

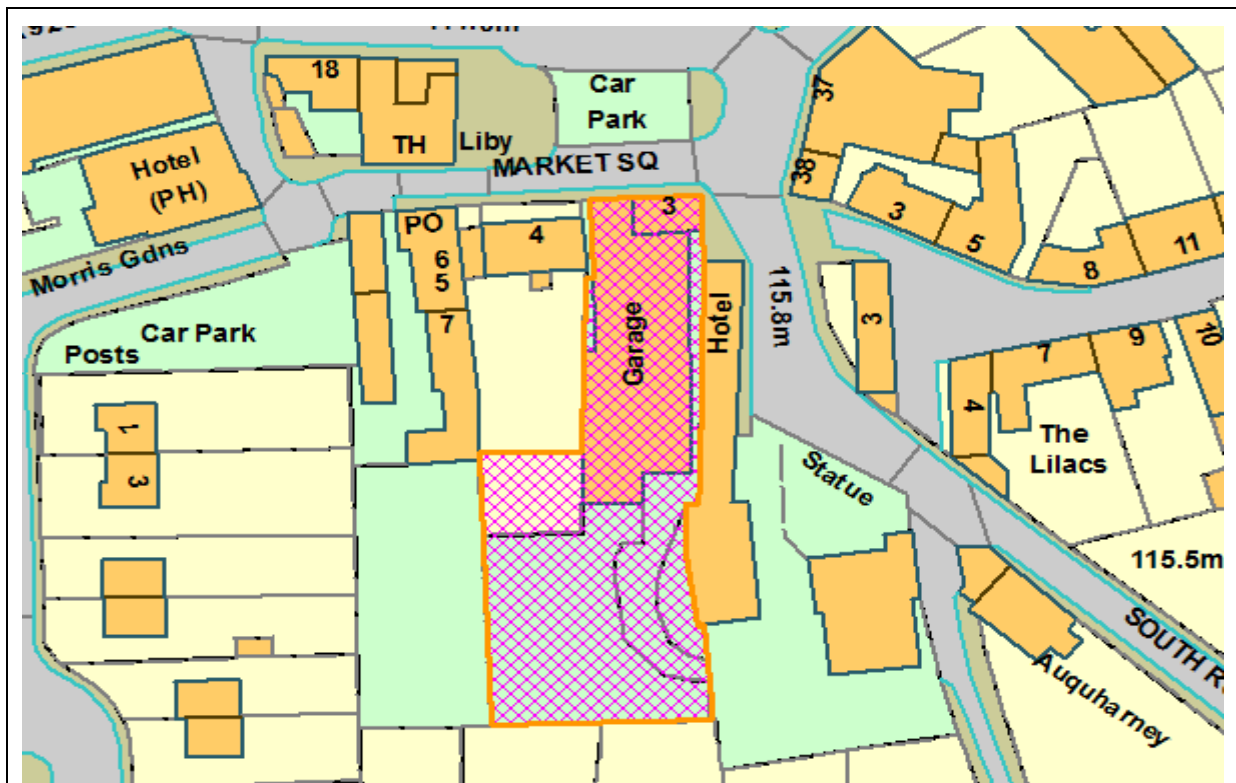
## Formartine Area Committee Report - 22 August 2017

Reference No: APP/2017/0112

**Full Planning Permission for Demolition of Existing Buildings to form Retail Unit including 2 Flats, Residential Block with 6 Flats and Associated Car Parking at Meldrum Motors Ltd, Market Square, Oldmeldrum, Aberdeenshire, AB51 0AA**

**Applicant:** Tinto Architecture Ltd  
**Agent:** Tinto Architecture Ltd

**Grid Ref:** E:380861 N:827160  
**Ward No. and Name:** Mid-Formartine  
**Application Type:** Full Planning Permission  
**Representations:** 2  
**Consultations:** 11  
**Relevant Proposals Map:** Aberdeenshire Local Development Plan  
**Designations:** AHMA  
**Complies with Development Plans:** Yes  
**Main Recommendation:** Delegated Grant



