

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 24 August 2023. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor McRae, Convener; Councillor Bouse, Vice Convener; and Councillors Allard (as substitute for Councillor Radley for articles 1 to 3), Alphonse, Blake, Boulton, Clark, Cooke, Copland, Farquhar, Lawrence, Radley (for articles 4 to 6) and Thomson.

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 29 JUNE 2023

1. The Committee had before it the minute of the previous meeting of 29 June 2023, for approval.

**The Committee resolved:**

to approve the minute as a correct record.

### COMMITTEE PLANNER

2. The Committee had before it the committee business planner, as prepared by the Interim Chief Officer – Governance (Legal).

**The Committee resolved:-**

- (i) to note the reason for the delay in regards to item 8 (Land at Greenferns sites OP28 and OP33); and
- (ii) to otherwise note the committee business planner.

### THE JAMES HUTTON INSTITUTE, COUNTESSWELLS ROAD, ABERDEEN - 221419

3. 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 formation of access road, amended car parking and associated drainage at the James Hutton Institute, Countesswells Road Aberdeen, be approved subject to the following conditions:-

### **Conditions**

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**(01) DURATION OF PERMISSION**

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

**(02) TREE PROTECTION FENCING**

No development (including site setup) shall take place unless the tree protection measures shown in Tree Survey JHIC-2211-TRA-A (dated 17 March 2023) and drawing JHIC-22-11-TP (Rev.A) by Astell Associates (or such other details and drawing which may be approved by the planning authority for the same purpose) have been implemented. Thereafter the fencing shall remain in place for the duration of construction of the development.

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

**(03) INVASIVE NON-NATIVE SPECIES**

No development shall take place unless an invasive non-native species management plan has been submitted to and approved in writing by the planning authority. The plan shall include details of measures designed to minimise the risk of non-native species being spread during construction activities within the application site. Thereafter, construction shall be undertaken in accordance with the approved plan.

Reason – to control the spread of invasive non-native species during construction.

**(04) LANDSCAPING AND COMPENSATORY TREE PLANTING**

No development shall take place unless a detailed scheme of landscaping for the site has been submitted to and approved in writing by the planning authority. The scheme shall include tree/shrub planting numbers, densities, locations, species, sizes, and stage of maturity at planting.

Thereafter all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of five 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 – to satisfactorily integrate the development into its surroundings and maintain the visual amenity of the area.

**(05) TRAVEL PLAN**

The junction and road hereby approved shall not be brought into use unless a travel plan for the campus 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, in particular single occupant trips and provides detailed monitoring arrangements and modal split targets.

Thereafter the travel plan shall be implemented.

Reason – to encourage more sustainable forms of travel to campus.

**(06) DRAINAGE**

The junction and road hereby approved shall not be brought into use unless all surface water drainage works detailed in the approved Drainage Assessment (140950 - DA01 (Rev.2) and drawing 140950/2000 (Rev.E) produced by Fairhurst (or such other drawing approved for the purpose) have been installed in accordance with the approved details and is available for use.

Reason – to safeguard water qualities, prevent flooding and ensure that the junction and road can be adequately drained.

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

The Committee then heard from Mirjam Brady-van den Bos, Coleen Murphy, Ellen Robinson and Heather Turnbull, who all objected to the application and requested that the application be refused.

A statement was read out by the clerk on behalf of Paul Howlett and Neil McDonald, who also both objected to the application.

The Committee then heard from Alasdair Cox, applicant, who spoke in support of the application.

The Convener moved, seconded by the Vice Convener:-

That the application be approved conditionally in line with the officers recommendation with an extra condition added to read:-

**“LANDSCAPING, BIODIVERSITY ENHANCEMENT AND COMPENSATORY TREE PLANTING**

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No development shall take place unless a detailed scheme of landscaping for the site and screening of the area between the new access road and rear of homes at Macaulay Grange has been submitted to and approved in writing by the planning authority. The scheme shall include –

- (i) Existing landscape vegetated areas to be retained, including proposed protection measures;
- (ii) The location of new trees, shrubs, hedges, grassed / wildflower areas;
- (iii) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- (iv) The location, design and specification of biodiversity enhancement measures;
- (v) A programme for the implementation and subsequent maintenance of the proposed landscaping.

