car parking (implementation)

That no flat within any individual block shall be occupied unless the relevant car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing CRH-RAC-ZZ-XX-DR-C-0100-D of the plans hereby approved or such other drawing as may subsequently be submitted to and approved in writing by the Planning Authority. Such areas shall not thereafter be used

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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.

12.Safe routes to school

That no part of the development shall be occupied until a scheme setting out 'Safe Routes to School' has been submitted and approved in writing by the Planning Authority. This scheme shall identify the most direct route and any missing links or upgrades required towards the nearest schools.

Reason: To promote sustainable transport methods, and to ensure that a safe route to school is available for children living within the hereby approved development.

13.Travel plan

That no part of the development shall be occupied until a Residential Travel Pack has been submitted and approved in writing by the Planning Authority. Such approved packs shall subsequently be issued to the first occupiers of each residential unit.

Reason: To promote sustainable travel methods.

14.Electric vehicle charging

That no development shall take place until a scheme detailing underground cabling for future electric charging equipment has been submitted to and approved in writing by the Planning Authority. Subsequently, the development shall not be carried out other than in accordance with the details so agreed.

Reason: To future proof the site to increase the use of electric vehicles.

15.Low and zero carbon building and water efficiency

No development shall take place until a scheme detailing compliance with policy R7 (Low and Zero Carbon Building and Water Efficiency) of the 2017 Aberdeen Local Development Plan shall be submitted and approved in writing, and any recommended measures specified in that scheme for the reduction of carbon emissions and water efficiency have been implemented in full.

Reason: To ensure that the development complies with requirements for reductions in carbon emissions and water efficiency as specified in policy R7 (Low and Zero Carbon Building and Water Efficiency) of the 2017 Aberdeen Local Development Plan.

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16.Heat networks

No development shall take place until a feasibility study into the use of a district heating system serving the development hereby approved shall be submitted to and approved in writing by the Planning Authority. This feasibility study shall consider the technical feasibility and financial viability of heat network/district heating for the site, identifying sources of heat (either within the site or off-site) and other factors such as where land will be safeguarded for future district heating infrastructure.

Reason: In the interest of promotion of low carbon sources of heat.

17.Digital infrastructure

That no individual flat or house shall be occupied unless satisfactory evidence has been submitted and agreed in writing by the Planning Authority that the development will be connected into the existing digital infrastructure surrounding the site, and subsequently the development shall be implemented in accordance with the agreed details.

Reason: To ensure good digital connectivity for the hereby approved residential units and to ensure compliance with policy CI1 (Digital Infrastructure) of the 2017 Aberdeen Local Development Plan.

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 recommendation and therefore approve the application conditionally with a legal agreement, with an amendment to condition 17, to read:-

Condition 17 (Digital Infrastructure)

That no individual flat or house shall be occupied unless satisfactory evidence has been submitted and agreed in writing by the Planning Authority that the development will be connected into the existing digital infrastructure surrounding the site, with the preferred option being fibre optic cabling to the premises where available, and subsequently the development shall be implemented in accordance with the agreed details.

Reason: To ensure good digital connectivity for the hereby approved residential units and to ensure compliance with policy CI1 (Digital Infrastructure) of the 2017 Aberdeen Local Development Plan.

SILVERBURN HOUSE, CLAYMORE DRIVE ABERDEEN - 191904

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

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That there be a willingness to approve the application subject to conditions and subject to conclusion of a legal agreement securing payment of developer obligations and ensuring that the development delivers a minimum of 25% as affordable housing. The application is for planning permission in principle for the erection of a residential led, mixed use development of around 100 to 150 units (mix of house types and flats), including facilities consisting of up to 500 sqm of commercial floorspace (within classes 1(shops), 2(financial, professional and other services) and/or class 3(food and drink)) with associated works at Silverburn House, Claymore Drive Aberdeen, 191904.

Conditions

1. Phasing

No development pursuant to this grant of planning permission shall be undertaken unless a phasing programme outlining the delivery of buildings, open spaces and roads infrastructure across the entire application site has been submitted to and approved in writing by the planning authority. For the avoidance of doubt, this scheme shall include details of trigger points for delivery of retail and/or commercial use to meet the local need generated by the new residential development.

Reason: in order to ensure development is progressively accompanied by appropriate associated infrastructure.

