

ABERDEENSHIRE COUNCIL**KINCARDINE AND MEARNNS AREA COMMITTEE****VIEWMOUNT, ARDUTHIE ROAD, STONEHAVEN, AB392DQ****15 NOVEMBER, 2016**

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.

Apology: Councillor A Bews.

Officers: William Munro (Area Manager, Kincardine and Mearns), Karen McWilliam (Area Committee Officer, Kincardine and Mearns), Peter Robertson (Senior Solicitor, Legal and Governance, Business Services), Ewan Smith (Senior Engineer, Infrastructure Services), Darren Ross (Technician, Infrastructure Services), Gregor Spence (Senior Planning Officer, Infrastructure Services), Gavin Clark, Senior Planning Officer), Michael Neave (Engineer, Infrastructure Services).

In Attendance: Item (4) – Bridget Scott, Bettridge Centre,
Item (9 A) – Marie Franckie - MF Planning, Susie Brown - Mearns Community Council and Nicola Hendry,
Items (9 B, C D E F G & H) - Jim Stewart, David Nelson and Allan Bell.

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 –

Councillors Mollison, Evison, Carr and Clark declared an interest in item 9 (J) as they were all Kincardineshire Educational Trustees which had an interest in neighbouring land to and they indicated that they would take no part in the consideration of this item and would withdraw from the chamber.

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.

3. MINUTE OF MEETING OF KINCARDINE AND MEARN'S AREA COMMITTEE OF 25 OCTOBER 2016

The Committee had before them and **approved** as a correct record the Minute of Meeting of the Committee of 25 October 2016.

4. AREA COMMITTEE BUDGET 2016/2017

A report by the Director of Infrastructure Services was circulated advising Members of the most recent applications received for consideration from the Area Committee Budget 2016/2017.

The Area Manager introduced the report advised that there were three applications for consideration and that there was insufficient funding to approve them all.

Members were advised that the report had been assembled in the order that applications had been received and that Auchenblae Parks Committee were aware that there could be insufficient funding to support their application if the Bettridge Centre and Inverbervie Pre-school were successful.

Members were advised that Bridget Scott was in attendance from the Bettridge Centre to present their application which was for £8,000 towards a project of refurbishment costing £11,353. The application was for more than 50% to enable the project to commence soon. Members were advised that the full amount would not be required if the Bettridge Centre was successful with funding from Meikle Carewe but that was unknown at the time of writing the report. The Bettridge Centre was a well-used community facility and improvements were required to ensure sustainability.

Members were then informed about the application from the Inverbervie Pre-school group who had requested £2,500 towards the cost of £5,100 which was needed to refurbish the all-weather surface.

Members then heard from Bridget Scott in support of the application for the Bettridge Centre who advised that a decision from the Meikle Carewe fund was not yet known and that it was essential for repairs and refurbishments to be carried out to the small hall at the Centre to attract community and commercial lets.

Councillor Stewart, seconded by Councillor Agnew moved to reduce the funding to the Bettridge centre to 50% of the project cost therefore adhering to Area Committee Budget criteria.

As an amendment, Councillor Mollison, seconded by Councillor Bellarby moved with officer recommendations.

The Committee voted:

For the motion: (3) Councillors Agnew, Christie and Stewart.

For the amendment: (8) Councillors Nelson, Bellarby, Carr, Clark, Dick, Evison, Howatson and Mollison.

The amendment was carried and the Committee **agreed** to support the following from the Area Committee Budget (2016/2017):

1. Newtonhill Community Hall Association (Bettridge Centre) - £8,000.00

2. Inverbervie Pre-school group - £2,500
3. Auchenblae Parks Committee – up to a maximum of £8,000.00
Subject to slippage in previously funded applications.

5. POLICE SCOTLAND – LOCAL AREA UPDATE

A report by the Director of Business Services was circulated advising Members of performance data for the Kincardine and Mearns Area.

The Chief Inspector advised Members of statistical information relating to acquisitive crime, antisocial behaviour, violence and disorder; public protection, road safety and road crime, serious organised crime and drugs, as they pertained to the Kincardine and Mearns Area.

The Committee discussed the report and suggested that attendance at Community Council meetings was seen as advantageous for the two-way opportunity of communication, speeding concerns had been raised with regard to pedestrian crossings in Portlethen and Stonehaven, a robust and transparent approach to dealing with enforcement of unauthorised gypsy traveller encampments, continued Police visibility with regard to protection of vulnerable taxi drivers and transparency with regard to evidence gathered through CCTV cameras and dashboard cameras.

The Committee than **agreed** to:

1. Note the attached performance monitoring information relating to Kincardine and Mearns, and
2. Request the Divisional Commander to report to Committee quarterly on performance measures against service objectives.

6. PROPOSED DISABLED STREET PARKING IN KINCARDINE AND MEARNs – RESULTS OF CONSULTATIONS

A report by the Director of Business Services was circulated advising Members that approval was being sought for the implementation of an amended Disabled Street Parking Order in Kincardine and Mearns.

Members were advised that, after consultation, the proposal is to remove Conveth Place, Laurencekirk from Schedule One of the proposed order as the disabled parking space was no longer required by any resident living on this street. The disabled parking space was advisory and was about to be included in the order for the first time therefore there was no need for it to be added to Schedule Two of the order (disabled parking spaces to be removed).

