

ABERDEENSHIRE COUNCIL**BUCHAN AREA COMMITTEE****ARBUTHNOT HOUSE, PETERHEAD, 21ST APRIL 2015**

Present: Councillors S Pratt (Chair), A Allan (Vice Chair), A Buchan, E Chapman, A Gardiner, J Ingram, F McRae, T Malone, L Pirie, N Smith and S Smith.

Officers: Chris White, Buchan Area Manager (Communities);, Martin Ingram, Principal Solicitor – Governance (Business Services); Colm McKee, Senior Planner (Infrastructure Services); Darren Ross, Team Manager (Infrastructure Services); David Naismith, Principal Engineer (Infrastructure Services); Derek Murray, Roads Manager (Infrastructure Services); Angus MacIver, Principal Roads Engineer (Infrastructure Services); Graham Lee, Principal Engineer (Infrastructure Services); Ian Tillett, Principal Officer (Infrastructure Services); Joanna Cabbage, Principal Roads Engineer (Infrastructure Services); David Kemp, Building Surveyor (Infrastructure Services); Jane Burgess, Team Leader (Infrastructure Services); Marian Youngson, Education Support Officer (Education and Children’s Services); Carole Sneddon, Project Officer (Education and Children’s Services); and Theresa Wood, Area Committee Officer (Communities).

1. DECLARATIONS OF MEMBERS’ INTERESTS

Members confirmed that they had no interests to declare in terms of the Councillors’ Code of Conduct.

2(a). STATEMENT ON EQUALITIES

In making decisions on the following items of business, the Committee **noted** the requirement, 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.

2(b). 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 paragraph of Part 1 of Schedule 7A of the Act.

3. MINUTE OF 17TH MARCH 2015

The Minute of the Meeting of 17th March 2015 had been circulated and was **approved**.

4. DEFERRED PLANNING APPLICATIONS

With regard to the deferred planning applications, the Committee had before them reports by the Director of Infrastructure Services on planning applications for determination in terms of the Town and Country Planning (Scotland) Acts 1972 and 1997 and **agreed** to dispose of the applications as detailed in Appendix A attached to this Minute.

- (a) APP/2015/0094 Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Firhaven, Strichen
- (b) APP/2015/0100 Full Planning Permission for Erection of Dwellinghouse at Site adjacent to Meadowbank, Strichen

5. NEW PLANNING APPLICATIONS

The Committee had before them reports by the Director of Infrastructure Services on planning applications for determination in terms of the Town and Country Planning (Scotland) Acts 1972 and 1997 and **agreed** to dispose of the applications as detailed in Appendix B attached to this Minute.

- (a) APP/2015/0185 Listed Building Consent for Alterations to Harbour including Repositioning of Lighthouse – Demolition and Erection of Fish Market at Peterhead Harbour, West Pier, Peterhead
- (b) APP/2015/0406 Planning Permission in Principle for Erection of 3 No Detached Dwellinghouses and Garages at Land at Bridgend Farm, Longside
- (c) APP/2015/0111 Planning Permission in Principle for Erection of Dwellinghouse at Land adjacent to Four Winds, Stuartfield
- (d) APP/2015/0056 Planning Permission in Principle for Residential Development for Erection of 6 No Dwellinghouses with Associated Road Layout, Drainage and Landscaping at Site at The Street, Rora
- (e) APP/2014/3809 Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Pine Grove, Monyruy, Longside

6. 2015/2016 ROAD MAINTENANCE PROGRAMME

A report by the Director of Infrastructure Services had been circulated requesting that the Committee consider the Road Maintenance Programme, with budgets having been allocated to areas on a priority/needs basis using the normal survey and assessment techniques for the various categories of work.

The Committee **agreed** to approve the Area Road Maintenance Programme as detailed in the appendix attached to the report.

Having discussed the detail of some of the proposed works with the Roads Manager, the Committee further **agreed**:-

- (1) to request that where existing street nameplates are in good condition they should not be renewed, and
- (2) to note their concern that the Council no longer renews road edgelines

7. BRIDGES AND CULVERTS ANNUAL WORKS PROGRAMME (PUBLIC ROAD NETWORK) 2015/2016

A report by the Director of Infrastructure Services had been circulated advising that an allocation of £1,964,000 for works required to renew, strengthen, enhance and protect bridges and culverts has been included in the Council's Draft Capital Budget for the year 2015/2016. The Committee was asked to consider the appendix attached to the report which detailed the annual works programme.

