

**ABERDEENSHIRE COUNCIL****KINCARDINE AND MEARN'S AREA COMMITTEE****DICKSON HALL, LAURENCEKIRK, 28 APRIL 2015**

**Present:** Councillors C Nelson (Chair), P Bellarby (Vice-Chair), W Agnew, R Christie, G Clark, A Bews, A Evison, I Mollison, G Carr, J Dick, W Howatson, D Stewart.

**Apologies:** None.

**Officers:** William Munro (Area Manager, Kincardine and Mearns), Karen McWilliam (Area Committee Officer, Kincardine and Mearns), Peter Robertson (Senior Solicitor, Corporate Services), Joanna Cubbage (Principal Engineer, Infrastructure Services), Iain Welsh (Principal Landscape Officer, Infrastructure Services), George Cameron (Principal Engineer, Infrastructure Services), Rachel Kennedy (Principal Engineer, Infrastructure Services), Gregor Spence (Senior Planning Officer, Infrastructure Services), Mike Porter (Architecture Manager, Infrastructure Services), Alan Mitchell (Engineer, Infrastructure Services).

**In Attendance:** John Agnew (Item 4, Area Committee Budget).

**1. DECLARATION OF MEMBERS' INTERESTS**

The Chair asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct and the following declarations were intimated :

Councillor Agnew declared an interest in item 4 (Area Committee Budget), as a relative of the applicant Councillor Agnew would take no part in determination of the funding application from Stonehaven Sea Cadets.

**2A. STATEMENT ON EQUALITIES**

In making decisions on the following items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act, 2010:-

- (1) To have due regard to the need to:-
  - (a) Eliminate discrimination, harassment and victimisation;
  - (b) Advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
  - (c) Foster good relations between those who share a protected characteristic and persons who do not share it.
- (2) Where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

**2B. RESOLUTION**

The Committee **agreed** in terms of Section 50A(4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of the items specified below so as to avoid disclosure of exempt information of the class described in the undernoted paragraphs of Part 1 of Schedule 7A of the Act.

**Item No**  
15

**Paragraph No of Schedule 7A**  
6, 9, 10 and 12.

### **3. MINUTE OF MEETING OF KINCARDINE AND MEARN'S AREA COMMITTEE OF 24 MARCH 2015**

The Committee had before them and **agreed** as a correct record the Minute of Meeting of the Committee of 24 March 2015.

#### **4. AREA COMMITTEE BUDGET 2015/2016**

A report by the Director of Communities Services was circulated advising Members of the most recent applications received for the 2015/2016 Area Committee Budget.

The Area Manager introduced the report advising that £52,500 had been allocated to each Area Committee for the financial year 2015/16 for the Area Committee Budget. Members were advised that they had previously disbursed £3,500 leaving a balance of £49,000.00 for this financial year.

The Kincardine and Mearns Area Committee, at its meeting of 24 March 2015, agreed criteria for the disbursement of the Area Committee Budget 2015/2016 and that the application form had been amended accordingly and disseminated

The Area Manager then advised of the following applications that had been received for consideration. The Howe o' the Mearns Pipe band were seeking funding to assist with the purchase of musical instruments and highland outfits for the band. The total project cost being was £3,724.00 and £3,000.00 has been requested. A further breakdown of funding was received after completion of the report and was placed on Ward Pages for Members. Over the period 2013/2014 the band received grant funding in the region of £12,000. Expenditure for hall fees and equipment amounted to about £7,000 with a further £8,889 being required for further equipment.

An application had also been received from the Stonehaven Sea Cadets to assist with the purchase of an outboard engine for one of the two rigid inflatable rescue boats required by the Sea Cadets. Members were advised that Mr Agnew would speak to this application.

Finally Members were advised that the Royal Burgh of Inverbervie Community Council had requested £1,000 towards a project costing £1,250 to replace the plaques of interest that have been lost or damaged throughout the village. Clarification was being sought as to whether Community Council members were going to undertake the work of installing the plaques which could contribute towards volunteer/in-kind contributions.

The Committee then heard from Mr Agnew in support of the Stonehaven Sea Cadets application.