After a full discussion of the report, including improved consultation methods for future Disabled Street Parking Orders the committee **agreed** to:

1. Approve the implementation of the amended Disabled Street Parking Order in Kincardine and Mearns as detailed in this report,
2. Ensure that future consultations include consultation with the Aberdeenshire South Access Panel and that it is done at an early stage in the process,
3. Consider including maps in the Square, Stonehaven detailing all the disabled parking spaces within the vicinity, Head Teachers could be asked if they would want their students to be involved in the process to raise awareness of disabilities with young people, and

4. Future consideration to be given to disabled parking places outside the following destinations in Stonehaven Royal Bank/Michies Chemist, TSB/Boots Chemist, Clydesdale Bank and the Bank of Scotland.

7. LOCAL REVIEW BODY DECISION NOTICE (352 KM/APP/2016/0894) ALEXANDRA PLACE, LUTHERMUIR

The Committee had before them an Aberdeenshire Council Local Review Body Review Decision Notice dated 2 November 2016 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.

8. EDUCATION AND CHILDREN'S SERVICES QUARTERLY PERFORMANCE EXCEPTION REPORTING, APRIL – JUNE 2016 (ABERDEENSHIRE PERFORMS)

A report by the Director of Education and Children's Services was circulated advising Members of the most recent performance figures.

The Area Manager introduced the report drawing attention to the following measures:

SO3 - To support the development of sustainable communities:

1. 3.5b K&M - Percentage of Primary schools in which roll as a percentage of official capacity exceeds 100%. Kincardine and Mearns have a number of primary schools exceeding capacity and the report gave details with regards to Gourdon, Laurencekirk and Portlethen. A rezoning exercise was also under way in Stonehaven to deal with capacity issues at Dunnottar and Hillside School will open early in 2017.
2. 3.4 K&M - Percentage of facilities (community centres, halls, sports centres, libraries, pools etc) rated within the top two categories in terms of suitability. The performance was below target, albeit the long term trend indicated improvement and further detail on improvements being made could be sought.

SO4 – Supporting delivery of objectives 1-3 through a culture and ethos of continuous improvement:

1. (4.1 K&M) - Percentage Calendar days lost to sickness per quarter. Whilst there has been an improvement in this measure it was still falling below target and further information regarding improvement approaches could be sought.
2. (4.4b) Percentage satisfaction with Libraries, (4.4c) Percentage satisfaction with Museums and Galleries, and (4.4d) Percentage satisfaction with Leisure Facilities. There had been a slight reduction in satisfaction with all three measures which would be worth monitoring for any emerging trends.

The Committee **agreed** to:

1. Acknowledge the performance achieved April-June 2016 referred to in the report,
2. Instruct the Director of Education & Children's Services to continue to report, by exception, to committee quarterly performance measures against Service objectives, and on a six monthly basis the progress in delivering all aspects of the Service Plan, and
3. Seek further clarification with regard to:
 - a) (3.4 K&M) - Percentage of facilities (community centres, halls, sports centres, libraries, pools etc) rated within the top two categories in terms of suitability. Details on improvements being considered to improve this measure, and

- b) (4.1 K&M) - Percentage Calendar days lost to sickness per quarter. Information regarding improvement approaches being considered.

9. 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** to this Minute.

Reference Number	Address
(A) APP/2015/3181	Full Planning Permission for Erection of 25 Dwellinghouses Including Access, Landscaping and Associated Works at Phase 2, Land at Mackenzie Avenue, Auchenblae.
(B) APP/2016/2229	Full Planning Permission for Formation of New Road at Land at Fordoun Road, Laurencekirk.
(C) APP/2016/2233	Full Planning Permission for Erection of Dwellinghouse at Plot No. 2, Land at Fordoun Road, Laurencekirk.
(D) APP/2016/2235	Full Planning Permission for Erection of Dwellinghouse at Plot No. 3, Land at Fordoun Road, Laurencekirk.
(E) APP/2016/2237	Full Planning Permission for Erection of Dwellinghouse at Plot No. 4, Land at Fordoun Road, Laurencekirk.
(F) APP/2016/2240	Full Planning Permission for Erection of Dwellinghouse at Plot No. 5, Land at Fordoun Road, Laurencekirk.
(G) APP/2016/2242	Full Planning Permission for Erection of Dwellinghouse at Plot No. 6, Land at Fordoun Road, Laurencekirk.
(H) APP/2016/2243	Full Planning Permission for Erection of Dwellinghouse at Plot No. 7, Land at Fordoun Road, Laurencekirk.
(I) APP/2016/1786	Full Planning Permission for Erection of 3 Dwellinghouses, Siting of Oil Tanks and Landscaping at Land at Slowgatie Pitcarry Mill, Inverbervie
(J) APP/2016/1833	Approval of Matters Specified in Conditions for Condition 3 A) (Design Statement), B) (Levels Survey and Cross Section), C) (Materials), D) (Siting and Elevations), E) (Heights of Buildings), G) (Shared Access), H) (Landscaping), I) (Site Boundary Treatments), J) (Maintenance of Surface Water Drainage) of Planning Permission in Principle APP/2010/0269 for Residential Development (36 Flats) at Spring Works, High Street, Inverbervie
(K) APP/2016/2288	Full Planning Permission for Erection of 15 Dwellinghouses (Phase 1), Including Formation of New Vehicular Access and Provision of Open Space Phase 1 (Plots 5-19), Land To East & South Of Drumlithie Bowling Club, Drumlithie.
(L) APP/2016/2587	Full Planning Permission for Formation of Access, Erection of Gates and Garage at 16 Mid Street, Johnshaven

**KINCARDINE AND MEARN'S AREA COMMITTEE, (15 NOVEMBER 2016)
APPENDIX A**

PLANNING APPLICATIONS FOR DETERMINATION

(A) **Reference No: APP/2015/3181**

Full Planning Permission for Erection of 25 Dwellinghouses Including Access, Landscaping and Associated Works at Phase 2, Land at Mackenzie Avenue, Auchenblae, Aberdeenshire.

