

## ABERDEENSHIRE COUNCIL

### FORMARTINE AREA COMMITTEE

THE KIRK CENTRE, STATION ROAD, ELLON, 7 FEBRUARY 2017

**Present:** Councillors R Merson (Chair), P Johnston (Vice-Chair) (Items 1 to 6 and 8 to 10), I Davidson, J Gifford, A Hendry, A Norrie (Items 1 to 6, 8 and 10), E A Robertson, C Shand and R Thomson (Items 1 to 6 and 8).

**Apologies:** Councillors A Duncan and G Owen.

**Officers:** E Brown (Area Manager, Formartine), C Young (Committee Officer, Formartine), F Stewart (Solicitor, Legal and Governance), A Ramsay (Senior Planner, Infrastructure Services), A Davidson (Senior Planner, Infrastructure Services), A Murphy (Planner, Infrastructure Services), G Steel (Principal Engineer, Infrastructure Services), M Stewart (Planning Manager, Infrastructure Services), P Blaxter (Policy Team Leader, Infrastructure Services), M Fraser (Policy Planner, Infrastructure Services), L Menzies (Head Teacher, Turriff Academy), P Buchan (Depute Head Teacher, Ellon Academy), S Smith (Depute Head Teacher, Meldrum Academy), I Birnie (Environment North Team Leader, Infrastructure Services), A Moir (Principal Asset Management Officer, Business Services) and W Chisholm (Scottish Fire and Rescue Service).

#### 1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare in terms of the Councillors' Code of Conduct.

Councillor Johnston declared an interest in Item 12 as a Director of the Pitmedden, Udny and Tarves Community SCIO. As he felt this interest was clear and substantial, he indicated that he would not take part in the debate of the item and would withdraw from the chamber during discussions.

#### 2. RESOLUTIONS

##### 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, and
- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching its decision.

### **3. MINUTE OF MEETING OF 17 JANUARY, 2017**

The Committee had before them, and **approved** as a correct record, the minute of the meeting of 17 January, 2017.

### **4. SCOTTISH FIRE AND RESCUE SERVICE – FORMARTINE AREA COMMITTEE PERFORMANCE REPORT**

There had been circulated a joint report dated January, 2017 by a Local Senior Officer of the Scottish Fire and Rescue Service and the Director of Business Services of Aberdeenshire Council, which informed members of how the Scottish Fire and Rescue Service was performing locally in Formartine, against key performance measures and associated targets as set out in the Aberdeenshire Local Fire and Rescue Plan 2014-17 and the Formartine Multi-Member Ward Plan, for the period from 1 October, 2016 to 31 December, 2016. The Formartine & Garioch Station Manager was in attendance to introduce the report.

During discussion, members asked for further detail of why the numbers of false alarms within Ellon and district had reduced significantly; asked about the Community Action Team; and asked whether any of the false alarms were of a malicious nature. Officers advised that the figures for malicious false alarms were included within the figures for false alarms. Further, malicious fires would be included within the statistics provided for deliberate fires.

Thereafter, the Committee:-

- (1) **noted** the performance report relating to the period, as detailed in Appendix 1 of the report,
- (2) **noted** the local operational matters arising, together with key resource issues, as detailed within Appendix 1 of the report, and
- (3) **requested** that officers give consideration to adding further detail into future reports to provide a breakdown of the number of malicious false alarms.