The Committee **agreed** to approve the Area Bridges and Culverts Annual Works Programme (Public Road Network) for 2015/2016 as detailed in Appendix A (Main List) attached to the report.

8. LANDSCAPE SERVICES REVENUE AND CAPITAL WORK PROGRAMME 2015/2016

A report by the Director of Infrastructure Services had been circulated detailing the proposed Area Landscape Maintenance and Capital Programme detailing Essential Routine Maintenance, the Essential Non-Routine Maintenance and any Capital works. The various works have been identified and developed throughout the year to reflect the requirements of the Buchan area.

The Committee **agreed**:-

- (1) to approve the Area Landscape Maintenance and Capital Programme as detailed in Appendix 1 attached to the report,
- (2) to extend their grateful thanks to the Landscape Services Team for their sterling work throughout Buchan, and
- (3) to request that Officers note the following areas where works are required –
 - (a) War Memorial, Old Deer Cemetery – lettering needs reinstated,
 - (b) St Fergus Cemetery – road leading to the cemetery is in need of maintenance,
 - (c) Constitution Cemetery, Peterhead – paths within cemetery are in need of maintenance, and
 - (d) Lido Playpark, Peterhead – some of the play equipment is in need of replacement

9. FLOOD MANAGEMENT AND COAST PROTECTION PROGRAMME OF MEASURES 2015/2016

A report by the Director of Infrastructure Services had been circulated asking the Committee to consider the Flood Management and Coast Protection Programme of Measures for 2015/2016. The report explained that the allocations for 2015/2016 have been identified on the basis of surveys and cyclic inspections that have taken place throughout the previous year on the Aberdeenshire coastline and its watercourses.

The Committee **agreed**:-

- (1) to approve the Flood Management and Coast Protection Programme of Measures for 2015/2016 as detailed in Appendix 1 as it relates to the Buchan area,
- (2) to note the proposed expenditure on essential flood management and coastal protection measures relevant to all areas, as identified and agreed by Officers, and as contained in Appendix 2 attached to the report,
- (3) to approve the schemes on the Reserve List of Measures within the Buchan area, as detailed in Appendix 3 attached to the report, and
- (4) that the schemes can be brought forward from the Reserve List in the order of priority given in the event of slippage, provided that their inclusion does not result in the overall expenditure exceeding the allocated budget sum

10. PLANNED MAINTENANCE 2015-2018

A report by the Director of Infrastructure Services had been circulated advising that the Council, on 12 February 2015, approved a Capital Plan 2015-2030 which includes £2,500,000 for Planned Maintenance – Council Wide objectives for 2015-2016. The Committee was asked to give comment on the programme of planned maintenance.

The Committee **agreed** to note the Programme of Planned Maintenance for 2015-2016 as listed in Appendix A attached to the report.

11. PETERHEAD, CENTRAL PRIMARY SCHOOL ALTERATIONS CONTRACT 17542

A report by the Director of Infrastructure Services had been circulated asking that the Committee approve the cost estimate for alterations at Peterhead Central Primary School to allow for a larger intake of nursery age children.

The Committee **agreed** to approve the cost estimate of £451,000 for the Peterhead Central Primary School Alterations as detailed in the report, and that Officers proceed to tender.

12. INFRASTRUCTURE SERVICES QUARTER 3 PERFORMANCE (OCTOBER-DECEMBER 2014) (ABERDEENSHIRE PERFORMS)

A report by the Director of Infrastructure Services had been circulated providing the Committee with the Services performance measures for October to December 2014.

The Committee **agreed** to note the performance measures.

13. ABERDEENSHIRE'S SCHOOLS ENHANCED PROVISION: REPORT ON THE PROPOSAL FOR STATUTORY CONSULTATION FOR CRIMOND SCHOOL AND KELLANDS SCHOOL LEARNING (DYSLEXIA) UNITS

A report by the Director of Education and Children's Services had been circulated advising that the consultation period for the Proposal Document for the redesign of the support and reallocation of the dyslexia units at Kellands and Crimond Schools to an area model had now concluded. The Committee was asked to note the contents of the Consultation Report and make a recommendation to the Education, Learning and Leisure Committee on the adoption of the proposal.

