

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 20 June 2024. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor McRae, Convener; Councillor Greig, Vice Convener; and Councillors Alphonse, Boulton, Clark, Copland, Farquhar, Lawrence and Macdonald.

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 15 MAY 2024

1. The Committee had before it the minute of the previous meeting of 15 May 2024, 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.

The Committee resolved:-

to note the committee business planner.

PLANNING APPEAL UPDATE

3. The Committee had before it a report by the Chief Officer – Strategic Place Planning, which provided an update in relation to various planning appeals.

The report informed members about planning appeals and notifications in relation to Aberdeen City Council decisions that the Scottish Government's Division for Planning and Environmental Appeals (DPEA) had received or decided since the last Planning Development Management Committee meeting and also listed appeals that were still pending.

The Committee resolved:-

to note the information.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

FLAT F, 37 HOLBURN STREET ABERDEEN - 240227

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 4 people, at Flat F, 37 Holburn Street 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) TIME LIMIT ON 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 Samuel Smith, Planner, who spoke in furtherance of the application and answered various questions from Members.

The Committee then heard from Iona Francis, who objected to the proposed planning application and asked that it be refused.

The Committee resolved:-

to refuse the application for the following reasons:-

The site was in close proximity to a mixed use area in the city centre and would be compliant in principle with Policy 30 (Tourism), paragraph (e) part (i) of National Planning Framework 4. Nevertheless, it was considered that the proposed change of use of the

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

property to Short Term Let (STL) accommodation would likely result in significant detrimental impacts upon the amenity of the immediate neighbouring residential properties within the application building, beyond what could typically be expected if it were to be used as mainstream residential accommodation through noise disturbance, the frequency of changes in occupants, particularly at unusual hours, and the impact on security, real or perceived, within the communal areas of the building. The proposed change of use was thus considered to be contrary to Policy H2 (Mixed Use Areas) and Policy D2 (Amenity) of the Aberdeen Local Development Plan 2023.

LAND SOUTH OF NORTH DEESIDE ROAD MILLTIMBER - 240488

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

That the application for a Section 42 (Variation to Conditions) - Variation of condition 3 (Scale of Development - Residential) of application reference to increase the maximum number of residential units from 80 to 99, at land south of North Deeside Road Milltimber, be approved subject to the following conditions:-

CONDITIONS

1. MATTERS REQUIRING FURTHER APPROVAL

That application(s) for approval of matters specified in condition containing details of the specified matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No development within or outwith any particular block or area shall take place unless a matters specified in conditions application comprising the detailed layout and design of roads, buildings and other structures for that particular block or area has been submitted to and approved in writing by the Planning Authority. The application shall comprise:

- (i) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels of all buildings relative to existing ground levels and a fixed datum point;
- (ii) Details of the layout and finish of roads, visibility splays, footpaths, pedestrian connection across North Deeside Road, and cycle paths including the identification of safe routes to school from the development;
- (iii) Details of layout, design and external appearance of buildings and ancillary structures; vehicular and motorcycle parking; short and long term secure cycle parking; electrical vehicle charging facilities in accordance with the associated Supplementary Guidance; storage and collection arrangements for waste and recyclables; boundary enclosures around individual homes and other premises; and details of play zones and play equipment to be provided.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. ACCESS TO NORTH DEESIDE ROAD

No development shall take place unless a matters specified in conditions application comprising a detailed scheme showing the precise location, layout, design and construction method of the proposed access junctions to North Deeside Road (A93), including layouts, capacity, distribution, operational flow and detailed cross-sections has been submitted to and approved in writing by the Planning Authority; no individual residential property or commercial unit shall be occupied unless the relevant scheme is fully implemented in accordance with the approved plans, unless the Planning Authority has given written approval for a variation.

Reason: in the interests of road safety.