2. Detailed Design (by phase)

No development in connection with any individual phase of the planning permission hereby approved shall take place unless the following details for that respective phase have been submitted to the Planning Authority and agreed in writing. Thereafter, development within that phase of development shall be implemented in accordance with the approved details. Unless otherwise agreed in writing with the planning authority, MSC applications shall include:

- a) siting, design and external appearance of the built development;
- b) a detailed landscape plan and strategy;
- c) details of the means of access, including junction design and trigger points for delivery;
- d) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point;
- e) A detailed Drainage Plan, including details of the proposed means of disposal of surface water, including how surface water run-off shall be addressed during construction, incorporating the principles of pollution prevention and mitigation measures. The final location of SUDs, including ponds, should be appropriately positioned in accordance with an agreed flood risk assessment;
- f) Details of the connection to the existing Scottish Water foul water drainage network;
- g) Details of all cut and fill operations;
- h) The details of all roads, footpaths, cycleways and car parking provision;
- i) Details of any screen walls/fencing/boundary enclosures;

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- j) Details of all landscaping, planting and screening;
- k) Details of the layout, siting, design, materials and finishes of all residential and non-residential buildings; and
- l) Details of waste/recycling collection points, for residential and non-residential properties, including swept-path analysis of refuse collection vehicles.

Reason: In order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

3. Landscaping Information

The landscaping details to be submitted pursuant to Condition 2 above (detailed design by phase) shall include:

- a) Existing and proposed finished ground levels relative to a fixed datum point;
- b) Existing landscape features and vegetation to be retained.
- c) Tree survey, arboricultural impact assessment and tree protection plan (undertaken to BS5837:2012);
- d) Existing and proposed services including cables, pipelines and substations;
- e) The location of new trees, shrubs, hedges, grassed areas and water features;
- f) A schedule of plants to comprise species, plant sizes and proposed numbers and density;
- g) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;
- h) An indication of existing trees, shrubs and hedges to be removed;
- i) A Management Plan detailing appropriate management measures for all watercourse buffer strips;
- j) A programme for the completion and subsequent maintenance of the proposed landscaping.
- k) Specific details for the planting of trees within and adjacent to hard 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 each respective phase 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 each phase 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: in the interests of protecting trees and ensuring a satisfactory quality of environment.

4. Trees – Care and Management

That no units within a given individual phase of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to

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include timing of works and inspections) for that phase has been submitted to and approved in writing by the Planning Authority. Thereafter, the works shall be carried out in accordance with such plan and report as may be so approved.

5. Drainage connections

The details to be submitted pursuant to Condition 2 for each respective phase of the development shall show the proposed means of disposal of foul and surface water from the relevant phase of the development within the form of a Sustainable Urban Drainage System and include a development impact assessment and detailed design and methodology statement. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEPA, the development shall connect to the public sewer and the relevant phase of the development shall not be occupied unless the agreed drainage system has been provided, is operational, and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme.

Reason: To protect the water environment and help reduce flooding.

6. Historic drainage infrastructure

No development pursuant to this grant of planning permission shall commence unless a scheme for the treatment/decommissioning/removal of historic site drainage infrastructure has first been submitted to and approved in writing by the planning authority, in consultation with SEPA. Thereafter, development shall not be undertaken other than in full accordance with the scheme so agreed.

Reason: to prevent the abandonment of waste on site and pollution of the environment.

7. Sustainable Urban Drainage and relationship to the water environment

That no development in any individual phase shall take place unless a scheme detailing levels of sustainable drainage (SUDS) surface water treatment has been submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme. This shall include an assessment to demonstrate how the layout and design has considered the feasibility of de-culverting any watercourses within the site. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C697) and should incorporate source control. A minimum 6m buffer shall be maintained between development (including garden ground and property boundaries) and the top bank of the Silver Burn and any proposals to de-culvert watercourses through the site.

Reason: To ensure adequate protection of the water environment from surface water run-off and to provide for enhancement of the natural environment.

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8. De-culverting and realignment of Silver Burn

No development pursuant to this grant of planning permission shall be undertaken unless a detailed scheme for the protection and enhancement of the water environment has first been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. As a minimum, this shall include:

- a) Demonstration of how the existing waterbodies on site have been incorporated into the layout of the development, including appropriate buffer zones;
- b) Detailed information relating to the investigation of and realignment / de-culverting of any watercourses onsite;
- c) Full details relating to any other proposed engineering activities in the water environment, including the location and type of any proposed watercourse crossings. Any proposed watercourse crossings shall be bridging solutions or bottomless or arched culverts, designed to accept the 1 in 200 year flow unless otherwise agreed with the Planning Authority in consultation with SEPA. All works on site must be undertaken in accordance with the approved scheme unless otherwise agreed in writing with the Planning Authority.

Reason: To protect and enhance the water environment and to prevent an increase in flood risk.

9. Flood Risk Assessment

No development pursuant to this grant of planning permission shall be undertaken unless a Level 2 Flood Risk Assessment has been submitted to and approved in writing by the planning authority, in consultation with SEPA. Any such submission shall include the following information: a) confirmation of the functional floodplain, including with the addition of climate change, of the (realigned) burn (illustrated on a Site Plan); b) a development layout which avoids the functional floodplain, including with the addition of climate change; c) demonstration that there is no increased flood risk off-site resulting from the realigned channel compared to the existing (baseline) scenario to be agreed by the Planning Authority in consultation with SEPA. Thereafter, development shall not be undertaken other than in accordance with any agreed submissions.