Following a full discussion, the Committee **agreed** to recommend that the Education, Learning and Leisure Committee to support the adoption of the proposal for the redesign of the support and reallocation of the dyslexia units at Kellands and Crimond Schools to an area model, subject to noting the following comments:-

- (1) the Committee noted their concerns that in providing training to all teachers, there is the potential to lose the knowledge developed and delivered by specialist teachers,
- (2) to put this additional requirement and responsibility on to teachers may make recruitment even more difficult,
- (3) that Officers should reconsider the area model in terms of the workload allotted to the total number of schools within the Peterhead and Mintlaw network in comparison to the Fraserburgh network, and
- (4) having noted the concerns as outlined by Education Scotland, that Officers further consider if the proposed timescale allows sufficient time to successfully implement the proposal, and that where necessary flexibility be built-in to accommodate any unforeseen delays and ensure a smooth transition

The Committee further **agreed** to request that Officers provide a progress report back to the Buchan Area Committee prior to implementation, and yearly thereafter.

14. EDUCATION, LEARNING AND LEISURE QUARTERLY PERFORMANCE EXCEPTION REPORTING OCTOBER-DECEMBER 2014

A report by the Director of Education and Children's Services had been circulated providing the Committee with the Services performance measures for October to December 2014.

Having noted the performance measures, the Committee **agreed** to request that the commentary also provides detail of how issues are being addressed.

15. BROAD STREET, CHAPEL STREET AND MARISCHAL STREET, PETERHEAD, PROPOSED TRAFFIC MANAGEMENT - RESULTS OF CONSULTATIONS

A report by the Director of Business Services had been circulated advising that in respect of the proposal to re-introduce general traffic to Chapel Street and part of Marischal Street, Peterhead, no objections had been received at the statutory consultation stage and one objection had been received at the public consultation stage. The Committee was asked to consider the outstanding objection.

Having considered the one outstanding objection, the Committee **agreed** to approve the implementation of "The Aberdeenshire Council (Broad Street, Chapel Street and Marischal Street) (Traffic Management) Order 2014 as originally promoted.

The Committee further **agreed**:-

- (1) to request that Officers liaise with Police Scotland to ensure that the 20mph speed restriction and car parking restrictions are being complied with, and
- (2) to request that Officers provide the Buchan Area Committee with a feedback report 6 months after the Order comes into effect

16. PROPOSED SALE OF ARBUTHNOT HOUSE AND 60 BROAD STREET, PETERHEAD

A report by the Director of Infrastructure Services had been circulated advising that an offer had been received in respect of the sale of Arbuthnot House and 60 Broad Street, Peterhead.

The Committee **agreed**:-

- (1) to approve the sale of Arbuthnot House and 60 Broad Street, Peterhead, on the terms detailed within the report, and
- (2) to request that the Buchan Area Committee be kept up to date in terms of the progress of the sale

Having read the statement outlining the proposals for the use of Arbuthnot House, the Committee further **agreed** to request that the Area Manager write to the purchaser, on behalf of the Committee, advising of the Committee's wholehearted support.

APPENDIX A

DEFERRED PLANNING APPLICATIONS

(a) **Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Firhaven, Strichen**

For: Baxter Design, Adenhall, 9 Kirkgate, Old Deer

Per: Baxter Design, Adenhall, 9 Kirkgate, Old Deer

Reference No: APP/2015/0094

Councillor Ingram moved as a motion, seconded by Councillor Chapman, that authority to Grant Planning Permission in Principle be delegated to the Head of Planning and Building Standards subject to (a) the settlement of S75/Developer Contributions, and (b) standard planning conditions.

As an amendment, Councillor Allan, seconded by Councillor Pratt, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:-

for the motion (7) Councillors Buchan, Chapman, Gardiner, Ingram, Malone, McRae and N Smith

for the amendment (4) Councillors Pratt, Allan, Pirie and S Smith

The motion was therefore carried and the Committee **agreed**:-

(1) that authority to Grant Planning Permission in Principle be delegated to the Head of Planning and Building Standards subject to -

(a) the settlement of S75/Developer Contributions, and

(b) standard planning conditions

(2) their reason for departing from the Local Plan as follows –

(a) the proposal is for the redevelopment of a brownfield site

(b) **Full Planning Permission for Erection of Dwellinghouse at Site adjacent to Meadowbank, Strichen**

For: Mrs C Gray, Meadowbank, Strichen

Per: Baxter Design, Adenhall, 9 Kirkgate, Old Deer

Reference No: APP/2015/0100

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

(1) The proposed development is contrary to Policy 3: Development in the countryside and SG Rural Development 1: Housing and business development in the countryside as contained in the Aberdeenshire Local Development Plan 2012 whereby the proposed dwellinghouse fails to meet the criteria set out in the aforementioned policies and supplementary guidance in that:-

(a) it is not of a type that would be permissible in the green belt;

(b) it is not for the refurbishment or replacement of an existing or disused building, and is not on a site which has previously been developed and is now redundant;

- (c) it does not contribute to the organic growth of a settlement identified in Appendix 1;
- (d) it is not associated with the retirement succession of a viable farm holding;
- (e) it is not an economic development proposal;
- (f) it is not an appropriate addition to a cohesive group.

