

ABERDEENSHIRE COUNCIL

FORMARTINE AREA COMMITTEE

THE KIRK CENTRE, STATION ROAD, ELLON, 9 JUNE 2015

Present: Councillors R Merson, I Davidson (Items 4A to 16), A Duncan, J Gifford, A Hendry, P Johnston (Items 1 to 4B and part of 4C), A Norrie, G Owen, E A Robertson, C Shand and R Thomson.

Officers: E Brown (Area Manager, Formartine), C Robertson (Committee Officer, Formartine), M Ingram (Senior Solicitor, Legal and Governance), J White (Senior Planner, Infrastructure Services), L Dingwall (Planner, Infrastructure Services), G Steel (Principal Engineer, Infrastructure Services), M Skilling (Strategy Manager, Infrastructure Services), A Johnson (Development Officer, Affordable Housing, Infrastructure Services), L Dougall (Affordable Housing Officer, Infrastructure Services), M Lawson (Development Officer, Education and Children's Services), S Lindsay (Head Teacher, Newburgh Mathers School), F McRitchie (Head Teacher, Markethill Primary School), J Gahagan (Estates Manager, Infrastructure Services), S Cochrane (Project Manager, Infrastructure Services) and I Daniels (Principal Roads Engineer, Infrastructure Services).

PUBLIC QUESTION TIME

No public questions had been received.

1. DECLARATION OF MEMBERS' INTERESTS

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

2. RESOLUTION

a) 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 its decision.

b) Exempt Information

That under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting during consideration of the items specified below, so as to avoid disclosure of exempt information of the class in the undernoted paragraph of Part 1 of Schedule 7A of the Act.

Item No	Paragraph No.s of Schedule
14	9
15	10
16	10

3. MINUTE OF MEETING OF 19 MAY, 2015

The Committee had before them, and **approved** as a correct record, the minute of the meeting of 19 May, 2015.

4. PLANNING 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 **Appendix A**.

Reference	Description	Decision
A. APP/2015/1084	Planning Permission in Principle for Erection of Dwellinghouse at Site South of the Neuk, Ythanbank, Ellon	Grant
B. APP/2015/0197	Full Planning Permission for Erection of 4 No. Dwellinghouses at South Ythsie, By Tarves, Ellon, Aberdeenshire	Delegated Grant
C. APP/2015/0049	Full Planning Permission for Erection of Workshop with Yard and Fencing at Norse Yard (Adjacent to Bryher, B999 Road) Pitmedden, Ellon	Delegated Grant
D. APP/2015/0653	Full Planning Permission for Erection of Office and Production Facility and Installation of LPG Tanks without complying with Condition No. 8 (Hours of	Grant

Operation) of Planning Permission
Reference APP/2013/3039 at Site
11, Balmacassie Way, Balmacassie
Commercial Park, Ellon,
Aberdeenshire

E. APP/2015/0679 Full Planning Permission for Delegated Grant
Erection of 15 Dwellinghouses
without complying with Condition 7
(Landscaping) of Planning
Permission APP/2003/1642
(Retrospective) at Land Behind 1-9
Fleeman Park, Udry Green, Ellon

**5A. REVIEW DECISION NOTICE, LRB 234 - PLANNING REF:
APP/2013/1410 – LAND AT NETHER DARLEY FARM, FYVIE, TURRIFF**

There was circulated and was **noted**, Local Review Body Decision Notice 234,
dated 14 May, 2015, advising of a decision to reverse the determination
reviewed by it and granting Full Planning Permission.

**5B. REVIEW DECISION NOTICE, LRB 273 - PLANNING REF:
APP/2014/4329 – SITE AT NORTH REDBRIGGS, GREENESS,
CUMINESTOWN**

There was circulated and was **noted**, Local Review Body Decision Notice 273,
dated 12 May, 2015, advising of a decision to reverse the determination
reviewed by it and granting Full Planning Permission.

**6. ADDITIONS TO STATUTORY LIST OF PUBLIC ROADS –
FORMARTINE**

There had been circulated a report dated 25 May, 2015 by the Director of
Infrastructure Services which detailed proposed roads and footways in
Formartine to be added to the Statutory List of Public Roads

After consideration of the information provided, the Committee **approved** the
roads and footways listed in Appendix 1 of the report, for addition to the
Statutory List of Public Roads, as recorded in **Appendix B**.