Applicant: DLB Scotland Ltd, Cairn House, Cairn Gardens, Garvock Street, Laurencekirk, AB30 1HD

Agent: Maria Franckie Planning, PO Box 7638, Glasgow, G42 2HB

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because there had been valid objections from more than five separate households and there was an unresolved objection from Mearns Community Council.

The Senior Planning Officer advised that there were three distinct areas, in terms of allocation for housing in the Aberdeenshire Local Development Plan the third area being six residential units proposed within the strip of land that was formerly garden ground along the western boundary of the site. These units comprise a two storey building of four single bed flats and a single storey building comprising two semi-detached two bed units. This part of the site was to be located within the boundary of the Auchenblae Conservation Area and the proposed buildings would be on, or straddle the eastern boundary of the Conservation Area. This area of the site did not benefit from designation as a development site in the Local Development Plan and would be considered infill development within the settlement boundary.

The Senior Planning Officer apprised Members of all aspects of the proposal and indicated that officer's assessment was that the application met Aberdeenshire Local Development Plan (2012) Policy, it was not considered to adversely impact upon the character or amenity of the surrounding area and the design, layout and finish of the proposed dwellings, and associated pond and landscaping, was considered acceptable in terms of current policy and in the context of the surrounding area. Further, the proposal was not considered to adversely impact upon the character or setting of the Auchenblae Conservation Area, neighbouring listed building nor significantly impact upon the amenity of neighbouring residents.

Members then Heard from Marie Franckie, MF Planning on behalf of the applicant who advised that the application for 25 high quality homes would include 6 affordable units. It was advised that the builder was committed to developing much needed homes given the housing shortage and that the proposal would have no impact on the Conservation Area.

The Committee then heard from Susie Brown, Mearns Community Council in objection to the application for the following reasons; the application did not comply with the Local Development Plan where the community had given their views through engagement, the application encroached on the recently designated Conservation Area; the application, should it be approved might cause flooding in the future, and there had been houses for sale in the village for over a year, some of which are modern, and it was suggested that there was no need for 25 new houses, residents had accepted the 15 previously proposed in the Local Development Plan.

The Committee then heard from Nicola Hendry, in objection to the application, who was speaking on behalf of Mrs Thomson, Mr Murray, Mr Brown and Mr Hendry. Members were advised that the proposal had potential to impact negatively on the safety of residents due to

the increased traffic movements and the current poor road system. It was also advised that the proposal could impact negatively in terms of potential flooding.

Members sought clarification with regard to maintenance of green space and maintenance of the adjacent river to the proposed site; conservation criteria and drainage.

Councillor Nelson, seconded by Councillor Bellarby, moved with officer recommendation and to grant Full Planning Permission for the erection of 25 dwellinghouses, including access, landscaping and associated works at phase 2, land at Mackenzie Avenue, Auchenblae.

As an amendment, Councillor Howatson, seconded by Councillor Clark, moved against officer recommendation and to refuse Full Planning Permission for the erection of 25 dwellinghouses, including access, landscaping and associated works at phase 2, land at Mackenzie Avenue, Auchenblae for the following reasons:

1. The proposal would compromise the recently designated Conservation Area due to the inclusion of development within the identified infill area of the site located within the Conservation Area,
2. The non-adherence with the Local Development Plan which had been assembled through community consultation after which the community of Auchenblae had agreed to the inclusion of site EH1 (10 houses) and H1 (for a further 5 houses), and
3. The proposal was considered to be overdevelopment.

The Committee voted:

For the motion: (5) Councillors Nelson, Bellarby, Dick, Evison and Mollison

For the amendment: (6) Councillors Agnew, Carr, Christie, Clark, Howatson and Stewart.

The amendment was carried and the Committee **agreed** to refuse Full Planning Permission for the erection of 25 dwellinghouses, including access, landscaping and associated works at phase 2, land at Mackenzie Avenue, Auchenblae for the following reasons:

1. The proposal would compromise the recently designated Conservation Area due to the inclusion of development within the identified infill area of the site located within the Conservation Area,
2. The non-adherence with the Local Development Plan which had been assembled through community consultation after which the community of Auchenblae had agreed to the inclusion of site EH1 (10 houses) and H1 (for a further 5 houses), and
3. The proposal was considered to be overdevelopment.

(B) Reference No: APP/2016/2229

Full Planning Permission for Formation of New Road at Land at Fordoun Road, Laurencekirk, Aberdeenshire

Applicant: Medlock & Medlock, Mains of Haulkerton, Laurencekirk, AB30 1EL
Agent: Jim Stuart, An Darrach, Gardenston Street, Laurencekirk, AB30 1UG

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because Councillors Stewart, Carr and

Howatson had requested that the application be referred to the Committee for further discussion in relation to a number of policies.

Members were advised that items (B, C, D, E, F, G, and H) would be presented together.

The Senior Planning Officer introduced the report advising that the sole purpose of the proposed access road would be to serve a housing development that was not supported by planning policy and that approving the development would result in an 'unplanned' urban expansion outwith the scope of the Aberdeenshire Local Development Plan and set a precedent for similar proposals in the future, thus undermining the development plan process. The proposed access road would be to serve a housing development that was not supported by planning policy. The proposed road and plots for houses would have a detrimental impact on prime agricultural land without providing significant wider overriding social and economic benefits whilst also having a detrimental impact on the character of the landscape and Aberdeenshire countryside. Members were advised that there were a number of housing land allocations within Laurencekirk that could accommodate new dwellinghouses agreed by members through the development plan process as recognised within the existing Aberdeenshire Local development Plan 2012 and proposed Aberdeenshire local development Plan 2016.