### **5. 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**.

<b>Reference</b>	<b>Description</b>	<b>Decision</b>
<b>A.</b> APP/2016/2842	Full Planning Permission for Erection of Dwellinghouse at Land at Mains of Inverebrie, Ellon	Refuse
<b>B.</b> APP/2016/1385	Planning Permission in Principle for Erection of Dwellinghouse and Garage at Clova, Manse Road, Potterton	Delegated Grant
<b>C.</b> APP/2016/0982	Planning Permission in Principle for Erection of Dwellinghouse at Site Adjacent to Coshelly, Rothienorman	Delegated Grant
<b>D.</b> APP/2016/2822	Full Planning Permission for Retention of 5 No. Modular Buildings for Use as Kennels and Associated Works (Previously Approved APP/2015/1266) at Site at East Mains of Ardlogie, Fyvie, Turriff	Withdrawn by Service
<b>E.</b> APP/2016/0886	Full Planning Permission for Erection of 1No. (50m Hub Height, 77m to Blade Tip) Wind Turbine Including Substation, Access Track and Associated Infrastructure at Site to The North of Nethernton Cottages, Fisherford, Inverurie	Deferred
<b>F.</b> APP/2016/3142	Full Planning Permission for Change of House Type from Previously Approved Application F/APP/2013/3783 - Plots 1, 2 & 6 at Land to West of Daviot, Inverurie	Delegated Grant
<b>G.</b> APP/2016/3158	Advertisement Consent for Erection of Signage at Site at Ythsie, Tarves	Withdrawn by Service

#### **6. PLANNING APPEAL DECISION NOTICE – APP/2015/0948 – SITE AT FORMER FUEL FILLING STATION ON SOUTH ROAD, ELLON**

There had been circulated, a Planning Appeal Decision Notice dated 20 January, 2017, advising that the reporter dismissed the appeal and refused planning permission. The salient points to be acknowledged by the Committee

and the Service had been outlined within the information provided to the members.

Thereafter, the Committee **noted** the information provided.

## **7. PLACES, PEOPLE AND PLANNING – A CONSULTATION ON THE SCOTTISH PLANNING SYSTEM**

There had been circulated a report dated 16 January, 2017 by the Director of Infrastructure Services which sought members' views on the current consultation on 20 proposals for improving the Scottish Planning System.

The Committee:-

- (1) **noted** the consultation and in particular the four key areas of change and the accompanying questions associated with each identified area of change, and
- (2) provided the following **comments** to the Infrastructure Services Committee for the meeting on 16 March, 2017:-
  - (a) It was unclear what a Regional Partnership would do that the SDPA does not do now,
  - (b) It was not be helpful to remove Strategic Development Plans,
  - (c) The message being conveyed was to “keep decisions local” but the proposals appeared contradictory,
  - (d) If Community Councils were to be more involved there would need to be a significant amount of training delivered to provide an understanding of the decisions that could be made,
  - (e) There could be difficulty managing expectations from communities,
  - (f) There was a danger that community representatives could become overloaded which would lead to their disengagement,
  - (g) There were concerns that these proposals would centralise what was working already within Aberdeenshire and would diminish the Local Authority's power to promote local issues,
  - (h) When considering the new Place Standard tool and Community Action Plans, there was no requirement for a change in the planning system for this work to continue, though it would provide a statutory link,
  - (i) No information had been provided in relation to promoting sustainable communities at a local level and therefore there was concern that communities would not thrive under this model,
  - (j) The suggestion that the number of houses to be built on a site should not be prescriptive was the reverse of the advice given previously,
  - (k) There needed to be a mechanism to provide infrastructure at the start of a development, perhaps funded centrally with developers paying back monies to this central fund,
  - (l) The proposals in relation to planning fees; retrospective applications; enforcement; and the limited ability for developers to modify Developer Obligation agreements were all welcomed, and

- (m) The font of the consultation document was not accessible and it had not been provided in an easy read format.

## **8. ABERDEENSHIRE COUNCIL LOCAL DEVELOPMENT PLAN 2017 – THE LOCAL DEVELOPMENT PLAN EXAMINATION**

There had been circulated a report by the Director of Infrastructure Services which invited members to scrutinise the conclusions reached within the examination report for Aberdeenshire Council's proposed Aberdeenshire Local Development Plan.

Following consideration of the information provided, the Committee:-

- (1) **noted** the report of the examination into the proposed Aberdeenshire Local Development Plan 2015 (the Examination Report) and proposed non-notifiable modifications, and
- (2) **requested** that officers provide a briefing note for Formartine members in relation to the Menie site.