**7. ROUTE IMPROVEMENT STRATEGY FOR THE A947 ABERDEEN
TO BANFF ROAD**

There had been circulated a report dated 20 May, 2015 by the Director of
Infrastructure Services which updated on the progress of the Route
Improvement Strategy for the A947 Aberdeen to Banff Road.

Further to discussion, the Committee:-

- (1) **endorsed** the works carried out to date and welcomed the reduction in accidents and the commitment to continue this work,
- (2) **noted** the progress to date on the development of a Route Improvement Strategy for the A947 between Aberdeen and Banff,
- (3) **approved** wider consultation exercises including a public consultation exercise with communities along the route and workshops later in the year,
- (4) **instructed** officers to report back to the Formartine Area Committee with updates, on a regular basis, and
- (5) provided the following **comments**:
 - Further consideration should be given to laybys where farm vehicles can draw in to allow traffic to pass safely, and whether these are appropriately sited for use,
 - The Turriff Show could provide an opportunity for engagement with local road users,
 - Many road users were commuters who may not have been consulted with,
 - Tree sap falling onto the road caused it to become slippery and there were several stretches where this needed to be addressed,
 - Overgrown trees and vegetation reduced visibility of junction markers and visibility for overtaking,
 - Increased enforcement by local traffic Police would be beneficial,
 - A strategic approach should be taken – i.e. consider winter maintenance as part of the overall strategy,
 - Signage should be reviewed,
 - It may be helpful to work with Community Planning Partnerships, and
 - Local members should be kept informed of progress.

8. REDEVELOPMENT OF ERROLL COURT, TURRIFF

With reference to the Minute of Meeting of this Committee of 19 May, 2015 (Item 9), at which consideration of the report was deferred for one cycle, pending further information on the current use of the garages on site and the alternatives available to the garage tenants, there had been circulated an updated report dated May, 2015 by the Director of Communities detailing the options for the redevelopment of Erroll Court, Turriff.

During discussion, officers advised members of a further option for consideration which would allow for the retention of ten of the garages on site. Members thanked the service for the further consultation that had been carried out with the garage owners and asked for confirmation of the current use of the garages. Further questions were asked about the site options and layout.

Thereafter, the Committee **approved** the demolition of the vacant sheltered housing complex at Erroll Court, Turriff and four of the 14 Hatton Road garages located at the rear of Erroll Court, to provide ten general needs houses to meet identified housing need in Turriff.

9. AREA COMMITTEE BUDGET 2015/2016

With reference to the Minute of Meeting of this Committee of 24 March, 2015 (Item 5), at which the broad allocation of the Area Committee Budget for 2015-16 was agreed, there was circulated a report dated 30 April, 2015 by the Director of Communities which detailed a request from Belhelvie Community Council to add Blackdog to the list of communities who could apply for an award from the Tidy Village Scheme. It was explained that, should this be agreed, the monies would be transferred from the Area Plan / Community Planning portion of the budget.

After consideration, the Committee **agreed** to add Blackdog to the list of communities who could apply for an award from the Tidy Village Scheme, with their entitlement being £500.

10. STATEMENT OF OUTSTANDING BUSINESS

The Committee had before them and **noted** a report by the Formartine Area manager, updating on matters that had previously been discussed by the Committee but remained to be resolved.

The Committee also **requested**:-

- (1) that further updates continue to be provided to members in relation to the proposals for the former Women's Aid Refuge in Turriff, and
- (2) that the identification of a new site for a school at Balmedie be added to the Statement of Outstanding Business, in order to progress this matter.

11. EDUCATION, LEARNING AND LEISURE SERVICE QUARTERLY PERFORMANCE EXCEPTION REPORTING JANUARY – MARCH 2015, INCLUDING UPDATE ON SERVICE PLAN (ABERDEENSHIRE PERFORMS)

There had been circulated a report dated 20 May, 2015 by the Director of Education and Children's Services which detailed exceptions in performance monitoring that were significantly above or below performance targets.