APPENDIX B

NEW PLANNING APPLICATIONS

- (a) **Listed Building Consent for Alterations to Harbour including Repositioning of Lighthouse – Demolition and Erection of Fish Market at Peterhead Harbour, West Pier, Peterhead**

For: Peterhead Port Authority, Harbour Office, West Pier, Peterhead

Per: McAdam Design (Scotland) Ltd, Westhill Business Centre, Endeavour Drive, Arnhall Business Park, Westhill, Aberdeen

Reference No: APP/2015/0185

The Committee **agreed** to Grant Listed Building Consent subject to the following conditions:-

1. 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. This condition is applicable to the Lighthouse and Queenie Bridge.

Reason: To record features of the historic environment of the structure. Please note an archaeological organisation is required to undertake this work.

Standing Building Survey Level Defined

Level 1 - a full photographic survey of the interior and exterior of the building, including all exterior elevations and the building's setting, with the addition of measured floor plans and elevations and a written account of the building's plan, form, function, age and development sequence. Surveys should be submitted in a digital format (pdf, jpeg, tiff files) by email, on CD or via online file sharing services

2. No demolition or development shall take place prior to a photographic survey being undertaken by the developer and approved by the planning authority. All elevations, both internal and external, (where it is safe to access the building), together with the setting of the building, and any unusual feature/s, shall be photographed and clearly annotated on a plan. Photographs, which should be digital files (jpeg, tiff, pdf) submitted by email, CD or via online file sharing services, shall be clearly marked with place name for identification, national grid reference and planning reference and deposited with the Archaeology Service for addition into the local Sites and Monuments Record. Please note this condition is applicable to all other built structures proposed for demolition or remodelling including the harbour walls.

Reason: To ensure a historic record of the building.

3. Prior to works commencing, samples of external finishing materials (including a coloured sample) for the proposed fishmarket hereby approved shall be made available on site/submitted to the Planning Authority for inspection and further written approval of the Planning Authority. Thereafter, the materials shall be utilised in accordance with the details as agreed.

Reason: To confirm external finishing materials in order to safeguard the areas special architectural and historic interest

4. Prior to the commencement of demolition, further details regarding the retention of a section of Queenie Bridge and its re-use elsewhere within the site for purposes of an interpretative display, shall be submitted in writing to the Planning Authority.

Reason: To ensure an important part of the built heritage of Peterhead Harbour is retained

Reason for Decision

The proposed works would not have a detrimental impact upon the built heritage of Peterhead Harbour and the wider area. The proposal therefore complies with Policy 8 SG LSD2: Layout, siting and design and Policy 13 SG Historic Environment1: Listed buildings and SG Historic Environment2: Conservation areas.

Having noted the proposed removal of Queenie Bridge, the Committee further **agreed** to highlight their concerns in terms of potential access issues and road safety issues.

(b) **Planning Permission in Principle for Erection of 3 No Detached Dwellinghouses and Garages At Land at Bridgend Farm, Longside**

For: Mr & Mrs Keith Hay, Bridgend Farm, Longside

Per: K L Reid Associates Ltd, 4 Glebefield, Longside

Reference No: APP/2015/0406

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

- (1) the settlement of S75/Developer Contributions, and
- (2) the following conditions –
 1. Application for approval of all matters specified in conditions to a grant of Planning Permission in Principle must be made before whichever is the latest of the following dates:
 - (a) The expiration of three years beginning with the date of the planning permission in principle; or, if later,
 - (b) The expiration of 6 months from the date on which an earlier application (Matters Specified in Condition) for the requisite approval was refused or dismissed following an appeal or review.

In relation to any matter under part (b) above, only one application for approval of matters specified in conditions may be made after the expiration of 3 years from the date of the planning permission in principle.

Reason: Pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997.

2. That the development hereby granted shall be begun before the expiration of two years from the final approval of the matters specified in conditions or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason: Pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997.