Members were advised that although the application site was part of a larger site that was considered capable of delivering housing development, as part of the local development plan bid process, and was one of the Community Council's preferred options, the site had not been taken forwards on the basis that allocation for 1105 houses had yet to come forward in Laurencekirk.

Members then heard from Jim Stuart, who was the co-ordinator for the applications on behalf of self-build applicants who had the support of Mearns Community Council and Laurencekirk Development Trust. Members were advised that the proposal was for much needed plots to build self-build units that would offer local tradesmen work opportunities and low cost homes. The lack of available land for such small scale development was seen as a major constraint for local people wanting to build a home. Members were also advised that if taking account of the historical boundary of the Burgh of Laurencekirk this site would fall within that boundary. Members were advised that the Roads Service were now content with the proposal and had withdrawn their objection.

Members were then advised by officers that clarification with regards to roads could not be confirmed until the revised roads layout had been submitted and considered but that there was likely to be a technical solution to the issue.

Members heard from David Nelson, on behalf of the Mearns Community Council who advised that whilst the Community Council respect the settled view of the Local Development Plan Laurencekirk was suffering from the success of the Plan in that there were large areas agreed for housing development but that there was no option for any small scale individual plots. Whilst the proposal was outwith the Local Development Plan there was no alternative option for cheaper alternative housing.

Members then heard from Allan Bell in support of his application who advised that the proposed site would be close to amenities as it was on the edge of the village, there was the opportunity to build a house to a very high standard and that the proposal would be good for the economy of the area.

Members sought to clarify the position with regard to the masterplan for Laurencekirk with particular attention to roads, including the link western road. The Engineer advised that clarity for the western link road should be looked at further and that it would be considered if this proposal was accepted.

Members were advised that planning considerations alone should be applied to the determination of these applications and whilst landownership was seen as frustrating to local residents it was not something that should be taken into account in the determination of the applications.

Councillor Stewart, seconded by Councillor Dick, moved against officer recommendation and to refer the application to the Infrastructure Services Committee with a recommendation to delegate the authority to the Head of Planning and Building Standards to grant Full Planning Permission for a new road at land at Fordoun Road, Laurencekirk and the erection of six dwellinghouses at plots on land at Fordoun Road, Laurencekirk, subject to the conclusion of a Section 75 Legal Agreement securing Developer Contributions, and appropriate planning conditions.

The following reasons were given:

1. There were local community social and economic benefits arising from the proposal, and
2. Whilst there was land allocated in the Local Development Plan for housing there was a complete lack of available sites to build self-build units in Laurencekirk given the constraints of land ownership.

As an amendment, Councillor Nelson, seconded by Councillor Bellarby, moved to refuse to grant Full Planning Permission for a new road at land at Fordoun Road, Laurencekirk and the erection of six dwellinghouse at plots on land at Fordoun Road, Laurencekirk.

The Committee voted:

For the Motion (7) Councillors Agnew, Carr, Clark, Dick, Howatson, Mollison and Stewart.

For the amendment (4) Councillors Nelson, Bellarby, Christie and Evison.

The Motion was carried and the Committee **agreed** to refer the application to the Infrastructure Services Committee with a recommendation to delegate the authority to the Head of Planning and Building Standards to grant Full Planning Permission for a new road at land at Fordoun Road, Laurencekirk and the erection of six dwellinghouses at plots on land at Fordoun Road, Laurencekirk, subject to the conclusion of a Section 75 Legal Agreement securing Developer Contributions, and appropriate planning conditions.

The following reasons were given:

1. There were local community social and economic benefits arising from the proposal, and
2. Whilst there was land allocated in the Local Development Plan for housing there was a complete lack of available sites to build self-build units in Laurencekirk given the constraints of land ownership.

(C) **Reference No: APP/2016/2233**

Full Planning Permission for Erection of Dwellinghouse at Plot No. 2, Land at Fordoun Road, Laurencekirk

Applicant: Mr Grant McLean, 17 Grassic Gibbon Gardens, Laurencekirk
Agent: Mr Jim Stuart, An Darrach, Gardenston Street, Laurencekirk, AB30 1UG

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because Councillors Stewart, George and

Howatson had requested that the application be referred to the Committee for further discussion in regard to a number of policies.

The Committee **agreed** to refer the application to the Infrastructure Services Committee with a recommendation to delegate the authority to the Head of Planning and Building Standards to grant Full Planning Permission for a new road at land at Fordoun Road, Laurencekirk and the erection of six dwellinghouses at plots on land at Fordoun Road, Laurencekirk, subject to the conclusion of a Section 75 Legal Agreement securing Developer Contributions, and appropriate planning conditions.

The following reasons were given:

1. There were local community social and economic benefits arising from the proposal, and
2. Whilst there was land allocated in the Local Development Plan for housing there was a complete lack of available sites to build self-build units in Laurencekirk given the constraints of land ownership.

(D) **Reference No: APP/2016/2235**

Full Planning Permission for Erection of Dwellinghouse at Plot No. 3, Land at Fordoun Road, Laurencekirk

Applicant: Mr David McLean, Glenlarence, Drumlithie, AB39 3YS

Agent: Mr Jim Stuart, An Darrach, Gardenston Street, Laurencekirk, AB30 1UG

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because Councillors Stewart, Carr and Howatson had requested that the application be referred to the Committee for further discussion in regard to a number of policies.