3. SCALE OF DEVELOPMENT (COMMERCIAL)

That notwithstanding the description provisions of “retail of up to 2,000 sqm” of the Planning Permission in Principle hereby approved, no more than 1,225 square metres gross floor area (GFA) of commercial use shall be built on the development site and the detailed commercial development proposals to be considered through any subsequent related applications for Matters Specified in Conditions (MSC) shall not exceed a combined maximum of 1,225 square metres gross floor area (GFA).

Reason: To ensure accordance with the OP114 Milltimber South allocation of the Aberdeen Local Development Plan 2023.

4. LANDSCAPING SCHEME

No development shall take place unless a matters specified in conditions application comprising a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority.

Details of the scheme shall include:

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

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

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

In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long term management and maintenance of all the approved landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped and open space areas 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.

5. TREE PROTECTION MEASURES

No development shall take place unless a matters specified in condition application comprising a scheme/ details 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 - in order to ensure adequate protection for the trees on site during the construction of the development.

6. TREES – STORAGE OF MATERIALS

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 - in order to ensure. adequate protection for the trees on site during the construction of the development.

7. CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

No development shall take place (including site stripping, service provision or establishment of site compounds) unless a matters specified in conditions application comprising a site-specific Construction Environmental Management Plan(s) (the

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

“CEMP”) has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. The CEMP must address the following issues (i) surface water management including construction phase SUDS; and (ii) site waste management including details of re-use on-site and off-site disposal of demolition materials. Thereafter development shall be undertaken in accordance with the approved CEMP.

Reason - In order to minimise the impacts of necessary demolition / construction works on the environment.

8. LOW AND ZERO CARBON

No development shall take place unless a matters specified in conditions application comprising a scheme detailing compliance with the Council's Resources for New Development Supplementary Guidance has been submitted to and approved in writing by the Planning Authority. Thereafter no units shall be occupied unless any recommended measures specified within that scheme for that unit for the reduction of carbon emissions have been implemented in full.

Reason - to ensure that the development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Aberdeen Planning Guidance: Resources for New Development.

9. NOISE ASSESSMENT

No development shall take place unless a matters specified in conditions application comprising a Noise Impact Assessment (NIA) has been submitted to and approved in writing by the Planning Authority. The NIA shall evaluate the impact on road traffic and quarrying operations on the development and shall be carried out in accordance with a methodology agreed with the Council's Environmental Health service. This assessment should:

- (i) Be in accordance with Planning Advice Note (PAN) 1/2011 Planning and Noise and its accompanying Technical Advice Note;
- (ii) Identify the existing sources of noise potentially impacting on the proposed development;
- (iii) Detail the noise mitigation measures to reduce noise from the existing noise sources to an acceptable level to reasonably protect the amenity of the occupants of the proposed residences;
- (iv) The methodology for the noise assessment should be submitted and agreed in writing with the Environmental Protection Team in advance of the assessment.

Reason: in order to protect residents of the development from roads and quarrying noise.

10. AIR QUALITY (DUST) RISK ASSESSMENT

No development shall take place (including site stripping or service provision) unless a matters specified in condition application comprising the submission of an Air Quality (Dust) Risk Assessment for the construction phase of development has been submitted

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

to and approved in writing by the Planning Authority. Such risk assessment shall be 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". Thereafter development shall be carried out in accordance with the approved plan.

Reason: in order to control air pollution from dust associated with the development in accordance with Policy WB2 – Air Quality of the Aberdeen Local Development Plan 2023.

11. DUST MANAGEMENT PLAN

No development (including site stripping or service provision) shall take place unless a matters specified in condition application comprising the submission of a Dust Management Plan for the construction phase of development has been submitted to and approved in writing by the planning authority. Such management plan shall specify dust mitigation measures and controls, responsibilities, and any proposed monitoring regime. Thereafter development (including demolition) shall be undertaken in accordance with the approved plan.

Reason - In order to control air pollution from dust associated with the construction of the development in accordance with Policy WB2 – Air Quality of the Aberdeen Local Development Plan 2023.