Reason: In order to protect people and buildings from flooding.

10. Environmental Enhancements

No development pursuant to this grant of planning permission shall be undertaken unless a scheme of environmental enhancements, including reference to those listed in paras 5.2 and 5.3 of SEPA's consultation response dated 11th Feb 2020, has been submitted to and approved in writing by the planning authority in consultation with the Scottish Environment Protection Agency. Once approved the scheme shall be implemented in full.

Reason: To ensure the offset of environmental impacts and contribute to and enhance the natural environment and support Policy D1 - Quality Placemaking by Design.

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11. Construction Environment Management Plan (CEMP)

No development shall be carried out within any individual phase of the development hereby approved unless a site specific Construction Environmental Method Plan (CEMP) for that phase of works has been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. Thereafter, all works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority.

Reason: In order to minimise the impacts of necessary demolition and construction works on the environment.

12. Street Design, Car Parking etc.

No development pursuant to this grant of planning permission shall be undertaken unless details of the proposed street design, which shall contain but not be limited to: a parking strategy (including provision for accessible spaces, motorcycle and bicycle spaces and Electric Vehicle charging points and infrastructure); road geometry, dimensions and swept-path analysis; road junctions and visibility splays; traffic calming measures; footway and cycleway provision; gradient; level details, finishing/surfacing materials and crossing points, shall be provided for the further written approval of the Planning Authority in consultation with the Roads Authority. No building shall not be occupied unless the streets and parking areas for the respective block are complete and available for use.

Reason: in the interests of road safety.

13. Pedestrian Crossing at Parkway East

No buildings within the development may be occupied unless a 'toucan' crossing has been provided across Parkway East, in accordance with a scheme which has first been submitted to and approved in writing by the planning authority.

Reason: to ensure that the site has appropriate pedestrian infrastructure to allow connection to local schools, shops and services in the surrounding area and to ensure compliance with policies T2 (Managing the Transport Impacts of Development) and T3 (Sustainable and Active Travel) of the ALDP.

14. Traffic Regulation Orders

No buildings within the development hereby approved shall be occupied unless the necessary Traffic Regulation Orders have been obtained for the reduction of speed limits on the A92 to 40mph, including provision for temporary 20mph limits during school travel times.

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Reason: In order to facilitate safe access to schools and to reduce traffic speeds to a level appropriate for a residential area.

15. Bus Stops

That no residential units shall be occupied unless existing bus stops on Parkway East have been upgraded in accordance with a scheme which has first been submitted to and agreed in writing by the planning authority. Reason: In order to provide the necessary infrastructure to make the development accessible by public transport and to encourage travel by sustainable means.

16. Safe routes to school

That no residential units shall be occupied unless safe routes to school have been provided in accordance with a scheme which has first been submitted to and approved in writing by the planning authority. This shall include details of measures, including a timetable for implementation, required to help ensure safe travel to school.

Reason: In order to provide safe routes for travelling to local schools by sustainable means.

17. Residential Travel Pack

That no residential unit within the development shall be occupied unless a Residential Travel Pack, expanding on the principles set out in the agreed Travel Plan Framework and containing proposals for reducing dependency on the private car has been submitted to and approved in writing by the Planning Authority, and thereafter provided to residents on first occupation.

Reason: to be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport – in the interests of reducing travel by private car.

18. Noise Assessment and Mitigation Measures

No development pursuant to this grant of planning permission shall be undertaken unless a further noise assessment, based on the final design and layout approved via condition 2 (Detailed Design by Phase) and including details of any necessary noise mitigation measures, has first been submitted to and agreed in writing by the planning authority. Thereafter, no residential unit within the development shall be occupied unless the approved mitigation measures for that unit have been implemented in full.

Reason: To ensure that a suitable residential environment is provided, and that potential noise impact is mitigated as necessary.

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19. Dust Risk Assessment and Management Plan

No development pursuant to this grant of planning permission shall be undertaken unless:

- (i) An Air Quality (Dust) Risk Assessment, carried out by a suitably qualified consultant in accordance with the Institute of Air Quality Management document "Guidance on the Assessment of Dust from Demolition and Construction" 2014, has first been submitted to and agreed in writing by the planning authority.
- (ii) A site-specific Dust Management Plan, based on the outcomes of the Air Quality (Dust) Risk Assessment and detailing the necessary control measures to be implemented for each phase of the proposed works (demolition, earthworks, construction, and trackout), an example of the monitoring protocol and schedule to be implemented on-site, and the responsible person for dust control on-site, has first been submitted to and agreed in writing by the planning authority.