The Committee **agreed** to refer the application to the Infrastructure Services Committee with a recommendation to delegate the authority to the Head of Planning and Building Standards to grant Full Planning Permission for a new road at land at Fordoun Road, Laurencekirk and the erection of six dwellinghouses at plots on land at Fordoun Road, Laurencekirk, subject to the conclusion of a Section 75 Legal Agreement securing Developer Contributions, and appropriate planning conditions.

The following reasons were given:

1. There were local community social and economic benefits arising from the proposal, and
2. Whilst there was land allocated in the Local Development Plan for housing there was a complete lack of available sites to build self-build units in Laurencekirk given the constraints of land ownership.

(E) **Reference No: APP/2016/2237**

Full Planning Permission for Erection of Dwellinghouse at Plot No. 4, Land at Fordoun Road, Laurencekirk

Applicant: Mr Allen Bell, 52 Gardenston Street, Laurencekirk, AB30 1UG

Agent: Mr Jim Stuart, An Darrach, Gardenston Street, Laurencekirk, AB30 1UG

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because Councillors Stewart, Carr and

Howatson had requested that the application be referred to the Committee for further discussion in regard to a number of policies.

The Committee **agreed** to refer the application to the Infrastructure Services Committee with a recommendation to delegate the authority to the Head of Planning and Building Standards to grant Full Planning Permission for a new road at land at Fordoun Road, Laurencekirk and the erection of six dwellinghouses at plots on land at Fordoun Road, Laurencekirk, subject to the conclusion of a Section 75 Legal Agreement securing Developer Contributions, and appropriate planning conditions.

The following reasons were given:

1. There were local community social and economic benefits arising from the proposal, and
2. Whilst there was land allocated in the Local Development Plan for housing there was a complete lack of available sites to build self-build units in Laurencekirk given the constraints of land ownership.

(F) **Reference No: APP/2016/2240**

Full Planning Permission for Erection of Dwellinghouse at Plot No. 5, Land at Fordoun Road, Laurencekirk

Applicant: Trustee For Iain Stuart, 2 Church Street, Laurencekirk, AB30 1AP

Agent: Mr Jim Stuart, An Darrach, Gardenston Street, Laurencekirk, AB30 1UG

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because Councillors Stewart, Carr and Howatson had requested that the application be referred to the Committee for further discussion in regard to a number of policies.

the Committee **agreed** to refer the application to the Infrastructure Services Committee with a recommendation to delegate the authority to the Head of Planning and Building Standards to grant Full Planning Permission for a new road at land at Fordoun Road, Laurencekirk and the erection of six dwellinghouses at plots on land at Fordoun Road, Laurencekirk, subject to the conclusion of a Section 75 Legal Agreement securing Developer Contributions, and appropriate planning conditions.

The following reasons were given:

1. There were local community social and economic benefits arising from the proposal, and
2. Whilst there was land allocated in the Local Development Plan for housing there was a complete lack of available sites to build self-build units in Laurencekirk given the constraints of land ownership.

(G) **Reference No: APP/2016/2242**

Full Planning Permission for Erection of Dwellinghouse at Plot No. 6, Land at Fordoun Road, Laurencekirk

Applicant: Edward Bruce, Per Agent

Agent: Mr Jim Stuart, An Darrach, Gardenston Street, Laurencekirk, AB30 1UG

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because Councillors Stewart, Carr and

Howatson had requested that the application be referred to the Committee for further discussion in regard to a number of policies.

The Committee **agreed** to refer the application to the Infrastructure Services Committee with a recommendation to delegate the authority to the Head of Planning and Building Standards to grant Full Planning Permission for a new road at land at Fordoun Road, Laurencekirk and the erection of six dwellinghouses at plots on land at Fordoun Road, Laurencekirk, subject to the conclusion of a Section 75 Legal Agreement securing Developer Contributions, and appropriate planning conditions.

The following reasons were given:

1. There were local community social and economic benefits arising from the proposal, and
2. Whilst there was land allocated in the Local Development Plan for housing there was a complete lack of available sites to build self-build units in Laurencekirk given the constraints of land ownership.

(H) **Reference No: APP/2016/2243**

Full Planning Permission for Erection of Dwellinghouse at Plot No. 7, Land at Fordoun Road, Laurencekirk

Applicant: Mr C Sharp, Per Agent

Agent: Mr Jim Stuart, An Darrach, Gardenston Street, Laurencekirk, AB30 1UG

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because Councillors Stewart, Carr and Howatson had requested that the application be referred to the Committee for further discussion in regard to a number of policies.

the Committee **agreed** to refer the application to the Infrastructure Services Committee with a recommendation to delegate the authority to the Head of Planning and Building Standards to grant Full Planning Permission for a new road at land at Fordoun Road, Laurencekirk and the erection of six dwellinghouses at plots on land at Fordoun Road, Laurencekirk, subject to the conclusion of a Section 75 Legal Agreement securing Developer Contributions, and appropriate planning conditions.

The following reasons were given:

1. There were local community social and economic benefits arising from the proposal, and
2. Whilst there was land allocated in the Local Development Plan for housing there was a complete lack of available sites to build self-build units in Laurencekirk given the constraints of land ownership.