**NOT TO SCALE**

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## **1. Reason for Report**

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.3.1e of Part 2C Planning Delegations of the Scheme of Governance as there have been valid objections from five or fewer individuals or bodies with separate postal addresses or premises, and at least two of the total number of Local Ward Members in the Ward in which the development is proposed have requested that the application be referred to the Area Committee.
- Councillor Hendry - To further discuss siting, landscape and design.
  - Councillor Johnston - The FAC should discuss further policy on layout, siting and design, conservation policies and the conditions.
  - Councillor Shand - Because of the significant location of the property in the application full consideration needs to be made and in particular in respect of issues covering layout, siting and design.
- 1.2 This application was deferred at the meeting of the Formartine Area Committee on the 13 June 2017 in order that a site visit be undertaken. The site visit has now been carried out.
- 1.3 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

## **2. Background and Proposal**

- 2.1 Full planning permission is sought for the demolition of the existing garage and the erection of a retail unit, 8 flats and associated access road and car parking at Meldrum Motors Ltd, Market Square, Oldmeldrum. The site lies within the designated town centre and Conservation Area as defined within the Aberdeenshire Local Development Plan 2017.
- 2.2 The application site area measures approximately 1700sqm. The gross floorspace of the Class 1 element would be 369sqm with the net retail floor area covering 253sqm. The remaining 116sqm of non-trading space includes the associated store area, staff rooms, manager's office and two water closets. The retail unit is positioned on street level, with a frontage onto Market Square. The frontage is to be built in line with the existing building to be demolished. The north elevation facing onto Market Square and the east elevation fronting onto South Road would have a traditional appearance including a pitched slate roof, tabling, and granite rubble external walls to reflect the traditional character of the Conservation Area and Market Square as well as a typical glazed retail frontage with signage above. The retail building measures approximately 9 metres wide by 44 metres in length. The site slopes down to the south allowing for a basement level service access.

Site plan, elevations and floor plans are attached to this report as Appendices 1, 2 and 3.

- 2.3 Above the retail unit, the applicant proposes 2 x 1 bed flats with an open plan kitchen/dining/living area and a bathroom. Access to the flats is to be taken by a shared entrance located on the western elevation.
- 2.4 Behind the street frontage of the building, the rear element of the development has a modern appearance. The rear part of the retail unit would be clad in metal profile sheeting, with a "green roof". This links to the 3 storey contemporary block of flats which would have a flat roof and are to be finished in a smooth render. Each of the 8 flats will have large, aluclad windows with frameless glazed Juliet balconies. The block measures 17.5 metres by 9.5 metres and would have a height of 8.5 metres. The block of flats will accommodate 3 x 2 bedroom flats and 3 x 1 bedroom flats. The flats on the ground floor of this block, which comprises of a 1 x 1 bedroom unit and a 1 x 2 bedroom unit, have been earmarked by the applicant for affordable housing.
- 2.5 The proposal also includes the formation of a new access road, located to the west of No. 4 Market Square. The proposed 4 metre wide access road runs along the western elevation of the proposed development leading to a car park. The car park is to be finished in tarmac with the parking spaces being defined by lock block paving. The applicant proposes 7 designated retail parking bays and 12 designated residential parking bays. The residential refuse bins and cycle rack is located on the south west corner of the parking area.
- 2.6 The application includes a one metre wide landscaping strip, measuring approximately 38 metres along the western boundary. A small area of grass is proposed on the southern side of the block of flats, measuring 1.5 metres by 10 metres.
- 2.7 The site is to connect to the public infrastructure for the disposal of foul drainage and water supply. The applicant proposes SUDS for the treatment for surface water.
- 2.8 This site has previously been the subject of applications listed below. These applications were withdrawn to allow the applicant to reconsider the layout and design of proposed development.
  - APP/2016/1862 Full Planning Permission for Demolition of Existing Buildings to Form 1 Retail Unit with 1 Flat above and a Residential Block with 9 Flats. Withdrawn on 25.10.2016
  - APP/2016/1866 Conservation Area Consent Demolition of Buildings. Withdrawn on 25.10.2016
- 2.9 The applicant has submitted the following documents in support of this application:

- Design Statement, submitted 7 February 2017.
- Bat Roost Potential Survey by Astell Associated, dated 23 March 2017.
- Proposed flat and retail unit at Market Square Oldmeldrum  
Aberdeenshire Desk Study (Phase one Geoenvironmental) by Green  
Cat Renewable dated April 2017.