Thereafter all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of five 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.

Reason – to satisfactorily integrate the development into its surroundings, help screen the development from homes at Macaulay Grange and maintain the visual amenity of the area.

Councillor Boulton, seconded by Councillor Farquhar, moved as an amendment:-

That the application be refused as the loss of trees and woodlands would be contrary to policies 1, 3, 4 and 6 of National Planning Framework 4 and policies NE3 and NE5 of the Aberdeen Local Development Plan by virtue of the adverse effects on biodiversity, landscape, amenity and climate.

The additional access onto Countesswells Road would have an adverse impact on pedestrian and traffic safety due to the proximity to the nearby primary school and due to driveways immediately opposite which would result in a breach of the guidance in the interim Aberdeen Planning Guidance on Transport and Accessibility.

On a division, there voted – for the motion (7) – the Convener, the Vice Convener and Councillors Allard, Alphonse, Cooke, Copland and Lawrence – for the amendment (5) – Councillors Blake, Boulton, Clark, Farquhar and Thomson.

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

to approve the application conditionally.

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**53 ERSKINE STREET ABERDEEN - 230582**

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 change of use of flat to short term let accommodation (sui generis) with maximum occupancy of two people at Ground Floor Right, 53 Erskine Street Aberdeen, be approved subject to the following conditions: -

**Conditions****(1) DURATION OF PERMISSION**

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

**(2) TIME LIMIT FOR SHORT-TERM LET USE**

The hereby approved use of the property as Short-Term Let accommodation shall expire 5 years following the date of the grant of permission as stated on this notice, unless a further planning permission has been granted for continued use of the property as Short-Term Let accommodation in the meantime. Should no further planning permission be granted then the property shall revert to mainstream residential use as a flat after the aforementioned 5-year period.

Reason: In order to allow the local housing need and demand situation and the local economic benefits derived from the use of the property as a Short Term Let to be reassessed in 5 years' time, to ensure that the loss of the property as residential accommodation would remain compliant with Policy 30 of NPF4.

The Committee heard from Alex Ferguson, Senior Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from Sophie Morrison, applicant, who spoke in support of the application.

**The Committee resolved:-**

to approve the application conditionally.

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**AIRYHALL DISTRIBUTION SERVICE RESERVOIR, CRAIGTON ROAD, ABERDEEN  
- 230212**

5. 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 tank mounted solar PV arrays and associated equipment at Airyhall Distribution Service Reservoir, Craigton Road Aberdeen, be approved subject to the following conditions:-

**Conditions****(01) DURATION OF PERMISSION**

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

**(02) SITE RESTORATION**

On the solar arrays hereby approved no longer being used for the purposes of generating electricity, (i) the planning authority must be notified; and (ii) within six months the solar arrays and supporting frames shall be removed from the site and land restored to its condition before the development took place or such other state as may be agreed with the planning authority.

Reason – to minimise unnecessary visual intrusion for surrounding residents.

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

The Committee then heard from Mark Gordon who objected to the application.

The Committee then heard from Roddy Spiers, applicant, who spoke in support of the application.

**The Committee resolved:-**

to approve the application conditionally with an extra condition added to read:-

**(3) LANDSCAPING AND BIODIVERSITY ENHANCEMENT**

No development shall take place unless a detailed scheme of landscaping for the site and screening of the areas between the solar arrays and surrounding residential properties (taking into account the operational nature of the site) has

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been submitted to and approved in writing by the planning authority. The scheme shall include –

- (i) The location of new trees, shrubs, hedges, grassed / wildflower areas;
- (ii) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- (iii) The location, design and specification of biodiversity enhancement measures;
- (iv) A programme for the implementation and subsequent maintenance of the proposed landscaping.

Thereafter all planting and seeding comprised in the approved scheme of landscaping 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 five 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.

Reason – to satisfactorily integrate the development into its surroundings, help screen the development from homes at Macaulay Drive and maintain the visual amenity of the area.

**SITE OF FORMER CORDYCE SCHOOL, RIVERVIEW DRIVE, DYCE, ABERDEEN - 221232**

**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 erection of 91 homes including associated infrastructure, open space and landscaping at the site of the former Cordyce School, Riverview Drive Aberdeen, be approved subject to a legal agreement and subject to the following conditions:-

**Conditions**

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

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**(02) MATERIALS**

That no development shall take place unless a scheme detailing all external finishing materials to the roofs, walls, doors and windows 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.