## **9. ABERDEENSHIRE DESIGN AWARD SCHEME**

There had been circulated a report dated 9 January, 2017 by the Director of Infrastructure Services which asked members to consider the format of the Aberdeenshire Design Award Scheme.

Following consideration of the information provided, the Committee provided the following **comments** to the Infrastructure Services Committee:-

### **Categories of Award**

- (a) Aspects that provided a tangible result should be retained,
- (b) It would be valuable to retain the master-planning aspects of the award scheme,
- (c) It was good to have a mix of categories but important to have examples of designs that had been built already,
- (d) In the previous year there was too much weight on conceptual designs that had not yet been built,
- (e) The student categories worked well but consideration should be given to how to manage a high number of applications that may not relate to Aberdeenshire,
- (f) Categories for Landscape Design and Craftsmanship should be included, and
- (g) Public Art was the least favoured category but there should be recognition of public art where there are examples.

### **Having a Public Vote**

- (h) It was good to involve members of the public.

### **Venue for next Awards Ceremony**

- (i) It would be good to move the venue each time to a different location within Aberdeenshire.

### **Membership of Judging Panel**

No comments.

### **Viability of Appointing a Guest Speaker**

- (j) The guest speaker at the previous event provided Continuous Professional Development for 60 Council Planners which was good value and an excellent experience, and
- (k) Persons attending the award ceremony would likely be there in relation to the award, not the speaker.

### **Potential Opportunities for Private Sponsorship**

- (l) The potential opportunities for private sponsorship may be worthy of further investigation, and
- (m) Careful consideration would need to be given to criteria for private sponsors.

### **Any Other Observations**

- (n) A mixture of the newer and older formats could be streamlined to be less onerous on officer time,
- (o) The general consensus was that the older format worked well but aspects of the newer format could be incorporated, and
- (p) It would be helpful to look at what this scheme achieves and perhaps try to inspire better planning alongside building.

## **10. ANALYSIS OF ATTAINMENT AND ACHIEVEMENT OF YOUNG PEOPLE IN FORMARTINE SECONDARY SCHOOLS IN ACCREDITED AWARDS, YEAR ENDING JUNE 2016**

There had been circulated a report dated 11 January, 2017 by the Director of Education and Children's Services which detailed the analysis of attainment and achievement of young people in Formartine Secondary Schools in accredited awards, for the year ending June, 2016.

The Head Teacher of Turriff Academy, the Depute Head Teacher of Ellon Academy and the Depute Head Teacher of Meldrum Academy were all in attendance to update the members on the works ongoing within their schools to improve attainment for young people in the area. They also highlighted the

tapestry programme which had been detailed within the appendices to the report.

Following discussion, and having commended the staff and young people from each of the secondary schools, the Committee:-

- (1) **noted** the contents of the report,
- (2) **instructed** the Area Manager to liaise with appropriate services regarding the works being carried out at Turriff Academy, to reiterate the importance of the works being carried out timeously with minimal disruption to teaching and learning, and
- (3) **requested** that officers provide more detail of what the Council is doing, as corporate parents, to encourage Looked After Children to come in to school and to look at the reasons for their absences.

#### **11. HOUSING SERVICE QUARTERLY PERFORMANCE – EXCEPTION REPORTING, JULY – SEPTEMBER 2016 (ABERDEENSHIRE PERFORMS)**

There had been circulated a report dated 23 January, 2017 by the Director of Infrastructure Services which detailed exceptions in performance monitoring that were significantly above or below performance targets.

Following consideration, the Committee:-

- (1) **acknowledged** the positive performance achieved July to September 2016, as identified in paragraph 2.3 of the report,
- (2) **noted** those measures where performance was below expectations July to September 2016 as identified in Appendix 1 of the report,
- (3) **noted** the publication of the complete July to September 2016 Performance Report on Ward Pages, and
- (4) **requested** that the Area Manager liaise with the Head of Service to bring forward an informal briefing session for members to look in more detail at the range of services that Formartine residents can access.