The Committee agreed to disburse the following funding from the Area Committee Budget 2015/2016:

1. Howe o' the Mearns Pipe band - £1,862.00,
2. Stonehaven & District Sea Cadets - £3,632.00, and

3. Royal Burgh of Inverbervie Community Council - £625.00. Should the Community Council evidence that they were using their own time to erect the plaques the amount may be altered by the Area Committee.

## **5. FLOOD MANAGEMENT AND COAST PROTECTION REVENUE PROGRAMME OF MEASURES 2015/2016**

A report by the Director of Infrastructure Services was circulated advising Members of the proposed Flood Management and Coast Protection Revenue Programme for 2015/2016.

The Principal Engineer introduced the report advising that funding of £817,000 was available for Aberdeenshire and was disbursed as detailed in the report.

Some Members suggested that the sediment and vegetation clearing in Fettercairn was not money well spent as after one river spate the sediment often built up again and that there was a need to consider a holistic approach to the flooding in Fettercairn which should include a much wider area of the river being dredged.

Members were advised that the Flood Risk Management Act did adopt a holistic approach and that Fettercairn was considered to be a vulnerable area and had been the subject of many discussions, unfortunately there was not a straight forward solution but the team would continue to work with the Flood Resilience Group and others to take positive action.

Members also sought to clarify matters in relation to the Cowie Training Wall, shingle management, the bridge at Kair, the Mouth of the Carron, and the whole Stonehaven Beach study work. Members also suggested that they were surprised that Fettercairn had not been mentioned in the Flood Risk Management programme for the Esk and where advised that Council Officers had made SEPA very aware of the flooding issues in Fettercairn but that it was not considered to be a 'significant' area as set out in the proposed Flood Risk Management programme criteria which assumed the term 'significant' to be for housing levels of 50 or more affected by flooding. The principal engineer did however advise that this document was out for consultation and urged Members to make comment.

The Committee then **agreed** to:

1. Approve the Flood Management and Coast Protection Programme of Measures for 2015/16 as detailed in the report as it related to the Kincardine and Mearns Area,
2. Note the proposed expenditure on essential flood management and coastal protection measures relevant to all Areas, identified and agreed by officers as contained in the report,
3. Approve the schemes on the Reserve List of Measures within the Kincardine and Mearns Area, as detailed in the report,
4. Agree that schemes could be brought forward from the Reserve List in the order of priority given, in the event of slippage, provided that their inclusion did not result in the overall expenditure exceeding and allocated budget sum, and
5. Seeking further clarification or consideration on the following:
  - a. Check the condition of the Burn at the south end of Portlethen and if works were required officers were to consider using the general maintenance budget,
  - b. The number of floodgates that had been purchased by residents in Kincardine and Mearns over the last two years,
  - c. If possible coincide shingle management in Inverbervie with the fishing season.

## 6. LANDSCAPE SERVICES REVENUE AND CAPITAL WORK PROGRAMME 2015/2016

A report by the Director of Infrastructure Services was circulated advising Members of the Revenue and Capital Work Programme for 2015/2016.

The Principal Landscape Officer introduced the report advising that the works on parks and opens space had often been assembled after community consultation.

The Committee fully discussed the report and **agreed** to:

1. Approve the Area Landscape Maintenance and Capital programme as detailed in the report,
2. Expedite works, if appropriate for the Service, on the path from Bruntland Road to Fishermoss School for the purposes of safety,
3. Discuss the Landscape Services Revenue and Capital Work Programme 2016/2017 and review the works of 2015/2016 with both Councillors and Community Councils prior to the assembly of the programme for 2016/2017,
4. Clarify where the footpath in Baird Park was going to and from,
5. Clarify what invasive species were present in Mineralwell Park and monitor the invasive species at the Green Bridge after construction was complete.

## 7. REVENUE WORKS PROGRAMME FOR KINCARDINE AND MEARN'S HARBOURS 2016/2016

A report by the Director of Infrastructure Services was circulated advising Members of the proposed programme of works for the Kincardine and Mearns Harbours (2015/2016).

The Committee then **agreed** to approve the 2015-2016 Annual Harbours Works Programme for Kincardine and Mearns Harbours, as set out in the report.