12. ROUTE OF WATERCOURSE

No development shall take place unless a matters specified in conditions application comprising the results of an investigation to prove the existence and route of the watercourse/drain through the eastern part of the site. Thereafter no development shall take place over any culverted watercourse/drain. Priority will be given to de-culverting any watercourse/drain and the creation of blue-green infrastructure along its route. Details of such an investigation shall be submitted to, and approved in writing by the Planning Authority, in consultation with SEPA.

Reason: In order to protect and enhance the water environment.

13. ENHANCEMENT OF THE WATER ENVIRONMENT

No development shall take place unless a matters specified in conditions application comprising:

- a) An investigation of and where viable, detailed information relating to the realignment of any watercourses on site;
- b) 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 designed to accept the 1

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

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 improve and protect the water environment and to prevent an increase in flood risk.

14. GREEN AND BLUE MEASURES

No development (including site stripping, service provision or establishment of site compounds) shall commence on site unless an application for approval of matters specified in conditions comprising a schedule of green measures. The schedule, detailing the measures that have been investigated and will be implemented on site, should be submitted prior to the commencement of development on site for the written approval of the Planning Authority, in consultation with SEPA and implemented in full.

Reason: to ensure adequate protection of the water environment and contribute to and enhance the natural environment in accordance with National Planning Framework 4 and the relevant policies of the Aberdeen Local Development Plan 2023.

15. BIRD HAZARD MANAGEMENT PLAN

No development (including site stripping, service provision or establishment of site compounds) shall commence on site unless a matters specified in conditions application comprising a bird hazard management plan has been submitted to and approved in writing by the Planning Authority, in consultation with Aberdeen International Airport. The submitted plan shall include details of monitoring of any standing water within the site temporarily or permanently and management of any flat/ shallow/ pitched/ green roofs on buildings within the site which may be attractive to nesting, roosting and loafing birds. The management plan shall comply with Advice Note 8 "Potential Bird Hazards from Building Design" and thereafter the agreed measures shall be implemented in full.

Reason - to avoid endangering the safe movement of aircraft and the operation of Aberdeen Airport through the attraction of birds.

16. PROGRAMME OF ARCHAEOLOGICAL WORKS

No development shall take place unless a matters specified in conditions application comprising 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

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

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 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 in the area.

17. BADGER PROTECTION PLAN

No development shall take place unless a matters specified in conditions application comprising a badger survey and badger protection plan for that area has been submitted to and approved in writing by the Planning Authority. The protection plan must include (i) the measures required to protect badgers during development and any licensable activities required to allow the development to proceed, (ii) appropriate buffer zones to be established around any known active setts in order to avoid disturbance and (iii) details of how badger habitat (including foraging areas and connectivity between identified setts) shall be retained and/ or created as part of the development. Any required mitigation measures to minimise disturbance to badgers must be identified and be in accordance with NatureScot best practice guidance.

Reason – in order to mitigate any potential impact on protected species.

18. SURFACE WATER DRAINAGE

No development within any particular block or area shall take place unless a matters specified in conditions application comprising a detailed scheme for surface water drainage for that particular block or area has been submitted to and approved in writing with the Planning Authority. The scheme shall (i) detail two levels of sustainable drainage (SUDS) treatment (or three levels for industrial hard standing areas) for all areas of roads/ hardstanding/ car parking and one level of SUDS treatment for roof run-off; (ii) include source control; and (iii) shall be development in accordance with the technical guidance contained in the SUDS manual. Thereafter development shall be implemented in accordance with the agreed scheme.

Reason – in order to ensure adequate protection of the water environment from surface water run-off.

19. WASTEWATER CONNECTIONS

No development within any particular block or areas shall take place unless a matters specified in conditions application comprising a scheme for the connection of buildings to the public waste water system for that particular block has been submitted to and approved in writing by the Planning Authority. The scheme shall include confirmation from Scottish Water that connections can be made and any necessary upgrades to the public wastewater system are in place. Thereafter, no building shall be occupied unless

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

connection has been made to the public wastewater network in accordance with the approved details.

Reason – in order to ensure the sewage is satisfactory treated and disposed of.