#### **12. AREA COMMITTEE BUDGET 2016-2017**

Councillor Johnston had earlier declared an interest as a Director of the Pitmedden, Udny and Tarves Community SCIO. He had indicated that as he felt this interest was clear and substantial, he would not take part in the debate of the item. Councillor Johnston was not present at the meeting during this item.

With reference to the Minute of Meeting of this Committee of 22 March, 2016 (Item 11), at which the broad allocation of the Area Committee Budget for 2016-17 was agreed, there was circulated a report dated 24 January, 2017 by the

Director of Business Services which detailed requests for funding that had been received from the Pitmedden, Udney and Tarves Community SCIO and the Beaton Hall Committee.

#### Pitmedden, Udney and Tarves Community SCIO

An application had been received which sought a contribution towards a replacement for the community trailer which was in contact demand within the local area.

After consideration of the information provided, the Committee **agreed** to **award £1,000** to the group.

#### Beaton Hall Committee

An application had been received which sought a contribution towards the upgrading and improving of safety standards for the hall.

After consideration of the information provided, the Committee:-

- (1) **agreed** to **award £3,958.06** to the group, this being the remainder of the 2016/17 budget, and
- (2) **agreed** to **delegate authority** to the Area Manager to award up to £541.94 more, should there be any slippage in the awards granted to date.

### **13. 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.

### **14. TOWN AND PUBLIC HALL ASSET STRATEGY**

There had been circulated a report dated 6 January, 2017 by the Director of Business Services which sought comment on Aberdeenshire Council's Town and Public Hall Asset Strategy. The strategy had been developed to ensure that the facilities provided supported the needs of local communities, were fit for purpose, managed appropriately and were sustainable.

During discussion, it was highlighted that Entertainment Licenses should be updated for any Town and Public Halls which were changing management; and that there was a very active community group who hoped to progress to a Stage 1 CAT application for the hall at Auchterless.

After considering the information provided, the Committee **noted** the recommendations that were to be made to the Business Services Committee, in relation to the Town and Public Hall Asset Strategy.



**Councillor Presiding over meeting**

Councillor Robert Merson

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**Print Name**

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**Signature**

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28/02/2017

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**Date**

## APPENDIX A

### 5A. Reference No: APP/2016/2842

#### **Full Planning Permission for Erection of Dwellinghouse at Land at Mains of Inverebrie, Ellon, Aberdeenshire**

**Applicant: Mr Alyn Bridgeford**  
**Agent: Taylor Design Services**

The Planner introduced the application, which had previously been deferred for a site visit, and the Committee then heard an oral representation from the agent on behalf of the applicant.

During discussion, the members asked for clarification on the number of representations received; queried whether the track up to the brewery was considered to be a public road and asked for further detail in relation to access; sought clarification on the curtilage; asked whether the proposal would result in the removal of trees; and sought clarity on the building that had been viewed during the site visit.

Following a full debate of the proposals, the Committee **agreed by majority to refuse** the application for the following reasons:-

1. The proposed development was contrary to Policy 3 Development in the countryside and associated guidance SG Rural Development1: Housing and business development in the countryside as contained in the Aberdeenshire Local Development Plan 2012, whereby the proposed dwellinghouse failed to meet the replacement/refurbishment criteria, in that the siting for the proposed dwellinghouse was out with the curtilage of the existing building and the farm unit and would be encroaching on agricultural land.
2. The proposal was contrary to Policy 8 Layout, siting and design of new development and the associated guidance SG LSD2: Layout, siting and design of new development as contained within the Aberdeenshire Local Development Plan 2012, in that the proposed dwelling was not well related to the existing farm unit nor the building it was to replace.
3. By virtue of the inappropriate siting of the proposed dwelling, the proposal would have an adverse impact on the landscape character of the area. The proposal was therefore contrary to Policy 12 Landscape conservation and the associated guidance SG Landscape1: Landscape character of the Aberdeenshire Local Development Plan 2012.