## 8. STATUTORY LIST OF PUBLIC ROADS – ADAMSON DRIVE & ADAMSON WAY, LAURENCEKIRK

A report by the Director of Infrastructure Services was circulated advising Members of the proposed additions to the Statutory List of Public Roads. The Committee **agreed** to approve that the following additions to the Statutory List of Public Roads, be adopted by Aberdeenshire Council:

SETTLEMENT	NAME OF ROAD	DESCRIPTION	LENGTH (METRES)
Laurencekirk	Adamson Drive	From Market Rd northwestwards	325
Laurencekirk		Adamson Way From Adamson Drive southwards	53

## 9. STONEHAVEN FLOOD PROTECTION SCHEME – FORMAL ORDER

A report by the Director of Infrastructure Services was circulated advising Members of the formal order to promote the Flood Protection Scheme for Stonehaven.

The Committee welcomed the report and **agreed** to:

1. Support the recommendation to Infrastructure Services Committee that Aberdeenshire Council promoted a Flood Protection Scheme (formal order) for Stonehaven, River Carron, under the terms of the Flood Risk Management (Scotland) Act 2009 & The Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010, and
2. Seek clarification regarding the height of the floating wall.

**10. INFRASTRUCTURE SERVICES QUARTERLY PERFORMANCE EXCEPTION  
REPORTING OCTOBER – DECEMBER 2014  
(ABERDEENSHIRE PERFORMS)**

A report by the Director of Infrastructure Services was circulated advising Members of quarterly performance monitoring, October to December 2014.

The Area Manager introduced the report advising that of the 23 measures being reported 14 were on target. An overview of performance was contained within the report but attention was drawn to a number of measures including the following:

Members had previously asked for further information on the difference of water types and had been advised, through Ward Pages, that water type (A) provide water for 50 or more persons, and supplies to commercial or public activities, water type (B) serves only domestic premises with less than 50 persons supplied. Therefore the reduced resources available in quarter three had to be deployed to deal with type (A) supplies.

There were a number of measures relating to planning applications and whilst not reaching target performance improvements were noted. Further discussion could be had with the Planning Manager who would attend at the end of the Area Committee meeting to discuss the Planning Framework.

The Committee **agreed** to:

1. Acknowledge the good performance achieved October – December 2014 (Quarter 3) for the Kincardine and Mearns Area identified in the report,
2. Consider those measures where performance was below expectations October – December 2014 for the Kincardine and Mearns as identified in the report,
3. Advise the Director to continue to report, be exception, to the Area Committee quarterly on performance measures against service objectives and six monthly on progress in delivering all aspects of the Service Plan, and
4. Seek clarification regarding Member delegation process as there appeared to have been very few applications recently.

**11. EDUCATION LEARNING AND LEISURE SERVICE QUARTERLY PERFORMANCE  
EXCEPTION REPORTING OCTOBER – DECEMBER 2014  
(ABERDEENSHIRE PERFORMS)**

A report by the Director of Children's Services was circulated advising Members of quarterly performance monitoring, October to December 2014.

The Area Manager introduced the report advising that of the 45 measures being reported 36 were on target. An overview of performance was contained within the report but attention was drawn to the following performance measures:

Members had previously asked for further information regarding the footfall for the mobile library service in Kincardine and Mearns. Information assembled for the Statement of Outstanding Queries and posted on Ward Pages had indicated that whilst the information was not collected on an Area basis regularly there had been a 34% increase in numbers in quarter two (2014/15) in comparison with quarter one (2014/15). The increase in the numbers could be attributed to the mobile library being available more throughout quarter two than in previous years. Members sought to clarify when the rezoning exercise for Dunnottar Primary would take place and were advised that the informal stage of engagement would be launching in the next few weeks. This exercise would be in the form of a survey to gather parental views on whether their current zone was appropriate. Members also sought to clarify a timescale on the Laurencekirk Primary extension and were advised that the project was currently being costed with a view to tenders being issued and approved in the autumn. The extension would then be delivered for the start of the 16/17 session.