### 3. Representations

3.1 A total of 2 valid representations (0 support/2 objections) have been received as defined in the Scheme of Governance. All issues raised have been considered. The letters raise the following material issues:

- *Overdevelopment of the site.*
- *Proposal is contrary to the aims and aspiration of the Local Authority to protect and conserve the historic heart of Oldmeldrum.*
- *Negatively impact on the trading and viability of other shops in the square.*
- *Proposal would have a severe and detrimental impact on the setting and amenity of the neighbouring B Listed Building, 4 Market Square.*
- *Concerns about traffic passing close to the Listed Building*
- *Increased traffic.*
- *Concerns regarding the impact on trees on adjacent land.*
- *The existing building remains a significant, architectural and historic significance and should not be demolished.*
- *Loss of privacy.*
- *Concerns regarding noise associated with deliveries.*
- *Concerns regarding drainage.*
- *Contaminates at the site are required to be addressed and removed appropriately.*
- *Bats may use the buildings.*
- *Concerns regarding the stability of the wall on the southern elevation.*

### 4. Consultations

4.1 **Business Services (Development Obligations)** has confirmed that the obligations are sought towards affordable housing with the provision of 1 x 1 bedroom unit and 1 x 2 bedroom flat, in addition contributions are sought towards additional community hall space in Oldmeldrum, sports and recreation facilities and healthcare. The applicant has agreed to the heads of terms and has confirmed they wish to secure them through Section 75 agreement.

4.2 **Education and Children Services (Education)** are able to support this development. Although the capacity at Meldrum Academy is limited, the number of pupils that would be generated from this relatively small development can be accommodated.

- 4.3 **Infrastructure Services (Contaminated Land)** confirmed that the content, conclusions and recommendations within the “Proposed flat and retail unit at Market Square Oldmeldrum, Aberdeenshire Desk Study (Phase one geoenvironment)” prepared by Green Cat Renewables are satisfactory and request that a condition is imposed on any approval for an investigation of potentially contaminated sites.
- 4.4 **Infrastructure Services (Environment Team - Built Heritage)** is satisfied with this development following the submission of revised drawings.
- 4.5 **Infrastructure Services (Environment Team – Natural Heritage)** has confirmed that preliminary bat roost assessment is acceptable and further surveys are not required.
- 4.6 **Infrastructure Services (Housing Strategy)** have confirmed that the affordable housing provision of 1 x 1 bedroom unit and 1 x 2 bedroom unit meets the policy requirement of 25% on site affordable housing.
- 4.7 **Infrastructure Services (Roads Development)** do not object to this development.
- 4.8 **Infrastructure Services (Transportation)** confirmed that the development does not warrant any transportation input and therefore the Transportation Team has no objection.
- 4.9 **Infrastructure Services (Waste Management)** do not object to this application following the submission of additional information on the swept path analysis.
- 4.10 **Meldrum, Bourtie and Daviot Community Council** support this development. The letter from the Community Council is attached to this report as Appendix 4.
- 4.11 **Scottish Water** were consulted but did not provide a response at the time of writing this report

## 5. Relevant Planning Policies

### 5.1 Scottish Planning Policy

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and
- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

## 5.2 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

## 5.3 Aberdeenshire Local Development Plan 2017

Policy B2 Town centres and office development  
Policy H2 Affordable Housing  
Policy P1 Layout, siting and design  
Policy P3 Infill and householder developments within settlements (including home and work proposals)  
Policy P4 Hazardous and potentially polluting developments and contaminated land  
Policy E1 Natural heritage  
Policy HE2 Protecting historic and cultural areas  
Policy C1 Using Resources in buildings  
Policy RD1 Providing suitable services  
Policy RD2 Developers' obligations

## 5.4 Other Material Considerations

Oldmeldrum Conservation Area Appraisal.

## 6. **Discussion**

6.1 The main issues to consider are the principle of development, the impact on the character of the surrounding area, access and parking provisions.

6.2 The Aberdeenshire Local Development Plan (LDP) vision for Oldmeldrum highlights the importance placed on Oldmeldrum's Victorian market square

and the importance of the village as a key settlement in providing services, such as education and shops, to the surrounding communities. The Settlement Statement within the LDP identifies that the key planning objectives for Oldmeldrum are to protect and enhance the settlement's role as a service centre. As such it is considered proposals to improve upon the retail services within the settlement, with greater emphasis placed on improving the town centre, would be supported.