(I) **Reference No: APP/2016/1786**

Full Planning Permission for Erection of 3 Dwellinghouses, Siting of Oil Tanks and Landscaping at Land at Slowgatie, Pitcarry Mill, Inverbervie, Aberdeenshire, DD10 0SS

Applicant: Snowdrop Developments (UK) Ltd, Snowdrop Lodge, Beach Road, St. Cyrus, DD10 0BJ

Agent: Roundhouse Architecture Ltd, The Roundhouse, Lower Whitehills, Lochside Road, St. Cyrus, DD10 0DB

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 Arbuthnott Community Council.

The Senior Planning Officer advised that the Planning Service had considered all relevant matters and concluded that the principle of the proposed redevelopment, of a site with three dwellinghouses could be supported in this instance. Whilst comments from Arbuthnott Community Council had been taken into consideration, the proposal was seen to represent a small scale redevelopment of a brownfield site therefore resulting in limited overall impact on the nature of the surrounding countryside. The scale of the dwellings proposed was large, however as a result of the appropriate layout and materials proposed, it was considered that the site would not appear overly suburban in nature and would integrate adequately into the existing farm hub environment.

Councillor Carr, seconded by Councillor Stewart, moved with officer recommendation that authority to grant Full Planning Permission, for Erection of 3 Dwellinghouses, Siting of Oil Tanks and Landscaping at Land at Slowgatie, Pitcarry Mill, Inverbervie, Aberdeenshire, be delegated to the Head of Planning and Building Standards subject to: the completion of a suitable legal agreement, or alternative method of payment, to secure the required developer obligations contributions, and appropriate planning conditions.

As an amendment, Councilor Howatson, seconded by Councilor Agnew, moved to refuse to grant Full Planning Permission for the erection of 3 dwellinghouses, siting of oil tanks and landscaping at land at Slowgatie, Pitcarry Mill, Inverbervie, Aberdeenshire. The reasons given were that the proposal did not take cognisance of the sensitive location and would not be in keeping with the landscape.

The Committee voted:

For the motion: (8) Councillors Nelson, Bellarby, Carr, Christie, Dick, Evison, Mollison and Stewart.

For the amendment: (2) Councillors Agnew and Howatson.

Councillor Clark was absent from the division.

The motion was carried and the Committee **agreed** that authority to grant Full Planning Permission, for Erection of 3 Dwellinghouses, Siting of Oil Tanks and Landscaping at Land at Slowgatie, Pitcarry Mill, Inverbervie, Aberdeenshire, be delegated to the Head of Planning and Building Standards subject to:

- i. The completion of a suitable legal agreement, or alternative method of payment, to secure the required developer obligations contributions, and
- ii. The following conditions:

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

- i. The completion of a suitable legal agreement, or alternative method of payment, to secure the required developer obligations contributions;
 - ii. The following conditions:
01. That no other development in connection with the permission hereby approved shall take place and the access hereby approved shall not be brought into use unless visibility of 120m metres in both directions along the public road has been provided from a point 2.4 metres measured at right angles from the existing carriageway

surface along the centre line of the approved new access. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason: To enable drivers of vehicles using the access to have a clear view of other road users and pedestrians in the interests of road safety.

02. No dwellinghouses hereby approved shall be occupied until the following have been provided:

- 1) Nine off street car parking spaces surfaced in hard standing materials
- 2) Two passing places measuring 10.0m x 2.5m with 5m splays, to be formed at locations to be agreed with this Service on the Slowgatie Access Road.
- 3) 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 windblown. Details must be submitted to Roads Development for approval.
- 4) 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. Construction shall be to a standard appropriate to the location & must be agreed in advance with Roads Development.

Reason: In the interests of road and public safety

03. 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
- 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.

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.

04. Prior to the commencement of development, a sample and/or details/specification and colour of the following elements of the proposed external finish of the development shall be submitted to and approved in writing by the Planning Authority:

- Wall finish (harling, stone and cladding)
- Roof finish
- Design and finish of the windows/doors/garage doors/rooflights.
- Stain or colour of the timber cladding/windows/doors.

For the avoidance of doubt, and unless otherwise agreed by the Planning Authority, the windows shall be sash and case or sash and case lookalike units with a traditional step at the transom.

The development shall be carried out in complete accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area, to ensure that the external finishing materials are appropriate to the character of the area.

05. That the proposed garages shall be used only for purposes incidental to the enjoyment of the dwellinghouses as such.

Reason: In order to retain effective planning control of the development in the interests of the residential amenity of the surrounding area.

06. That the proposed foul and surface water drainage systems shall be carried out in accordance with the approved plans and Site Investigations and Drainage Assessment report dated 8th June 2016 by GMCsurveys. The dwellinghouses shall not be occupied unless the approved drainage system has been implemented in this form, unless otherwise agreed in writing with the Planning Authority.

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

07. That the approved development shall not be occupied until details of maintenance proposals have been submitted and agreed by the Planning Authority. Following provision of the drainage system it shall thereafter be maintained in perpetuity by the developers or their successors in accordance with the approved maintenance scheme.

Reason: To ensure that the drainage system is adequately maintained in the interests of the amenity of the area.

08. Prior to the construction of any dwellinghouse(s)/building(s) etc an Energy Statement applicable to that dwellinghouse(s)/building(s) 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.

Reasons for Decision

The proposed development has been assessed in terms of its impact on the character and amenity of the surrounding area. It is considered that the proposed development complies with all relevant policies of the Aberdeenshire Local Development Plan (2012).