20. RESIDENTIAL TRAVEL PACK/ GREEN TRAVEL PLAN

No development within any particular block shall take place unless a matters specified in conditions application comprising either a residential travel pack (in the case of residential development) or a green travel plan (in the case of commercial development) for that particular block has been submitted to and approved in writing by the Planning Authority. Each residential travel pack shall identify details of different travel options available in the area in order to discourage the use of the private car. The approved travel pack shall be supplied to the first occupants of every residential unit within that block on occupation. Each travel plan shall identify measures to be implemented in order to discourage the use of the private car as well as the duration of the plan, system of management, monitoring, review and reporting and thereafter shall be implemented as approved.

Reason: in order to reduce dependency on the private car for travel.

21. COMPLIANCE WITH ECOLOGICAL REPORT

The development hereby approved shall be undertaken in complete accordance with the Updated Ecological Appraisal (Brindley Associates – October 2019 – Rev A – submitted under application 200535/PPP) hereby approved unless the Planning Authority have provided written agreement on a variation to the approved scheme.

Reason: to ensure that the development is carried out in accordance with the recommendations of the report.

22. FULL FIBRE BROADBAND

No unit shall be occupied unless a matters specified in conditions application detailing a scheme for the provision of a full fibre broadband connection to each flat for that phase or block has been submitted to and approved in writing by the Planning Authority. Thereafter the scheme shall be implemented as approved and all flats provided with a full fibre broadband connection.

Reason – in order to provide all flats with access to high-speed communications infrastructure, in accordance with the requirements of Policy CI1 (Digital Infrastructure) of the Aberdeen Local Development Plan 2023.

The Committee heard from Scott Leitch, Team Leader, who spoke in furtherance of the application and answered various questions from Members.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

The Committee then heard from Guus Glass on behalf of Cults, Bieldside and Milltimber Community Council and Steve Horton, who both spoke against the application and asked that it be refused.

The Committee then heard from Natasha Douglas, applicant for the proposed application who was supported by her colleagues for questions from Members. Ms Douglas spoke in support of the application.

The Convener moved, seconded by Councillor Alphonse:-

That the application be approved in line with the recommendation.

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

That the application be refused for the following reasons.

The proposal would be contrary to Policy I1 (Infrastructure Delivery and Planning Obligations) of the Aberdeen Local Development Plan by virtue of the fact that there is insufficient capacity in the local primary and secondary schools to accommodate the additional number of children generated by the development.

On a division, there voted – for the motion (4) – the Convener and Councillors Alphonse, Farquhar and Lawrence – for the amendment (5) – the Vice Convener and Councillors Boulton, Copland, Clark and Macdonald.

The Committee resolved:-

to adopt the amendment and therefore refuse the application.

WOODEND, CULTER HOUSE ROAD, ABERDEEN PETERCULTER - 210889

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

That the application for Planning Permission in Principle for the erection of 19 self-build dwelling houses with associated landscaping, access and infrastructure, at Woodend, Culter House Road, Aberdeen Peterculter, be approved subject to the following conditions and with a legal agreement:-

Conditions

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 5 years beginning with the date of this notice. If development has not begun at the expiration of the 5-year period, the planning permission in principle lapses.

Reason: In accordance with section 59 (planning permission in principle) of the Town and Country Planning (Scotland) Act 1997 (as amended).

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

(02) MATTERS REQUIRING FURTHER APPROVAL – SITE WIDE

That an application for approval of matters specified in condition containing details of the specified matters listed below shall be submitted for consideration by the Planning Authority in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

No development shall take place unless a matters specified in conditions application comprising the detailed layout and design of vehicular access and roads, landscaping and drainage has been submitted to and approved in writing by the Planning Authority. The application(s) shall comprise:

- a. Details of the layout and finish of all roads and junction onto Culter House Road, visibility splays, swept path analysis and footpaths;
- b. Details of strategic landscaping and site boundaries including the communal open space; boundary along Culter House Road; structural boundary hedges between 'courtyards' and along the main access road and along the rear boundary of the residential plots marking the position of the buffer zone;
- c. Details of design and layout of drainage and SUDS features;
- d. A scheme for the phasing and delivery of all of the above matters. For the avoidance of doubt, this phasing plan shall indicate when communal infrastructure including the main road through the site, central communal open space and drainage shall be constructed. Furthermore, this phasing plan shall set out that the boundary between the buffer zone shown in pink on drawing 464(PA)009/RevB and the rear boundary of residential plots shall be implemented prior to commencement of any works on site, and shall be retained in perpetuity.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure all strategic infrastructure will be constructed and available for use when required.