3. That no development in connection with the Planning Permission in Principle hereby approved shall take place unless full details of the siting, design, external appearance and landscaping of the development and the means of access serving the development (hereinafter referred to as the "Matters Specified in Conditions") have been submitted to and approved in writing by the Planning Authority. The Matters Specified in Conditions shall include:
 - (a) 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;
 - (b) Details of the footprint and location of the house within the plot;
 - (c) Full details of the house design and materials, designed in accordance with a submitted Design Statement prepared in line with the guidance set out in Policy 8 Layout, siting and design of new development and SG LSD2: Layout, siting and design of new development of the Aberdeenshire Local Development Plan (2012);
 - (d) Full details of all materials (including walls, roofs, windows, garage doors etc.)
 - (e) Full details of the off-street parking provision (including any garaging) to be provided within each site; details of the surfacing of the parking area, bellmouth and access.
 - (f) Full details of the proposed means of disposal of foul and surface water from the development;

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

4. That no works in connection with the development hereby approved shall take place unless 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 and proposed finished ground levels relative to a fixed datum point;
 - (ii) Existing landscape features and vegetation to be retained;
 - (iii) Existing and proposed services including cables, pipelines and substations;
 - (iv) The location of new trees, shrubs, hedges, grassed areas and water features;
 - (v) A schedule of plants to comprise species, plant sizes and proposed numbers and density;
 - (vi) The location, design and materials of all hard landscaping works including walls, fences, gates;
 - (vii) An indication of existing trees, shrubs and hedges to be removed;
 - (viii) A programme for the completion and subsequent maintenance of the proposed landscaping.

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

Reason: To 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.

- 5 That the proposed foul and surface water drainage systems shall be carried out in accordance with the approved plans and the dwellinghouse shall not be occupied unless its approved drainage system has been completed and certified as such by a qualified drainage engineer to the satisfaction of the Planning Authority. Following provision of the drainage system it shall thereafter be maintained by the developers or their successors in accordance with the approved maintenance scheme. Certification (from an appropriately qualified professional) that the maintenance regime has been implemented shall be provided on an annual basis thereafter, or as otherwise agreed with the Planning Authority.

Reason: In order to ensure that adequate drainage facilities are provided, and maintained, in the interests of the amenity of the area.

6. Prior to the construction of the 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.

7. Prior to the occupancy of the development, parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the Council's Car Parking Standards.

Reason: To protect the residential amenity of the area

8. That no works in connection with the development hereby approved shall take place unless a tree plan has been submitted to and approved in writing by the Planning Authority.

Details of the plan shall include:

- (i) The location of the trees to be retained and their root protection areas (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);

- (ii) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction).
- (iii) Proposed compensatory tree planting within the site, to provide replacement trees for any trees specified to be felled.

No works in connection with the permission hereby approved shall take place unless the tree protective fencing is erected around the trees being retained. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority and no fire shall be lit in the 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/hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

Reason for Decision

The site is acceptable in principle under the organic growth policy. The indicative site will provide a suitable and complementary addition to the surrounding landscape, the impact on woodland resource is subject to the attachment of a condition and the access is satisfactory. The application is recommended for approval subject to conditions.

(c) **Planning Permission in Principle for Erection of Dwellinghouse at Land adjacent to Four Winds, Stuartfield**

For: Mr G Burnett Stuart, Crichtie House, Stuartfield

Per: Baxter Design Ltd, Adenhall, 9 Kirkgate, Old Deer

Reference No: APP/2015/0111

The Committee **agreed** to Refuse Planning Permission in Principle for the following reasons:-

1. The proposal fails to provide a safe and adequate means of access for pedestrians between the development and the settlement of Stuartfield. The additional pedestrians generated by the development will increase the road safety risk on a road. It is therefore considered that the proposed development fails to comply with Policy 9 SG Developer Contributions 2: Access to new development of the Aberdeenshire Local Development Plan 2012.

(d) **Planning Permission in Principle for Residential Development for Erection of 6 No Dwellinghouses with Associated Road Layout, Drainage and Landscaping at Site at The Street, Rora, Peterhead**

For: Mr & Mrs B Mackie, Middleton of Rora, Rora, Peterhead

Per: Baxter Design Ltd, Adenhall, 9 Kirkgate, Old Deer

Reference No: APP/2015/0056

The Committee **agreed**:-

- (1) that authority to Grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to:-
 - a) The settlement of S75/Developer Contributions, and
 - b) The following conditions:

1. That the development hereby granted shall be begun before the expiration of two years from the final approval of the matters specified in conditions or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason: Pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997.