(J) **Reference No: APP/2016/1833**

Approval of Matters Specified in Conditions for Condition 3 A) (Design Statement), B) (Levels Survey and Cross Section), C) (Materials), D) (Siting and Elevations), E) (Heights of Buildings), G) (Shared Access), H) (Landscaping), I) (Site Boundary Treatments), J) (Maintenance of Surface Water Drainage) of Planning Permission in Principle APP/2010/0269 for Residential Development (36 Flats) at Spring Works, High Street, Inverbervie, Aberdeenshire, DD10 0RW

Applicant: Bruce Developments (Scot) Ltd

Agent: WCP Architects, 6 Albyn Lane, Aberdeen, AB10 6SZ

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because there had been valid objections from more than five separate households and there was an unresolved objection from the Royal Burgh of Inverbervie Community Council.

Councillors Carr, Clark, Evison and Mollison left the chamber having declared an interest in this item.

The Senior Planning Officer advised that whilst it was noted that there would be some impact on neighbouring residential properties, the proposal was considered to be an acceptable form of development which would meet the relevant condition 3 of the original application for planning permission in principle. The materials and design were also considered to be appropriate and there were no material planning considerations that would warrant refusal of the matters specified in conditions in this instance.

Councillor Nelson, seconded by Councillor Christie moved with officer recommendation and to grant Approval of Matters Specified in Conditions for Condition 3 A) (Design Statement), B) (Levels Survey and Cross Section), C) (Materials), D) (Siting and Elevations), E) (Heights of Buildings), G) (Shared Access), H) (Landscaping), I) (Site Boundary Treatments), J) (Maintenance of Surface Water Drainage) of Planning Permission in Principle APP/2010/0269 for Residential Development (36 Flats) at Spring Works, High Street, Inverbervie, subject to conditions.

As an amendment Councillor Stewart, seconded by Councillor Agnew moved to refuse to grant Approval of Matters Specified in Conditions for Condition 3 A) (Design Statement), B) (Levels Survey and Cross Section), C) (Materials), D) (Siting and Elevations), E) (Heights of Buildings), G) (Shared Access), H) (Landscaping), I) (Site Boundary Treatments), J) (Maintenance of Surface Water Drainage) of Planning Permission in Principle APP/2010/0269 for Residential Development (36 Flats) at Spring Works, High Street, Inverbervie. The reasons given were that the proposal was still considered to be too high and would be seen as overbearing in this location.

The committee voted:

For the motion: (4) Councillors Nelson, Bellarby, Christie and Dick

For the amendment (3) Councillors Agnew, Howatson and Stewart.

The motion was carried and the Committee **agreed** to grant Approval of Matters Specified in Conditions subject to the following conditions:-

01. Prior to the commencement of development, a sample and/or details/specification and colour of the following elements of the proposed external finish of the development shall be submitted to and approved in writing by the Planning Authority:

- Wall finish
- Roof finish
- Design and finish of the windows/doors/garage doors/rooflights.
- Stain or colour of the windows/doors.
- Rainwater goods

The development shall be carried out in complete accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

Reason for Decision

Whilst it is noted that there would be some impact on neighbouring residential properties, the proposal is considered to be an acceptable form of development which would meet the relevant condition 3 of the original application for planning permission in principle. The materials and design are also considered to be appropriate and there are no material planning considerations that would warrant refusal of the matters specified in conditions in this instance. The proposal therefore accords with the relevant policies of the Aberdeenshire Local Development Plan 2012.

(K) **Reference No: APP/2013/2288**

Full Planning Permission For Erection of 15 Dwellinghouses (Phase 1), Including Formation of New Vehicular Access and Provision of Open Space at Phase 1 (Plots 5-19), Land To East And South Of Drumlithie Bowling Club, Drumlithie, Stonehaven, AB39 3YT

Applicant: Peterkin Homes Ltd, Bogincaber House, Auchenblae
Agent: A B Roger & Young, 9 MacGregor Street, Brechin

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because if approved the proposed development would be a departure from the Development Plan.

The Senior Planning Officer advised that this application had been deferred from the Area Committee meeting of 25 October 2016 to allow further negotiations with the developer with regard to employment land. A summary of the negotiations was included in the report and the conclusion of the Planning Service was to support the proposal as a departure from ALDP Policy 1 Business Development and SG Bus1: Development of Business land. It was considered that the proposal would not have a negative impact on the residential or visual amenity of the area in this case as the site was capable of being drained, accessed and landscaped to an acceptable standard, whilst the design and materials will sit well with existing properties located within the area. It is felt that through the supporting documents there was adequate justification given for the alternative provision of home working units within the garden ground of each dwellinghouse as an alternative to the dedicated employment land.

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

- a) Completion of a suitable Section 75 Agreement to secure required developer obligations for Phase 1;
 - b) The following conditions:-
01. Prior to the commencement of development, a sample/ specification and colour of the following elements of the proposed external finish of the development shall be submitted to and approved in writing by the Planning Authority:
 - Wall finish
 - Roof finish
 - Design and finish of the windows/doors/garage doors/rooflights.

The development shall be carried out in complete accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

02. No works in connection with the development hereby approved shall commence unless details to show the following information has been submitted to and approved in writing by the planning authority:-
 1. The finished floor levels, or lowest point of entry (air vents) for plots 18 and 19 shall be set at a minimum 94.4m AOD, this includes the work from home units.
 2. Details showing the proposed enlargement of the culvert to convey the 3.9m³/s as per the Flood Risk Assessment, including capacity calculations.
 3. Maintenance proposals for the overland flow route swale (actions and schedule) and confirmation of who is responsible for the maintenance.

The submitted information once agreed shall be carried out and maintained in complete accordance with the approved details.