After discussion the Committee **agreed** to;

1. Acknowledge the performance achieved for the period, October to December 2014, as identified in the report,
1. Acknowledge the exceptional performance achieved for the period October to December 2014 (Quarter 2) as identified in the report,
2. Advise the Director of Education and Children's Services to continue to report, by exception, to Committee quarterly on performance measures against Service objectives and six monthly on progress in delivering all aspects of the Service Plan, and
3. Seek clarification and or information on the following:
  - a. An update on Drumoak School to include what has caused the delay and what the timescales were now,
  - b. **3.5b K&M – percentage of Primary Schools in which roll as a percentage of official capacity exceeds 100%.** An update on Dunnottar Primary, with regard to the whole review of options in Stonehaven was required,
  - c. **SO2 – To ensure an inclusive culture. 2.2 Aberdeenshire – percentage of Looked After Children with Positive Destinations.** Consideration needs to be given to a holistic approach for Looked After Children as the percentages needed to be improved and everyone had a duty to ensure this happened.

## 12. APPLICATIONS FOR DETERMINATION

The following planning applications were considered along with any objections and representations received in each case and were dealt with as recorded in the **Appendix** to this Minute.

Reference Number	Address
(A) APP/2007/3961	Full Planning Permission for Construction of Vehicle Inspection Facility Consisting of Weighbridge, Control Cabin and Hardstanding Vehicle Inspection Area at Land at Schoohill, Portlethen.

- (B) ENQ/2014/2806 Masterplan for Residential Development of 200 Dwellinghouses Including Roads, Access, Drainage, Landscaping and Open Space at Land At Hallgreen, Inverbervie.
- (C) APP/2014/4264 Planning Permission in Principle for Erection of 3 No. Dwellinghouses at Land At Stripeside, Netherley, Stonehaven.
- (D) APP/2014/4295 Planning Permission in Principle for Erection of Replacement Dwellinghouse at Land At Stripeside, Netherley, Stonehaven.

**13. LOCAL REVIEW BODY, REVIEW DECISION NOTICE FOR LRB 264 – PLANNING REFERENCE: APP/2014/3810, LAND AT DENSIDE HOUSE, CATTERLINE, STONEHAVEN**

The Committee had before them and noted an Aberdeenshire Council Local Review Body Review Decision Notice dated 14 April 2015 informing them of their decision. The Local Review Body (LRB) agreed with the determination reviewed by it and refused Full Planning Permission in accordance with the Appointed Officer's decision with reasons for refusal specified in the notice.

**14. LOCAL REVIEW BODY, REVIEW DECISION NOTICE FOR LRB 266 – PLANNING REFERENCE: APP/2014/3623, LAND TO THE NORTH EAST OF PARKLANDS, GOURDON HOLDINGS, LAURENCEKIRK**

The Committee had before them and noted an Aberdeenshire Council Local Review Body Review Decision Notice dated 14 April 2015 informing them of their decision. The Local Review Body (LRB) agreed with the determination reviewed by it and refused Planning Permission in Principal accordance with the Appointed Officer's decision.

**15. PORTLETHEN – HILLSIDE PRIMARY SCHOOL TENDER REPORT CONTRACT 17670**

A report by the Director of Infrastructure Services was circulated advising Members of the Hillside Primary School Tender report.

The Architecture Manager introduced the report and after discussion the Committee **agreed** to:

1. Give approval of the total project cost of £12,406,250 inclusive of costs as detailed within this report, of which £10,606,250 is to be funded from the Capital Plan;
2. Authorise acceptance of the corrected tender submitted in the amount of £10,849,790.40, subject to land purchase agreement; and
3. Approve the Gateway Stage 3 and agree to proceed to Gateway Stage 4.

**KINCARDINE AND MEARN'S AREA COMMITTEE  
APPENDIX A**

**PLANNING APPLICATIONS FOR DETERMINATION**

(A) **Reference No: APP/2007/3961**

**Full Planning Permission For Construction of Vehicle Inspection Facility Consisting of Weighbridge, Control Cabin and Hardstanding Vehicle Inspection Area at Land at Schoohill, Portlethen, Aberdeen**

**Applicant:** Stewart Milne Homes  
**Agent:** Fairhurst

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee as the proposal was previously heard by Members and was being recommended for refusal, contrary to a decision previously made by the Members of the Kincardine and Mearns Area Committee on 22 April 2008.