2. That the development hereby granted shall not be begun until all matters specified in conditions that require further approval have been approved by the Planning Authority. Application for approval of any such matters specified in conditions must be made before whichever is the latest of the following:
 - (a) the expiration of three years beginning with the date of the Planning Permission in Principle, or, if later,
 - (b) the expiration of six months from the date on which an earlier application for the requisite approval was refused or dismissed following an appeal or review.

In relation to any matter, only one application for approval of matters specified in conditions may be made after the expiration of three years from the date of the Planning Permission in Principle.

Reason: Pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997.

3. That no development in connection with the Planning Permission in Principle hereby approved shall take place unless full details of the siting, design, external appearance and landscaping of the development and the means of access serving the development (hereinafter referred to as the "Matters Specified in Conditions") have been submitted to and approved in writing by the Planning Authority. The Matters Specified in Conditions shall include:
 - (a) 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;
 - (b) Details of the footprint and location of each of the houses within the individual plots;
 - (c) Full details of the house designs and materials, designed in accordance with a submitted Design Statement prepared in line with the guidance set out in Policy 8 Layout, siting and design of new development and SG LSD2: Layout, siting and design of new development of the Aberdeenshire Local Development Plan (2012);
 - (d) Full details of all materials (including walls, roofs, windows, garage doors etc.)
 - (e) Full details of the off-street parking provision (including any garaging) to be provided within each site; details of the surfacing of the parking area, bellmouth and access.
 - (f) Full details of the proposed means of disposal of foul and surface water from the development;

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

4. Prior to the construction of any dwellinghouses an Energy Statement applicable to those 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) The maximum gradient of the first 5m of each new access must not exceed 1 in 20.
 - (b) Prior to occupancy of development, first 5m of each driveway (measured from edge of road or back of footway) to be fully paved.
 - (c) Prior to occupancy of development a suitable vehicle turning area, measuring not less than 7.6m x 7.6m, must be formed within the each site to enable all vehicle movements onto or from the public road to be carried out in a forward gear.
 - (d) Prior to occupancy of development, Parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the Council's car parking standards.
 - (e) Prior to commencement of development, a lay-by measuring 8.0m x 2.5m with 45 splays to be formed on each plot frontage and the proposed vehicular access to be taken via this. Construction shall be to a standard appropriate to the location & must be agreed in advance with Roads Development.
 - (f) Prior to commencement of development, Visibility Splays, measuring 2.4m by 90m 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.

6. That no works in connection with the development hereby approved shall take place unless 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.

- (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.
- (v) An indication of existing trees, shrubs and hedges to be removed.
- (vi) A programme for the completion and subsequent maintenance of the proposed landscaping.

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

Reason: To 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.

Reason for Decision

The application is considered acceptable by the Planning Service in that it provides an appropriate gradual development of Rora and is recommended for approval as a departure from the Aberdeenshire Local Development Plan 2012

(e) **Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Pine Grove, Monyruey, Longside**

For: Colin G Mair & Partners, Muirfield, Everton of Auchry, Cuminestown, Turriff

Per: Baxter Design Ltd, Adenhall, 5 Kirkgate, Old Deer, Peterhead

Reference No: APP/2014/3809

In terms of Standing Order 11, the Area Manager had received a request to address Committee from the Agent, Mr Baxter.

The Committee was asked, as a whole, if they wished to hear the representation. The Committee unanimously **agreed**.

The Committee first heard from the Senior Planner then heard from Mr Baxter as follows –

“The report is not entirely correct – the visibility splay is owned by the applicant. Roads have advised that they have no objections as long as the land is in the applicant’s control. This can be conditioned, even though the visibility splay is potentially outwith.

Referring to paragraph 6.3 of the report, and in referring to the slide which showed the curtilage of the farm, my interpretation is that it is within the site. To relocate the proposed building is not sensible.

The proposed building is for the replacement of a redundant building and therefore my interpretation is that the proposal does comply with policy.”

The Committee unanimously **agreed**:-

- (1) that authority to Grant Planning Permission in Principle be delegated to the Head of Planning and Building Standards subject to:-

- (a) the requirement to provide a safe and adequate means of access to the site, to be agreed with the planning authority (via a condition),
 - (b) the settlement of S75/Developer Contributions, and
 - (c) standard planning conditions
- (2) their reasons for departing from the Local Plan as follows –
- (a) it is for the replacement of an existing building,
 - (b) the proposed dwelling will not replicate the footprint of the existing building for safety reasons, and
 - (c) the accessibility issue is to be addressed by means of a planning condition.