Thereafter, all works shall be carried out in accordance with the control measures so agreed.

Reason: In order to mitigate the impact of dust from construction activities associated with the development on local air quality.

20. Commercial floorspace

The commercial units hereby approved shall not exceed a total of 500sqm in gross floor area, and shall be used not be used for purposes other than those falling within classes 1 (shops), 2 (financial and professional services) or 3 (food and drink). No unit shall be occupied for purposes within Class 3 (food and drink) unless a scheme comprising the following has been submitted to and approved in writing by the planning authority:

- a) A suitable extract ventilation assessment in line with relevant guidance for example, the EMAQ guidance document 'The Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (or equivalent) and associated references, by a competent person must be carried out. This assessment must ascertain the predicted impacts of odour associated with the specific type and level of cooking activities to be undertaken and fully demonstrate the effectiveness of any proposed mitigation measures to; filter, neutralise, extract and disperse cooking fumes produced at the premises. A suitable report detailing this assessment and its findings must be submitted and approved by the Environmental Health Service.
- b) A Noise Impact Assessment by a suitably qualified noise consultant to ascertain the predicted impacts of noise associated with the system and fully demonstrate the effectiveness of any noise controls. The methodology for such an assessment must be agreed with this Service. Details of this assessment and its findings must be submitted for review, in the form of a suitable report to the satisfaction of this Service. This assessment should:
 - i. Be in accordance with Planning Advice Note (PAN) 1/2011 Planning and Noise and its accompanying Technical Advice Note.

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- ii. Identify the noise sources associated with the proposed development and their impact on neighbouring properties.
- iii. Detail the noise mitigation measures to reduce noise from the proposed noise sources to an acceptable level to reasonably protect the amenity of the occupants of neighbouring properties.

Reason: In order to ensure that retail and commercial floorspace is of a local scale and to safeguard amenity within upper floor residential units.

21. Contaminated Land (A)

No development pursuant to this grant of planning permission shall be undertaken unless it is carried out in full accordance with a scheme to address any significant risks from 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.
- 4) verification protocols to demonstrate compliance with the remediation plan.

22. Contaminated Land (B)

No building(s) 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(s) 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(s) have been carried out, unless the planning authority has given written approval for a variation.

The final building on the application site shall not be occupied unless a report has been submitted and approved in writing by the planning authority that verifies that the remedial works have been carried out in full accordance with the remediation plan, unless the planning authority has given written consent for a variation.

Reason: to ensure that the site is suitable for use and fit for human occupation.

23. Carbon Reduction and Water Efficiency

No units within a given individual phase of development shall be occupied unless a scheme detailing measures to ensure compliance with the Council's 'Resources for

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New Development' Supplementary Guidance (including water efficiency measures) within that phase has first been submitted to and agreed in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions and reduction in water use have been implemented in full.

Reason: To ensure that this development complies with the requirements for carbon emission reductions and water saving measures set out in the Council's 'Resources for New Development' Supplementary Guidance.

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

The Committee resolved:-

to approve the recommendation and therefore agree there be a willingness to approve subject to conditions and subject to conclusion of a legal agreement securing payment of developer obligations and ensuring that the development delivers a minimum of 25% as affordable housing.

11 EARN'S HEUGH CRESCENT ABERDEEN - 210427

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

That the application for detailed planning permission for the installation of a fence to the side (retrospectively) at 11 Earn's Heugh Crescent Aberdeen, 210427, be refused.

The Committee heard from Roy Brown, Planner, who spoke in furtherance of the application and answered questions from members.

At this juncture, in terms of Standing Order 29.4.1, the Convener waived her right to the motion and allowed Councillor Cooke to have the prior right to the motion.

Councillor Cooke, moved, seconded by the Convener:-

That the application be approved. The proposal would be contrary to Policies H1 – Residential Areas and D1 – Quality Placemaking by Design of the adopted Aberdeen Local Development Plan in that its design, position and height would be intrusive in the street scene and have an adverse impact on the residential amenity or character of the surrounding area. However the area to be enclosed is the only area of usable garden for this property and its enclosure would be the only way of securing the privacy of this area and that is considered to be a significant site specific material consideration that justifies approval of the application in this particular instance. The fence would not obstruct forward visibility for road traffic and, therefore, would not be detrimental to road safety.

Councillor Greig moved as amendment, seconded by Councillor Cormie:-

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That the application be refused in line with the recommendation.

On a division, there voted:- for the motion (7) – the Convener, the Vice Convener and Councillor Allan, Cooke, Copland, MacKenzie and Malik – for the amendment (2) – Councillors Cormie and Greig.

The Committee resolved:-

to adopt the motion and therefore approve the application.

- **Councillor Marie Boulton, Convener**