The Senior Planning Officer advised that the applicant had applied for Full Planning Permission for the construction of a vehicle inspection facility for Vehicle and Operator Services Agency (VOSA) on land at Schoolhill, Portlethen and that the policies contained in the Strategic Development Plan and the Aberdeenshire Local Development Plan were the main consideration of this application. As a site with an established land use designation for a park and ride facility (as identified within supplementary guidance Settlement Statement for Portlethen), the Planning Service was, in principle, minded under the provisions of the ALDP, to safeguard this site for this purpose. In light of this extant land use designation, which was a material change from the status of the proposed site since this proposal was initially considered, this Service had re-considered the suitability of the current proposal in relation to the up to date Local Development Plan and it was clear that the wider strategic requirement for a Park and Ride facility to be located in this position was greater than the requirement of the current proposal. No information had been submitted by the applicant to indicate otherwise. Therefore, it was considered that the current proposal could no longer be supported as a departure from the Aberdeenshire Local Development Plan as any material weighting related to the requirement for this proposal was not considered to outweigh the requirement for a park and ride facility on this site, a facility which formed part of both local and regional transport strategies as identified by relevant consultees.

The Committee **agreed** to refuse to grant Full Planning Permission for the following reasons:-

1. The proposed development is not considered to comply with the specific site allocation R2 identified within the Supplementary Guidance Settlement Statement for Portlethen contained within the Aberdeenshire Local Development Plan 2012. The site is safeguarded for an identified requirement for a park and ride facility which forms part of both local and regional transport strategies. The proposed development is not considered to form part of this requirement and has not been demonstrated to outweigh the requirement for such a facility in this location.
2. The applicant has failed to demonstrate that the proposed development can adequately be serviced in terms of suitable site access in relation to the existing road network in the vicinity of the site. The proposal therefore fails to comply with the provisions of Policy 8 Layout, siting and design of new development, Policy 9 Developer contributions and associated SG LSD2: Layout, siting and design of new development and SG Developer Contributions2: Access to new development of the Aberdeenshire Local Development Plan 2012.

(B) **Reference No: ENQ/2014/2806**

**MASTERPLAN FOR LAND AT HALLGREEN, INVERBERVIE**

A report by the Director of Infrastructure Services was circulated advising Members of the proposed Masterplan for land at Hallgreen, Inverbervie.

The Senior Planning Officer advised that the Masterplan took in the land of the H2 allocated site in the Aberdeenshire Local Development Plan 2012. The site comprised approximately 17ha of land in agricultural use. Site H2 was allocated for up to 200 houses (in two phases of 100). The proposed Masterplan suggested a balance of housing development, to include affordable housing, open space, roads and footpaths and the first section of a new distributor road which was intended to link the A92 to Townhead.

The Masterplan had incorporated ALDP Site P5 as a protected landscape buffer, located to the south of the site within the proposal. This area was proposed to be retained but significantly enhanced and remodelled as a woodland walk area. Likewise, the existing park to the north of the site was also intended to be extended and enhanced to better integrate with the masterplan site and wider settlement.

It was the opinion of the Planning service that the proposed masterplan provided a good overview of the long term strategy for this allocated site and would suitably guide future planning applications, as required by its function. Adequate connectivity to the existing village and wider countryside had been identified and proposed along with a suitable infrastructure strategy.

The Committee suggested that some of the detail in the Masterplan was out of date, specifically information in relation to facilities in Inverbervie and that this should be corrected. The Committee then **agreed** the Inverbervie Masterplan as planning advice to be used as a material consideration in the determination of any subsequent planning application.

(C) **Reference No: APP/2014/4264**

**Planning Permission in Principle For Erection of 3 No. Dwellinghouses at Land At Stripeside, Netherley, Stonehaven, Aberdeenshire, AB39 3QU**

**Applicant:** Forbes Homes Ltd  
**Agent:** Mackie Ramsay Taylor

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because there was an unresolved objection from North Kincardine Rural Community Council.