(03) MATTERS REQUIRING FURTHER APPROVAL – RESIDENTIAL PLOTS

That application(s) for approval of matters specified in condition containing details of the specified matters listed below shall be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

No development within any individual plot shall take place unless a matters specified in conditions application(s) comprising the detailed layout and design of access, buildings, landscaping and boundary treatments for that individual plot has been submitted to and approved in writing by the Planning Authority. The application(s) shall comprise:

- a. Details of layout, positioning, design and external appearance of buildings and ancillary structures in accordance with the 'Design Code' approved as part of this application;

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

- b. Details of landscaping, boundary treatments and hard surfacing;
- c. Details of bin storage, parking

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

(04) STRATEGIC LANDSCAPING - DETAILS

No development shall take place unless a matters specified in conditions application(s) comprising a scheme of hard and soft landscaping works covering the entire site, but excluding the individual residential plots, has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:

- a. Existing trees and vegetation to be retained and an indication of existing trees, shrubs and hedges to be removed;
- b. The location of new trees, shrubs, hedges and grassed areas;
- c. A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- d. The location, design and materials of all hard-landscaping works, including walls, bin stances, street furniture and play equipment;
- e. Schedule for implementation of landscaping scheme;
- f. A programme for completion and subsequent maintenance of the proposed landscaping.

For the avoidance of doubt, all usable granite from the farmhouse to be demolished and existing walls within the site shall be reused within the boundary treatments starting at the junction and boundary along Culter House Road and working its way west into the site.

Reason: To ensure a satisfactory finish of the development and to ensure biodiversity enhancement

(05) STRATEGIC LANDSCAPING – IMPLEMENTATION

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed in accordance with the approved schedule for implementation as specified in the aforementioned condition (05)(e) or such other date as may be agreed in writing by the Planning Authority. Any planting or trees which, within a period of five 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 or trees of similar size and species to those originally required to be planted.

In addition, all management and maintenance of the landscaped areas and structural planting shall be implemented, in perpetuity, in accordance with the approved programme as specified in the aforementioned condition (05)(f).

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

Reason: To ensure a satisfactory finish of the development and to ensure biodiversity enhancement.

(06) TREE PROTECTION (01)

No development shall take place unless a matters specified in condition application(s) comprising a scheme/ details showing all trees to be removed and those to be retained, and a scheme for the protection of all trees to be retained on site during construction works has been submitted to, and approved in writing by the Planning Authority, and any such approved scheme has been implemented.

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

(07) TREE PROTECTION (02)

That any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the Planning Authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before any of the residential properties hereby approved are first occupied.

Reason: In order to preserve the character and visual amenity of the area.

(08) TREE PROTECTION (03)

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

(09) PROTECTED SPECIES

That no development shall take place unless a matters specified in conditions application comprising a further updated badger survey and badger protection plan for the site has been submitted to and approved in writing by the Planning Authority. Any required mitigation measures to minimise disturbance to badgers must be identified and be in accordance with NatureScot best practice. A licensed badger ecologist will be required to monitor the site during and post construction.

Reason: To mitigate any potential impact on protected species.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

(10) SUDS – DETAILS

That no development shall take place unless a matters specified in conditions application comprising a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Planning Authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme.