**5B. Reference No: APP/2016/1385**

**Planning Permission in Principle for Erection of Dwellinghouse and Garage at Clova, Manse Road, Potterton, Aberdeenshire, AB23 8UB**

**Applicant: Mr D Alexander**

**Agent: Alan G Low**

The Senior Planner introduced the application, which had previously been deferred for a site visit, and the Committee then heard an oral representation from an objector.

During discussion, the members asked for further clarification in relation to the proposed access and queried whether other back land development in the area had been taken into consideration.

Following consideration of the information provided, the Committee **agreed** that authority to **approve** Planning Permission in Principle be **delegated** to the Head of Planning and Building Standards, subject to:-

- (a) The conclusion of Developer Obligations;
- (b) A condition that the dwellinghouse should be single storey or if 1 ½ storey should only have velux windows on the upper floor which should not overlook the neighbouring garden to the south,
- (c) A condition that the ridge line of the dwellinghouse should not exceed that of the neighbouring properties, and
- (d) The following conditions:-
  1. Details of the specified matters listed below shall be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the authority has been given, and the development shall be carried out in accordance with that approval.

**Specified matters:**

- (a) Full details of the layout and siting of the proposed development;
- (b) Full details of the external appearance and finishing materials of the proposed development;
- (c) A landscaping scheme and tree protection plan including proposed landscape features, including trees to be retained and planted;
- (d) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point;
- (e) Full details of the proposed means of disposal of foul and surface water from the development;

- (f) Full details of the proposed access to the development 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).

2. The development shall be served in accordance with the approved drawings and the following details:
  - (a) Prior to occupancy of development, a drop kerb footway crossing must be formed at the new driveway.
  - (b) The maximum gradient of the first 5m of the new access must not exceed 1 in 20.
  - (c) Prior to occupancy of development, the first 5m of driveway (measured from edge of road or back of footway) to be fully paved.
  - (d) Prior to occupancy of development, off-street parking for 3 cars, surfaced in hard standing materials must be provided within the site.
  - (e) Prior to commencement of development, 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.
  - (f) 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.

3. That the proposed surface water drainage system shall be carried out in accordance with the approved plans and drainage proposal (S.A. McGregor Drainage Recommendation Report dated October 2016) and the dwellinghouse should not be occupied unless the approved surface water 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.

4. The dwellinghouse hereby approved shall not be occupied until a connection to the public water supply has been secured and implemented.

Reason: The planning application states that the water supply will be public; to ensure a wholesome water supply (in terms of quality and quantity) in the interests of public health.

5. Prior to the construction of the dwellinghouse an Energy Statement applicable to that dwellinghouse must be submitted to and approved in writing by the Planning Authority, including the following items:
  - (a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development.
  - (b) 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.

6. All landscaping proposals approved under details pursuant under Condition 1, approved under the Matters Specified in Conditions application(s), shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the first occupation of the development. Any plants which die, are removed, are seriously damaged or diseased, within a period of 5 years from the completion of the development, shall be replaced by plants of similar size and species to those originally required to be planted or as otherwise agreed by the Planning Authority.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

### **Reason for Decision**

It is considered that the proposals accord with the relevant policies and supplementary guidance contained in the Aberdeenshire Local Development Plan 2012 and the proposed Aberdeenshire Local Development Plan 2017.

### **5C. Reference No: APP/2016/0982**

#### **Planning Permission in Principle for Erection of Dwellinghouse at Site Adjacent to Coshelly, Rothienorman**

**Applicant: Adam Duguid & Son**

**Agent: John Wink Design**

The Senior Planner introduced the application which had previously been deferred for a site visit and further information.

During discussion, the members sought assurance that the relevant issues had been addressed within the correspondence from SEPA; and queried what action could be taken to ensure the proposed site did not create additional water run off onto the public road and whether the applicant had the right to prevent water entering their site from the public road.