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

03. All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme on Drawing No GRD/15/03 Rev D 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.

04. That notwithstanding the provisions of Class 3E; of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) no means of enclosure, other than that shown on the approved Drawing No GRD/15/13 Rev C Landscaping Plan, shall be erected on the site without an express grant of planning permission from the Planning Authority.

Reason: In the interests of the character and appearance of the development.

05. That the development hereby approved shall be restricted to the construction/operation works between the hours of 0700 and 1900 Monday to Friday; 0700 and 1200 hours on Saturday and should not take place at any time on Sundays, unless otherwise agreed in writing by the Planning Authority.

Reason: In order to protect the amenity of nearby and adjoining residents.

06. Prior to the occupancy of the development, the housing 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) The first 5m of driveway (measured from edge of road or back of footway) to be fully paved
 - c) The proposed garages must be set back at least 6m from the rear of the footway.
 - d) Footway links to existing footways at Burnside Croft and Station Road to be formed, as shown on Cameron and Ross Drawing Number A/14276/912/1
 - e) Parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the Council's Car Parking Standards.
 - f) The speed limit is to be extended as shown in Cameron and Ross Drawing Number A/14276/903/3.
 - g) Visibility Splays, measuring 2.4m by 59m 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.
 - h) 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.

07. For the avoidance of doubt the kerb levels and lines shall be set to ensure the flow paths indicated on Cameron and Ross 'Flood Overland Flow Route' drawing No 912

Rev 1 are achieved whilst also ensuring road channel flow does not enter the access to plot 18.

Reason: In the interests of flood risk and to ensure the provision of an acceptable drainage system in the interests of the amenity of the area.

08. That the proposed foul and surface water drainage systems shall be carried out in accordance with the approved plans and Drawing No 905 Rev 3 Drainage Layout the Drawing No GRD/15/04 Rev A for Surface Water Soakaways shall not 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.

09. Prior to the construction of any dwellinghouses 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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any order amending, revoking or re-enacting these Orders the home work units associated with each dwellinghouse hereby approved shall be used only for a purpose within Use Class 4 and shall not be used for any other purpose without the express grant of planning permission from the planning authority.

The dwellinghouse to which each of the working units pertains shall not be occupied unless the proposed Class 4 home work unit has been provided in accordance with the approved plans.

Reason: To enable the planning authority to consider the implications of any subsequent change of use on the amenities of the area and to ensure the retention of the proposed home work units in order to meet the requirements of the site allocation in terms of employment opportunities.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending, revoking or re-enacting

that Order, the dwellinghouse located on Plot 5 hereby approved shall not be brought into use unless the window on the west facing elevation of the dwelling at first floor level has been fitted with obscure glazing. Once installed, the obscure glazing shall be permanently retained thereafter and the window shall not be altered in any way under the terms of Class 2B of Schedule 1 of the above Order without an express grant of planning permission from the planning authority.

Reason: In the interests of the residential amenity of the adjacent properties.

Reasons for Decision for departing from the Aberdeenshire Local Development Plan 2012: The principle of development on the site is established through the allocation of the M1 site in the Local Development Plan 2012. The allocated 0.5ha of employment land has not been fully adhered to in its entirety, however through the provision of supporting documents, adequate justification has been given for the alternative provision of home working units within the garden ground of each dwellinghouse. This alternative to the dedicated employment land is supported as a departure from ALDP Policy 1 Business Development and SG Bus1: Development of Business land.

(L) Reference No: APP/2016/2587

Full Planning Permission for Formation of Access, Erection of Gates and Garage at 16 Mid Street, Johnshaven, Aberdeenshire, DD10 0HB

Applicant: Mr John Maxwell, 16 Mid Street, Johnshaven, DD10 0HB
Agent: J V Carroll Chartered Architectural Technologists, Inverden House, Queens Lane North, Aberdeen, AB15 4DF

A report by the Director of Infrastructure Services was circulated advising Members that the application was being referred to Area Committee because Councillors Carr and Stewart had requested further discussion with regard to, Policy 9: Developer Contributions and SG Developer Contributions2: Access to new development of the Aberdeenshire Local Development Plan 2012.

The Senior Planning Officer advised that the Planning Service had no objections to the principle of the development of the garage on the site but for reasons of road safety, detailed by colleagues in Roads Development, the application could not be supported as it did not comply with Policy.

Councillor Bellarby, seconded by Councillor Howatson, moved with officer recommendation and to refuse to grant Full Planning Permission for Formation of Access, Erection of Gates and Garage at 16 Mid Street, Johnshaven.

As an amendment, Councillor Carr, seconded by Councillor Dick moved to delegate authority to the Head of Planning and Building Standards to grant Full Planning Permission for Formation of Access, Erection of Gates and Garage at 16 Mid Street, Johnshaven, subject to conditions. The reasons given were that there was no safety issue with regard to the access as this type of access was common place in the village of Johnshaven.

The Committee voted:

For the motion: (6) Councillors Bellarby, Christie, Evison, Howatson, Mollison and Nelson.

For the amendment (3) Councillors Carr, Dick and Stewart.

Councillor Clark was absent from the division.

The motion was carried and the Committee **agreed** to refuse Full Planning Permission

Reasons for Decision

The proposal fails to provide adequate visibility splays in relation to the proposed access onto the public road. Therefore, the access would be considered unsafe and it is considered that the proposed development fails to comply with Policy 9: Developer Contributions and SG Developer Contributions2: Access to new development of the Aberdeenshire Local Development Plan 2012.