The Senior Planning Officer advised that he would present application (APP/2014/4264) and (APP/2014/4295) together. As the site was located in the Aberdeenshire countryside, the principle of development was established through Policy 3: Development in the countryside.

Policy indicated that the Council would approve new small-scale development if it was for the refurbishment or replacement of an existing or disused building, or it was on a site which had previously been developed and was now redundant. The Planning Service accepted, that in this instance, the proposal met the criteria in that the buildings were suitable for replacement and that the proposed development fell within the existing curtilage. The development of four further dwellings on this site, if appropriately designed, was considered to still maintain a rural character and could be read in conjunction with the existing consented development to the east.

Both proposals had been independently assessed against the relevant policies of the Aberdeenshire Local Development Plan 2012 and the Planning Service was satisfied that the principle of development was acceptable, the site could adequately accommodate the proposed dwellinghouses without detriment to the visual or residential amenity of the surrounding area and all other technical issues had been satisfactorily addressed.

The Committee fully discussed the applications and **agreed** that authority to grant Planning Permission in Principle be delegated to the Head of Planning and Building Standards subject to:-

- a) Payment of Developer Obligations;
  - b) An additional condition which would require the materials from the site to be re-used in the new development, and
  - c) The following conditions:
1. 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 work shall begin until the written approval of the authority has been given, and the development shall be carried out in accordance with that approval.

Specified matters:

- (a) Full details of the layout and siting of the proposed development;
- (b) Full details of the external appearance and finishing materials of the proposed development;
- (c) A landscaping scheme and tree protection plan including proposed landscape features, including trees to be retained and planted;
- (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) Full details of the proposed means of disposal of foul and surface water from the development;
- (f) Full details of the proposed access to the development;
- (g) Full details of the proposed car parking/vehicle turning area for the development.

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. For the avoidance of doubt, the proposed layout, siting and design of any dwellings proposed on this site, shall reflect traditional forms of rural architecture and the agricultural nature of the site, with suitable materials and should be located so as to integrate with the landscape.

Reason: In the interests of the visual appearance of the surrounding area.

3. Prior to any works commencing, the developer shall secure the implementation of a Level 1 archaeological standing building survey of the extant structures, to be carried out by an archaeological organisation acceptable to the planning authority. The scope of the archaeological standing building survey will be set by the Aberdeenshire Council Archaeology Service on behalf of the planning authority. The name of the archaeological organisation retained by the developer shall be given to the planning authority and to the Aberdeenshire Archaeology Service in writing not less than 14 days before the survey commences. Copies of the resulting survey shall be deposited

in the National Monuments Record for Scotland and in the local Sites and Monuments Record upon completion.

Reason: To record features of the historic environment of the structure.

4. Prior to the construction of any dwellinghouse, an Energy Statement applicable to the dwellinghouses must be submitted to and approved in writing by the Planning Authority, including the following items:
  - (i) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development.
  - (ii) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with the Council's Supplementary Planning Guidance on Carbon Neutrality in New Developments. (In this case the development will achieve at least a Bronze Active rating under Section 7 of the Building Standards Technical Handbook).

The development shall not be occupied unless it has been carried out in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: To ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and the Council's Supplementary Planning Guidance - Carbon Neutrality in New Developments.

5. The development shall be served in accordance with the approved drawings and the following details:
  - a) Prior to occupancy of development, access track from public road 62K to be upgraded to adoptable standard.
  - b) Prior to occupancy of development, Parking spaces, surfaced in hard standing materials shall be provided within the site.
  - c) Prior to occupancy of development, two passing places measuring 10.0m x 2.5m with 5m splays to be formed on the verge of the public road 62K at locations to be agreed with this Service. Construction shall be to a standard appropriate to the location and must be agreed in advance with Roads Development.
  - d) Prior to commencement of development, visibility splays measuring 2.4m by 120m to be formed on either side of the junction of the vehicular access with the public road. The visibility splays so formed shall thereafter be kept free of all permanent obstructions above adjacent carriageway level

Reason: In order to ensure that the development is served by an appropriate standard of access and associated servicing in the interests of road safety.