Further to consideration of the information provided, the Committee:-

- (1) **acknowledged** the performance achieved during January to March 2015, referred to within paragraphs 2.3, 2.4, 2.5, 2.6, 2.7 and 2.8 within the report,

- (2) **noted** the measures where performance was below expectations during January to March, 2015, referred to in paragraphs 2.4, 2.5, 2.6 and 2.7 within the report,
- (3) **noted** the publication of the complete January to March 2015 Performance Report on Ward Pages, including an update on progress with Service Plan objectives,
- (4) **instructed** 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
- (5) made the following **comments** to be raised with the Service:
 - *Percentage of half day truancy / unexplained absences of Looked After Children* – when the action plan is provided to the committee could an officer please be in attendance to discuss the indicators and the action plan, and
 - *School capacity figures for primary and secondary* - could an officer please attend committee to discuss the plans to address the issues.

The Committee **agreed** to suspend Standing Order 20 (8) (c) to enable the meeting to continue after 12.45 pm.

12. EDUCATION SCOTLAND INSPECTION, NEWBURGH MATHERS PRIMARY AND NURSERY SCHOOL

There had been circulated a report by the Director of Education and Children's Services which highlighted the progress made by Newburgh Mathers Primary and Nursery School, following an Education Scotland Inspection in January, 2014.

After hearing from the Head Teacher, the Committee congratulated the school and thereafter:-

- (1) **noted** the contents of the report,
- (2) **endorsed** the Service's continuing efforts in support of its schools in the Education Scotland Inspection process and in the raising of standards of attainment and achievement in all aspects of school life, and
- (3) **agreed** to further reports on Education Scotland school inspections being presented.

13. EDUCATION SCOTLAND INSPECTION, MARKETHILL PRIMARY AND NURSERY SCHOOL

There had been circulated a report by the Director of Education and Children's Services which highlighted the progress made by Markethill Primary, following an Education Scotland Inspection in February, 2014.

After hearing from the Head Teacher, the Committee congratulated the school and thereafter:-

- (1) **noted** the contents of the report,
- (2) **endorsed** the Service's continuing efforts in support of its schools in the Education Scotland Inspection process and in the raising of standards of attainment and achievement in all aspects of school life, and
- (3) **agreed** to further reports on Education Scotland school inspections being presented.

14. LAND ACQUISITION FOR THE REPLACEMENT OF MARKETHILL PRIMARY SCHOOL, TURRIFF

There had been circulated a report dated June, 2015 the Director of Infrastructure Services which detailed a proposed acquisition of land at Meadowbank Road, Turriff for the replacement of Markethill Primary School.

Further to consideration, the Committee **approved** the acquisition of land, as detailed in paragraph 1.1 of the report, to serve as the site for the proposed replacement Turriff Primary School.

15. ELLON, CONSTRUCTION OF NEW HOUSEHOLD WASTE RECYCLING CENTRE ESTIMATE REPORT, CONTRACT 17895

With reference to the Minute of Meeting of this Committee of 28 October, 2014 (Item 9), and the Policy and Resources Committee of 13 November, 2014 (Item 29, Page 1077), at which discussion took place on a potential development project in the Ellon Balmacassie Industrial Estate, there had been circulated a report dated 19 May, 2015 the Director of Infrastructure Services which provided an update on the proposals to construct a new Household Waste Recycling Centre in Ellon.

Following discussion, the Committee **approved** all the officer recommendations detailed in paragraphs 1.1 to 1.3 of the report.

16. ACCEPTANCE TO TENDER FOR CONTRACT – ROAD MAINTENANCE PROGRAMME 2015/2016 FORMARTINE AREA CARRIAGEWAY REINSTATEMENT

There had been circulated a report dated 26 May, 2015 by the Director of Infrastructure Services which detailed the tenders received in relation to the contract for the Road Maintenance Programme 2015/2016 Formartine Area Carriageway Reinstatement.

Following discussion, the Committee **agreed** to accept the lowest price for the tender, as detailed within paragraph 1.1 of the report.

APPENDIX A

4A. Reference No: APP/2015/1084

Planning Permission in Principle for Erection of Dwellinghouse at Site South of The Neuk, Ythanbank, Ellon

Applicant: DP Watson & Partners
Agent: Taylor Design Services

The Senior Planner introduced the application and the Committee heard an oral representation from representatives of a number of objectors.

During discussion, members asked about the location of the campsite; the proposed visibility splay; the proposed layby; whether the field access was to be maintained; for clarification on certain aspects of the organic growth policies; whether the road being discussed was an access track or a private road and who had ownership of this; and where the Smithfield Bed & Breakfast was located on the site map. It was commented that tourism was crucial for the area. It was suggested that a Site Visit might be beneficial but the majority of members agreed that this was not necessary.