**(03) TREE PROTECTION MEASURES (01)**

That no development shall take place unless all tree protection measures as shown on drawing 375340-QGIS010/Rev002 by EnviroCentre, dated 31st March 2023 have been erected. Once in place, all tree protection measures shall remain in situ until all construction work associated with the hereby approved development has been completed and all plant and machinery has been removed from site.

Reason: In order to ensure adequate protection for the trees on site during the construction of the development.

**(04) TREE PROTECTION MEASURES (02)**

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.

**(05) LANDSCAPING (SPECIES)**

That no development shall take place until details of all tree species to be planted as part of the landscaping scheme hereby approved have been submitted and agreed in writing by the Planning Authority. Subsequently, only the tree species as set out in the hereby agreed details shall be planted as part of the agreed landscaping scheme.

Reason: To ensure no conflict with safeguarding criteria of Aberdeen International Airport.

**(06) LANDSCAPING (IMPLEMENTATION AND MAINTENANCE)**

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme as shown on drawings 415.45.01b; 415.45.02b; 415.45.03b; 415.45.04b; 415.45.05b; 415.45.06b; and 415.45.07b, all by EnviroCentre and dated August 2023, with tree species as agreed as part of condition 5 as set out above, and

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shall be completed during the 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.

Thereafter, all management and maintenance of the landscaped and open space areas as shown on in the 'Maintenance' schedule on drawing 415.45.02b, by EnviroCentre and dated August 2023 shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

**(07) PLOT BOUNDARIES (IMPLEMENTATION)**

That no individual plot hereby approved shall be occupied until all relevant plot boundary enclosures as shown on drawings A1-90-02/RevC for that plot have been implemented in their entirety unless otherwise agreed in writing by the planning authority. For the avoidance of doubt, this shall include the specification as set out in Section 7.3 on page 20 of the submitted Noise Impact Assessment by EnviroCentre, dated April 2023 for acoustic barriers fences to plots 1 through to 15 and plots 70 through to 73, unless otherwise agreed in writing.

Reason: In the interest of visual and residential amenity.

**(08) NOISE MITIGATION MEASURES**

That no residential unit hereby approved shall be occupied unless fitted with glazing and trickle vents as specified in section 7.4 on page 20 of the of the submitted Noise Impact Assessment by EnviroCentre, dated April 2023 or such other specification as may subsequently be submitted and approved in writing by the planning authority.

Reason: In the interest of residential amenity.

**(09) CAR PARKING (IMPLEMENTATION)**

That plots 70 through to 91 of the development hereby approved shall not be occupied unless the related car parking areas have been constructed, drained, laid-out and demarcated in accordance with drawing A1-90-03/RevA, by the Architecture and Planning, dated 10<sup>th</sup> May 2023 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 than the parking of cars ancillary to the development.

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

**(10) EV CHARGING**

That no development shall take place until a detailed scheme of electric vehicle charging infrastructure has been submitted to and approved in writing by the Planning Authority. The scheme shall take account of the requirements of section 7.2 (Electric Vehicle Charging) of the Building Standards Domestic Technical Handbook (June 2023) and show the location and specification of active and passive charging infrastructure. Thereafter, unless otherwise agreed in writing with the Planning Authority, no unit within the development shall be occupied unless the scheme for that particular plot has been implemented and charging points are available for use.

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

**(11) RESIDENTIAL TRAVEL PLAN**

That no residential unit hereby approved 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

**(12) PEDESTRIAN CROSSING AND BUS STOP**

That no development shall take place until a scheme detailing the relocation and upgrading of the existing bus stops on Riverview Drive; and installation of a signalised pedestrian/cycle crossing on Riverview Drive has been submitted to and approved in writing by the Planning Authority. Subsequently, no residential unit shall be occupied until the approved scheme has been implemented in its entirety.

Reason: In the interest of public safety and to ensure delivery of a safe route to school.