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

(11) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

That no development shall take place unless a matters specified in conditions application comprising a site-specific Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Planning Authority. The CEMP must address the following issues:

- a. Surface water management, including construction phase sustainable drainage measures;
- b. Measures to ensure that no sediment or pollution from the site enters the Buckler Burn and affects the River Dee Special Area of Conservation; and
- c. Site waste management including details of re-use on-site and off-site disposal of demolition materials.

Reason: To minimise the environmental impact of construction and demolition and to ensure no adverse impact on the Buckler Burn and the River Dee SAC.

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 with a legal agreement.

DRAFT ABERDEEN PLANNING GUIDANCE: HEALTH IMPACT ASSESSMENTS - CR&E/24/190

7. The Committee had before it a report by the Chief Officer – Strategic Place Planning, which presented a draft Aberdeen Planning Guidance (APG) document on Health Impact Assessments (Appendix 1).

The report sought approval to undertake public consultation on the document, with the results of the consultation and any revisions to the document reported back to the Planning Development Management Committee for approval within six months of the end of the consultation period.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

The report recommended:-

that the Committee –

- (a) approve the content of the draft Aberdeen Planning Guidance document; Health Impact Assessments (Appendix 1), and instruct the Chief Officer - Strategic Place Planning to, subject to any minor drafting changes, publish the draft Aberdeen Planning Guidance documents for an eight week non-statutory public consultation; and
- (b) instruct the Chief Officer - Strategic Place Planning to report the results of the public consultation and any proposed revisions to the draft Aberdeen Planning Guidance to a subsequent Planning Development Management Committee within six months of the end of the consultation period.

The Committee heard from Donna Laing, Senior Planner, who spoke in furtherance of the report and answered various questions from Members.

The Committee resolved:-

to approve the recommendations.

BRIEFING NOTE - SITE OF FORMER CORDYCE SCHOOL, RIVERVIEW DRIVE, DYCE, ABERDEEN

8. With reference to article 6 of the meeting of the meeting of 24 August 2023, the Committee had before it a briefing note from the Chief Officer – Strategic Place Planning, which explained that in August of 2023 this Committee approved application (221232/DPP) for 91 homes at the former Cordyce School subject to a Section 75 legal agreement. Within the report it was noted that the delivery of affordable housing was to take the form of:

“A total of 22 affordable housing units were to be provided on-site with a monetary contribution agreed for the remainder. Affordable units would provide a mix of one-bed cottage flats, 3-bed terraced properties and 4-bed detached dwellings, with tenure being social-rented.”

The report noted that as the drafting of the Section75 Agreement for the site had progressed, following agreement by PDMC, changes outside the control of either the Council or the developer BDW North East Scotland Limited (Barratt) had meant that the availability of grant funding to deliver the affordable housing was at risk.

The Committee heard from David Dunne, Chief Officer – Strategic Place Planning, who provided more information on the paper and also answered various questions from Members.

The report recommended:-

that the Committee –

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

20 June 2024

- (a) agree that Barratt would deliver the 22 social rent units for Grampian Housing Association as intended, and allow 12-months from commencement of development to confirm Scottish Government funding; and
- (b) agree that where that was not forthcoming, Barratt would then switch to an off-site commuted payment for the affordable units. On the basis that they were currently over-providing affordable units at Riverside Quarter for Places for People, the Council would be permitted, in this instance to off-set those units against the commuted sum at Cordyce.

The Convener moved, seconded by the Vice Convener:-

That the Committee approve the recommendations contained in the briefing paper.

Councillor Macdonald, seconded by Councillor Lawrence, moved as an amendment:-

That the Committee agree that all 22 affordable houses should be delivered on site agreeing entirely with the Council Policy on Affordable Housing that “Developers should note that subsidy for the provision of affordable housing is not guaranteed. Where subsidy is not available, the policy requirement to deliver affordable housing remains.”

On a division, there voted – for the motion (7) – the Convener, the Vice Convener, and Councillors Alphonse, Boulton, Copland, Clark and Farquhar – for the amendment (2) – Councillors Lawrence and Macdonald.

The Committee resolved:-

to adopt the motion and therefore approve the recommendations.

- **Councillor Ciaran McRae, Convener**