Following the debate, Councillor Johnston, seconded by Councillor Gifford, **moved** that the application be refused on the grounds that the proposed development did not comply with SG Rural Development1: Housing and business development in the countryside or the policies relating to organic growth and the proposed site was not appropriate as it would allow backland development which could set an undesirable precedent.

As an **amendment**, Councillor Merson, seconded by Councillor Hendry, **moved** that the application be granted in line with the recommendations contained within the report.

The members voted as follows:

For the Motion	3	Councillors Gifford, Johnston and Owen.
For the Amendment	8	Councillors Merson, Davidson, Duncan, Hendry, Norrie, Robertson, Shand and Thomson.

Therefore the **amendment** was carried to **grant** Planning Permission in Principle subject to the following conditions:-

01. 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 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.

02. 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 for 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 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

03. 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 and hedges 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 including visibility splays where appropriate
- (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).

04. The development shall be served in accordance with the approved drawings and the following details:

- a) The maximum gradient of the first 5m of the access must not exceed 1 in 20.
- b) Prior to occupancy of development, the first 5m of access (measured from edge of road or back of footway) to be fully paved.
- c) Prior to occupancy of development, 2 parking spaces, surfaced in hard standing materials shall be provided within the site.
- d) Prior to commencement of development, a lay-by measuring 8.0m x 2.5m with 45° splays to be formed on frontage of the site & 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.
- e) 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.
- f) Prior to occupancy of development a refuse bin uplift store area shall be constructed (behind any visibility splay) so as to be accessible for bin uplift & shall be secure enough to prevent empty bins from being wind-blown. Details must be submitted to Roads Development for approval.
- g) Prior to occupancy of development a suitable vehicle turning area, measuring not less than 7.6m x 7.6m, must be formed within the site to enable all vehicle movements onto or from the public road to be carried out in a forward gear.

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.

05. 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.

Reason for Decision

It is considered that the proposals accord with the relevant policies and supplementary guidance contained in the Aberdeenshire Local Development Plan 2012.

4B. Reference No: APP/2015/0197

Full Planning Permission for Erection of 4 No. Dwellinghouses at South Ythsie, By Tarves, Ellon, Aberdeenshire

Applicant: Churchill Homes Ltd

Agent: No Agent

The Senior Planner and Planner introduced the application which had been deferred at the last meeting to allow planning officers to investigate the appropriateness of a condition pertaining to a speed limit in the area. It was explained that a speed limit could be introduced if further development took place in the area to the extent that it would meet the criteria for such.

Following the debate, Councillor Johnston, seconded by Councillor Shand, **moved** that the application be refused on the grounds that the proposed site was greenfield as the grounds had been cleared and it was therefore not an existing site; it was contrary to Policy 3 Development in the countryside SG Rural Development1: Housing and business development in the countryside as the proposed site was not within a settlement and was in effect a sub-division which could be considered over-intensification; and the proposed development was contrary to Policy 8 Layout, siting and design of new development as it did not respect the character of the area.

As an **amendment**, Councillor Merson, seconded by Councillor Davidson, **moved** that the application be approved in line with the recommendations contained within the report.

The members voted as follows:

For the Motion **3** Councillors Hendry, Johnston and Shand.

For the Amendment **8** Councillors Merson, Davidson, Duncan, Gifford, Norrie, Owen, Robertson, and Thomson.

Therefore the **amendment** was carried that authority to **grant** Full Planning Permission should be **delegated** to the Head of Planning and Building Standards subject to:-

1. The conclusion of Developer Obligations, and
2. The following conditions:

01. That the proposed foul and surface water drainage system shall be carried out in accordance with the approved plans and no dwellinghouse shall be occupied unless the approved drainage system has been implemented in this form, unless otherwise agreed in writing with 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.

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

02. 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.

03. The development shall be served in accordance with the approved drawings and the following details:

- a) The maximum gradient of the first 5m of the access must not exceed 1 in 20.
- b) Prior to occupancy of development, the first 5m of access (measured from edge of road or back of footway) to be fully paved.
- c) Prior to occupancy of development, parking spaces, surfaced in hard standing materials shall be provided within the site.
- d) Prior to commencement of development, visibility splays measuring 2.4 metres by 45 metres 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.
- e) Prior to occupancy of development a suitable vehicle turning area, measuring not less than 7.6m x 7.6m, must be formed within the site to enable all vehicle movements onto or from the public road to be carried out in a forward gear.