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

- (a) The conclusion of Developer Obligations;
- (b) The Planning Service ensuring that, by way of an informative, the applicant is made aware that it is their responsibility to ensure that when they construct the access to the dwellinghouse off of the public road, there is adequate provision made to ensure that there is no water run off onto the public road from their site and vice versa, and
- (c) The following conditions:-
  1. Details of the specified matters listed below shall be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the Authority has been given, and the development shall be carried out in accordance with that approval.

Specified matters:

- (a) Full details of the layout and siting of the proposed development;
- (b) Full details of the external appearance and finishing materials of the proposed development;
- (c) A landscaping scheme and tree protection plan including proposed landscape features, including trees to be retained and planted;
- (d) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point;
- (e) Full details of the proposed means of disposal of foul and surface water from the development;
- (f) Full details of the proposed access to the development 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).

2. 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, first 5m of driveway (measured from edge of road or back of footway) to be fully paved.
  - (c) Prior to occupancy of the development, a 2m wide footpath to be constructed for the entire frontage of the site, starting from the boundary between the property named Coshelly and the proposed Plot of APP/2016/0982 to the south, up to the northern most boundary of Plot of APP/2016/0981 to the north. The footpath is to be constructed in accordance with the Council's Specification.
  - (d) Prior to occupancy of development, parking spaces, surfaced in hard standing materials shall be provided within the site.
  - (e) 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 and the proposed vehicular access to be taken via this. Construction shall be to a standard appropriate to the location and must be agreed in advance with Roads Development.
  - (f) Prior to commencement of development, visibility splays measuring 2.4m by 120m to be formed on either side of the junction of the vehicular access with the public road.

The visibility splays so formed shall thereafter be kept free of all permanent obstructions above adjacent carriageway level.

- (g) 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 and shall be secure enough to prevent empty bins from being wind-blown. Details must be submitted to Roads Development for approval.
- (h) 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.

- 3. Prior to the construction of the dwellinghouse an Energy Statement must be submitted to and approved in writing by the Planning Authority, including the following items:
  - (a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development.
  - (b) 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

- 4. The dwellinghouse hereby approved shall not be occupied until a connection to the public water supply has been secured and implemented.



Reason: The planning application states that the water supply will be public; to ensure a wholesome water supply (in terms of quality and quantity) in the interests of public health.

5. That the proposed foul water drainage systems shall be carried out in accordance with the Drainage Certificate Report dated 20<sup>th</sup> May 2016 and the approved plans and the dwellinghouse; 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.

6. That the surface water drainage shall be carried out in accordance with the approved plans and drainage proposal (John Wink Design – January 2017) and should 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 regime.

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

7. Prior to the commencement of development, details of the proposed Driveway shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the driveway shall be constructed of porous materials.

Reason: In order to mitigate potential impacts from surface water runoff.

### **Reason for Decision**

It is considered that a dwellinghouse could be accommodated within the site to meet standards contained within Aberdeenshire Local Development Plan 2012 and the proposed Aberdeenshire Local Development Plan 2017.

**5D. Reference No: APP/2016/2822**

**Full Planning Permission for Retention of 5 No. Modular Buildings for Use as Kennels and Associated Works (Previously Approved APP/2015/1266) at Site at East Mains of Ardlogie, Fyvie, Turriff, AB53 8PH**

**Applicant: Miss Michelle Wood**  
**Agent: No Agent**

Item withdrawn by Planning Service.

**5E. Reference No: APP/2016/0886**

**Full Planning Permission for Erection of 1No. (50m Hub Height, 77m to Blade Tip) Wind Turbine Including Substation, Access Track and Associated Infrastructure at Site to the North of Netherton Cottages, Fisherford, Inverurie**

**Applicant: Mr and Mrs Kevin and Johanna Duncan**  
**Agent: VG Energy Ltd**

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

After consideration of the information provided, the Committee **agreed** to **defer** consideration of the application pending:

- (a) a site visit to consider the potential cumulative impact on the local vicinity,
- (b) further information about the mitigation required to resolve the concerns by Environmental Health in relation to noise and the percentage loss of efficiency that these measures may cause to the applicant, and
- (c) an update in relation to the consultees who had not yet responded at the time the report was written.