**(13) LOW AND ZERO CARBON BUILDING AND WATER EFFICIENCY**

No development shall take place until a scheme detailing compliance with policy R6 (Low and Zero Carbon Building and Water Efficiency) of the 2023 Aberdeen Local Development Plan has been submitted to and approved in writing by the Planning Authority. Thereafter, no residential unit shall be occupied unless any recommended measures specified in that scheme for the reduction of carbon emissions and water efficiency have been implemented.

Reason: To ensure that the development complies with requirements for reductions in carbon emissions and water efficiency as specified in policy R6 (Low and Zero Carbon Buildings and Water Efficiency) of the 2023 Aberdeen Local Development Plan.

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**(14) PROGRAMME OF ARCHAEOLOGICAL WORKS**

No development shall take place until an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the Planning Authority. 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 WSI 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 occupied unless a post excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted and approved in writing by the Planning Authority and the PERD has been carried out in complete accordance with the approved details unless otherwise agreed in writing with the Planning Authority.

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

**(15) DUST MANAGEMENT**

No development shall take place until:

- (a) An Air Quality (Dust) Risk Assessment by a suitably qualified consultant has been submitted to and agreed in writing by the Planning Authority. This Air Quality (Dust) Risk Assessment shall be carried out in accordance with Guidance on the Assessment of Dust from Demolition and Construction by the Institute of Air Quality Management (IAQM) to predict the likely dust levels and impact on air quality including a determination of its significance; and
- (b) A Dust Management Plan (based on the results of the Air Quality (Dust) Risk Assessment) detailing the necessary dust control measures to be implemented, has been submitted to and agreed in writing by the Planning Authority.

Thereafter the development shall be carried out in accordance with the agreed details.

Reason: In the interest of residential amenity

**(16) INTRUSIVE GROUND INVESTIGATION**

No development shall take place until an intrusive ground investigation to establish if contamination is present has been submitted to and approved in writing by the Planning Authority. Thereafter, no residential unit shall be occupied unless any necessary remediation has been carried out in accordance with the agreed details.

Reason: In the interest of public health.

**(17) EXTERNAL LIGHTING SCHEME**

No development shall take place until a detailed scheme of all external lighting proposed for the site has been submitted to and approved in writing by the Planning Authority.

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Thereafter, any external lighting installed outwith individual residential curtilages shall be in accordance with the agreed details.

Reason: To assist in the protection of protected species.

**(18) PLAY AREAS**

That prior to the occupation of the 60th residential unit hereby approved both the informal play area (kickabout space) and the equipped play space as shown on drawings 415.45.06b and 415.45.07b, both by EnviroCentre, dated May 2023 shall be installed in accordance with details shown on these drawings and are available for use, unless otherwise agreed in writing by the Pplanning Authority.

Reason: To ensure sufficient play spaces are available to serve the residents of the development.

**(19) PROTECTED SPECIES**

No development (including demolition) shall take place until all mitigation/ compensation measures as set out in section 4.2 on page 10 of the Otter and Bat Survey by EnviroCentre and dated April 2023; and the section 'Good Practice Mitigation and Compensation' on page 3 of the 'Mammal Burrow Monitoring' document by EnviroCentre and dated 11 October 2022 have been, or are being, implemented in accordance with the approved scheme.

Reason: To ensure no adverse impact on protected species.

**(20) BAT ROOST POTENTIAL SURVEY**

Prior to the removal of any trees on site, a further bat roost survey to determine the character of tree cavities and to identify the presence/absence of bats in trees which host potential roost features should be undertaken, submitted to and approved in writing by the Planning Authority. If any bats are identified, then the affected tree(s) shall not be removed unless a mitigation plan has been submitted and agreed in writing by the Planning Authority. Thereafter, the agreed mitigation plan shall be implemented.

Reason: To ensure no adverse impact on protected species.

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 conditionally subject to a legal agreement and an extra condition added to read:-

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(21) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

That no development shall take place unless there has been submitted to, and approved in writing by the Planning Authority a Construction Environmental Management Plan which includes measures to ensure that no pollution (in particular sediment and silt) enters the unnamed watercourse to the north boundary or the river Don. The development shall be carried out in complete accordance with such plan as so approved.

Reason: To prevent pollution of watercourses

- **Councillor Ciaran McRae, Convener**