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

That the proposed development fully complies with the policies within the Aberdeenshire Local Development Plan 2012. The development does not have an adverse impact on the character or amenity of the surrounding area and can be successfully accommodated within the site.

4C. Reference No: APP/2015/0049

Full Planning Permission for Erection of Workshop with Yard and Fencing at Norse Yard (Adjacent to Bryher, B999 Road), Pitmedden, Ellon, Aberdeenshire

Applicant: Norse Ltd
Agent: Portico Design

The Senior Planner introduced the report, requesting that members give consideration to an amendment at condition 2 to allow for occasional weekend deliveries on written notification to the Planning Department.

During discussion, members asked if anything was in place to protect the nearby tree canopies; whether it would be beneficial to add a condition regarding the restoration of the yard, should the current use cease; for clarification on the boundary fence lines; whether the nearby

walkway was to be retained; and whether the Community Council objection had been resolved.

Further to debate, the Committee agreed that authority to **grant** Full Planning Permission should be **delegated** to the Head of Planning and Building Standards, subject to:-

- a) Consideration of whether the boundary fence on the roadside could be set back with landscaping to the roadside, and
- b) The following conditions, with a revision at condition 2 to allow for occasional weekend deliveries on written notification to the Planning Department:-

01. The rating level of the noise from the site shall not exceed the measured background noise level by more than 5dB when measured at any noise sensitive receptor. The rating and background noise levels are as defined in BS4142:2014. The measurement period for assessment is any hourly period between the hours of 7am to 7pm.

Reason: To ensure that noise from the development does not result in undue loss of amenity for surrounding properties.

02. That the proposed warehouse shall not operate outwith the hours of 7.00am - 7.00pm Monday to Friday.

Reason: In the interests of the residential amenities of the occupiers of the surrounding properties.

03. The development shall be served in accordance with the approved drawings and the following details:

- a) The maximum gradient of the first 5m of the new access must not exceed 1 in 20.
- b) Prior to occupancy of development, the first 5m of driveway (measured from edge of road or back of footway) to be fully paved.
- c) Prior to occupancy of development, 31 parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the Council's car Parking Standards.
- d) Prior to commencement of development, visibility splays measuring 2.4m by 160m; 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.
- e) Prior to occupancy of development a refuse bin uplift store area shall be constructed (behind any visibility splay) so as to be accessible for bin uplift & shall be secure enough to prevent empty bins from being wind-blown. Details must be submitted to Roads Development for approval.
- f) The junction that the proposed vehicular access forms with the public road to be kerbed to radii of 10.7m, the minimum width at the throat

of the bell mouth so formed to be 12m. The area within the bell mouth & for a minimum distance of 6m from the public road carriageway, to be constructed in accordance with the Council's Specification appropriate to the type of traffic which will use the access, & shall be surfaced with dense bitumen macadam or asphalt.

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.

04. That no development shall commence on site until a site specific construction method statement (CMS) has been submitted and approved in writing by the Planning Authority in consultation with SEPA or other agencies as appropriate. All works on site must be undertaken in accordance with the approved CMS unless otherwise agreed in writing with the Planning Authority.

The CMS should include as a minimum details of:

- Temporary construction site SUDS, temporary foul drainage facilities for workers on site.
- Fuel and chemical storage arrangements.
- Waste - developers may need to dispose of significant quantities of waste during the construction works. This can include waste soils and surplus construction materials. Wherever possible the waste hierarchy of reduce, reuse and recycle should be encouraged. All waste streams associated with the works should be identified along with means of disposal.
- Environmental management - identification of mechanisms to ensure subcontractors will be well controlled and be aware of relevant environmental issues. This should include details of emergency procedures/pollution response plans and the provision of spillage kits.
- Buffer zones will be required alongside each of the watercourses adjacent to the site boundaries. A 6m wide buffer zone will be adequate for the watercourse along the western boundary of the site as this is approximately 1m wide. For the other boundaries, northern and part of the eastern, a 10m wide buffer zone will be required as the watercourse ranges from 1.5 to 3m wide along these boundaries. In accordance with the Buffer Strip Guidance notes prepared jointly between Aberdeenshire Council, SEPA and SNH, we would wish to see that there is no tipping adjacent to any watercourse, and that any new slopes up to higher ground are wholly constructed beyond the agreed buffer strip, with a gradient that ensures no soil or land drainage can discharge / flow directly into the watercourse (particularly at any times of high rainfall).