**5F. Reference No: APP/2016/3142**

**Full Planning Permission for Change of House Type from Previously Approved Application F/APP/2013/3783 - Plots 1, 2 & 6 at Land to West of Daviot, Inverurie, Aberdeenshire**

**Applicant: WKL Developments**  
**Agent: Lippe Architects + Planners**

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

During discussion, the members sought assurance that the new proposals did not reduce or alter the previously agreed public open space and did not change the design terms of such.

Following consideration of the information provided, the Committee **agreed** that authority to **approve** Full Planning Permission be **delegated** to the Head of Planning and Building Standards, subject to:-

- (a) An amendment to the legal agreement,
- (b) A condition that there be appropriate boundary treatments at the southern boundary of plot 6, at an early stage of the plot development, and
- (c) The following conditions:-
  1. Notwithstanding the details submitted the external materials used on the dwellings hereby approved shall be in accordance with details that shall be first submitted to and approved in writing by the Planning Authority, including samples as may be requested. Thereafter the development shall be completed in accordance with the approved details.

Reason: In the interests of visual amenity and for the purposes of clarification.

2. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the Planning Authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

3. No individual dwellinghouse hereby approved shall be erected unless an Energy Statement applicable to that dwellinghouse has been submitted to and approved in writing by the Planning Authority. The Energy Statement shall include the following items:
  - (a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
  - (b) 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.

The development shall not be occupied unless it has been constructed 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.

4. That the maximum gradient of the new access must not exceed a gradient of 1 in 20.

Reason: To ensure the provision of a means of access to an adequate standard in the interests of road safety.

5. That prior to the occupation of any unit within the development hereby approved, a 2m wide footpath is to be provided along the frontage of the site in accordance with details that shall be first submitted to and approved in writing by the Planning Authority. Thereafter the footpath shall be retained in perpetuity Reason: To ensure safe access for pedestrians to the existing footpath network.

6. Prior to the occupancy of each dwellinghouse within the development hereby approved, off-street parking for 3 cars shall be provided and hard surfaced with the curtilage of each dwelling. The parking spaces shall thereafter be retained at all times for parking and no other use.

Reason: To ensure the provision of parking to an adequate standard in the interests of road safety.

7. Prior to commencement of development, 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.

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.

8. That notwithstanding the provisions of Class 3E of Schedule 1 to The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 no means of enclosure, other than that shown on the approved plans, 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.

9. That no works in connection with the development hereby approved shall take place unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:
- (i) Existing landscape features and vegetation to be retained.
  - (ii) The location of new trees, shrubs, hedges, grassed areas and water features.
  - (iii) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
  - (iv) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture.
  - (v) An indication of existing trees, shrubs and hedges to be removed.
  - (vi) A programme for the completion and subsequent maintenance of the proposed landscaping.

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

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

10. The dwellinghouses hereby approved shall not be occupied unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans. The foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved maintenance scheme.

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

## **Reasons for Decision**

The application complies with the relevant policies contained within the adopted Aberdeenshire Local Development Plan 2012 and is therefore considered to be acceptable.

The application has also been considered against the emerging Aberdeenshire Local Development Plan 2017, and it is considered that the proposal is not in conflict with any of the relevant policies.

### **5G. Reference No: APP/2016/3158**

**Advertisement Consent for Erection of Signage at Site at Ythsie,  
Tarves, Ellon, Aberdeenshire, AB41 7LR**

**Applicant: Churchill Homes (Aberdeen) Limited**

**Agent: No Agent**

Item withdrawn by Planning Service.