#### **Reason for Decision**

The proposed development complies with the relevant policies of the Aberdeenshire Local Development Plan 2012, specifically Policy 3: Development in the countryside and Policy 8: Layout, siting and design of new development and their associated supplementary guidance SG Rural Development1: Housing and business development in the countryside and SG Layout, siting and design of new development. The principle of redeveloping a brownfield site of disused buildings is considered acceptable.

(D) **Reference No: APP/2014/4295**

**Planning Permission in Principle For Erection of Replacement Dwellinghouse at Land At Stripeside, Netherley, Stonehaven, Aberdeenshire, AB39 3QU**

**Applicant:** Forbes Homes Ltd  
**Agent:** Mackie Ramsay Taylor Architects

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because there was an unresolved objection from North Kincardine Rural Community Council.

The Committee fully discussed the applications and **agreed** that authority to grant Planning Permission in Principle be delegated to the Head of Planning and Building Standards subject to:-

- a) Payment of Developer Obligations;
  - b) An additional condition which would require the materials from the site to be re-used in the new development, and
  - c) The following conditions:
1. 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 work shall begin until the written approval of the authority has been given, and the development shall be carried out in accordance with that approval.

Specified matters:

- (a) Full details of the layout and siting of the proposed development;
- (b) Full details of the external appearance and finishing materials of the proposed development;
- (c) A landscaping scheme and tree protection plan including proposed landscape features, including trees to be retained and planted;
- (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) Full details of the proposed means of disposal of foul and surface water from the development;
- (f) Full details of the proposed access to the development;
- (g) Full details of the proposed car parking/vehicle turning area for the development.

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. For the avoidance of doubt, the proposed layout, siting and design, to be submitted for any dwellinghouse on site, shall be of traditional appearance, with suitable materials and should be located so as to integrate with the landscape.

Reason: In the interests of the visual appearance of the surrounding area.

3. Prior to any works commencing, the developer shall secure the implementation of a Level 1 archaeological standing building survey of the extant structures, to be carried out by an archaeological organisation acceptable to the planning authority. The scope

of the archaeological standing building survey will be set by the Aberdeenshire Council Archaeology Service on behalf of the planning authority. The name of the archaeological organisation retained by the developer shall be given to the planning authority and to the Aberdeenshire Archaeology Service in writing not less than 14 days before the survey commences. Copies of the resulting survey shall be deposited in the National Monuments Record for Scotland and in the local Sites and Monuments Record upon completion.

Reason: To record features of the historic environment of the structure.

4. Prior to the construction of any dwellinghouse, an Energy Statement applicable to that dwellinghouse must be submitted to and approved in writing by the Planning Authority, including the following items:
  - (i) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development.
  - (ii) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with the Council's Supplementary Planning Guidance on Carbon Neutrality in New Developments. (In this case the development will achieve at least a Bronze Active rating under Section 7 of the Building Standards Technical Handbook).

The development shall not be occupied unless it has been carried out in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: To ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and the Council's Supplementary Planning Guidance - Carbon Neutrality in New Developments.

5. The development shall be served in accordance with the approved drawings and the following details:
  - a) Prior to occupancy of development, access track from public road 62K to be upgraded to adoptable standard.
  - b) Prior to occupancy of development, Parking spaces, surfaced in hard standing materials shall be provided within the site.
  - c) Prior to occupancy of development, a passing place measuring 10.0m x 2.5m with 5m splays to be formed on the verge of the public road 62K at a location to be agreed with this service. Construction shall be to a standard appropriate to the location and must be agreed in advance with Roads Development.
  - d) Prior to commencement of development, visibility splays measuring 2.4m by 120m to be formed on either side of the junction of the vehicular access with the public road. The visibility splays so formed shall thereafter be kept free of all permanent obstructions above adjacent carriageway level.

Reason: In order to ensure that the development is served by an appropriate standard of access and associated servicing in the interests of road safety.

### **Reason for Decision**

The proposed development complies with the relevant policies of the Aberdeenshire Local Development Plan 2012, specifically Policy 3: Development in the countryside and its associated supplementary guidance SG Rural Development1: Housing and business development in the countryside. The principle of redeveloping a brownfield site of an existing building is considered to be acceptable.