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

05. That the proposed foul and surface water drainage systems shall be carried out in accordance with the approved plans and drainage

appraisal (S.A. McGregor/Fairhurst) and the warehouse shall not be occupied unless its approved drainage system has been implemented in this form unless otherwise agreed in writing with 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.

06. Prior to the commencement of any works a detailed scheme for surface water drainage shall be submitted to and agreed by the Planning Authority, in consultation with SEPA. The scheme shall detail appropriate levels of sustainable drainage SUDS treatment for all areas roads/hardstanding/car parking/roof run off, and all work shall be carried out in accordance with the approved scheme.

Reason: to ensure adequate protection of the water environment from surface water run-off.

Reason for Decision

The proposal complies with the relevant policies of the Aberdeenshire Local Development Plan 2012.

4D. Reference No: APP/2015/0653

Full Planning Permission for Erection of Office and Production Facility and Installation of LPG Tanks without complying with Condition No. 8 (Hours of Operation) of Planning Permission Reference APP/2013/3039 at Site 11, Balmacassie Way, Balmacassie Commercial Park, Ellon, Aberdeenshire

Applicant: SengS Subsea Engineering Solutions Ltd

Agent: Robin Sutherland Architecture

The Senior Planner introduced the application which was recommended for approval.

During discussion, members asked about the requirement for a satisfactory noise assessment.

Following debate, the Committee **agreed** to **grant** Full Planning Permission subject to the following conditions:-

01. The proposed works carried out at the facility e.g. hydrostatic testing, hydraulic testing/repair/manufacture, fabrication testing/flushing and

similar processes associated with the occupants business, as far as is reasonably practicable, shall be carried out inside the building with the doors closed.

Reason: To ensure that noise from the development does not result in undue loss of amenity for surrounding properties.

02. The hereby approved removal of condition 8 of APP/2013/3039 shall be limited for a period of not longer than 12 months from the date of this permission unless a satisfactory noise assessment has been submitted to and approved, in writing by the Planning Authority.

Reason: In order to allow the applicant the opportunity to submit an acceptable noise impact assessment in the interests of the amenity of local residents.

Informative

In the event that a noise impact assessment identifies mitigation measures or the Council consideration of the noise impact assessment indicates mitigation a further planning permission will be required to permanently vary condition 8.

That the Committee agree the reason for departing from the Aberdeenshire Local Development Plan.

The economic considerations resulting from supporting this development warrant a departure from policy and a temporary justification for the granting of the removal of the condition.

4E. Reference No: APP/2015/0679

Full Planning Permission for Erection of 15 Dwellinghouses without complying with Condition 7 (Landscaping) of Planning Permission APP/2003/1642 (Retrospective) at Land Behind 1-9 Fleeman Park, Udney Green, Ellon, Aberdeenshire

Applicant: Claymore Homes

Agent: No Agent

The Planner introduced the report which was recommended for approval.

During discussion, members asked about the trees on the ridge of the bund and whether these could be relocated. It was also queried as to who was responsible for the maintenance of the bund.

Following debate, the Committee agreed that authority to **grant** Full Planning Permission should be **delegated** to the Head of Planning and Building Standards, subject to:-

- a) officers ensuring that the trees to be removed from the bund are planted elsewhere, next season, and to request that the trees that are removed from the bund are replaced with low growing shrubs,
- b) the following condition, with a revision to make it more explicit in relation to the approved scheme and what this covers:-

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.

Reason for Decision

That the proposed variation complies with the relevant policies within the Aberdeenshire Local Development Plan 2012.

APPENDIX B

ADDITIONS TO STATUTORY LIST OF PUBLIC ROADS

Town	Name of Road	Description	Length
Tarves	Bain's Park	From B999 for its entirety including turning areas.	140m
Rothienorman	Fraser Court	For its entirety including all turning and parking areas.	145m
Rothienorman	Fraser Way	For its entirety including all turning and parking areas.	700m