- 6.3 The site is located within Oldmeldrum's town centre, as defined within the Aberdeenshire Local Development Plan 2017. The Market Square is at its heart, providing much of the town's shops, including newsagents, post office, cafe, pharmacy, estates agents, convenience store etc. The Meldrum Motors site is a dominant site within Market Square but has been vacant for a number of years. Its vacant and derelict appearance detracts from the attractive character of the area. The site's former use as a commercial garage remains visually obvious and appears to be at odds with the largely retail and office uses within the Square. This application proposes to remove the redundant garage and replace it with a new building that will accommodate both retail and residential uses. Policy B2 Town Centres and office development supports retail and other uses which are expected to be found in the town centre. While the end operator of the proposed retail unit is unknown, the proposed retail use is considered appropriate in terms of scale and function and is supported by this policy. In addition, Policy P3 Infill and householder developments within settlements (including home and work proposals) support housing and employment uses within settlements.
- 6.4 Oldmeldrum's Town centre is part of the town's conservation area. This conservation area was designed by Gordon District Council in June 1976 in order to obtain greater control over buildings, open space, trees and historic street pattern that contributes to the special character of the settlement. The town centre in particular, is characterised by its Victorian building, enclosed square and Town Hall. Policy HE2 states that generally development will not be allowed if it would not preserve or enhance the character or appearance of the conservation area. The design, scale, layout, siting and materials used in development within conservation area must be of the highest standard and respect the individual characteristic for which the conservation area was designated. In this case, the former Meldrum Motors site was identified as having a negative impact on the character of the Oldmeldrum Conservation Area when the designation was reviewed by Aberdeenshire Council in 2012. The late 17<sup>th</sup> century building was remodelled in the early 1800's and then unsympathetically converted into a garage at the beginning of the 20<sup>th</sup> Century. The insensitive external reconfiguration and internal alterations resulted in the building being resurveyed and removed by the statutory list in 2012. Therefore the redevelopment of this site to preserve or enhance the character of the Conservation area would be supported by this policy.
- 6.5 In terms of the design of the buildings within the conservation area, Aberdeenshire Council's Built Heritage Officer has confirmed that the proposed development complies with the historic spatial pattern, in terms of mass, scale and form. The window proportions for the residential elements of



the development accords with the vertical emphasis of the neighbouring properties located on South Road and within the Square. The use of natural stone and slate for the retail unit and the render for the residential block also adheres to the external finish of the adjacent buildings.

- 6.6 The Planning Service acknowledges that the proposed development include modern materials such as black aluminium clad windows and doors and metal profile cladding, however these materials are located in the rear element of the development. The proposed development contributes to the design progression of the area, providing a well-balanced contrast between traditional elements of the town centre and the new. Therefore the application is considered to be acceptable.
- 6.7 While the proposed site does not have a statutory listing, it is noted that the neighbouring development at No. 4 Market Square is a category B Listed Building. Policy HE2, Protecting historic buildings, sites and monuments, protects the character and integrity of the listed buildings from development that may have a negative impact on their special character. The Planning Service considered this development as being an opportunity to improve the surrounding area in general, allowing a building that has previously been identified as having a detrimental impact to the character of this area, to be appropriately redeveloped. Thus reducing the existing negative impact the current structure has on the listed building and providing an opportunity to enhance the overall character of the Square and provide greater detachment from No.4 Market Square to highlight its qualities and positive contribution to the Square. The Planning Service considers that proposed development complies with Policy HE1 and HE2.
- 6.8 The proposed development incorporates a residential element accommodating two flats above the retail unit and a block of 6 flats to the rear. While the site is located within Oldmeldrum's defined town centre and is within the conservation area, it has no specific land use designations afforded to it within the Aberdeenshire Local Development plan. Therefore the site is considered to be an infill, opportunity site. Policy P3 supports residential or employment development of vacant sites within the settlement boundary, provided that the development respects the character, density and scale of the surrounding area. It has been established earlier in this report that the proposed scale and design of this development would not have an adverse impact on the character of this area. However, this mixed use development for retail and residential would complement the surrounding land uses. Mixed use retail and residential development provide opportunities for a well-balanced town centre. The residential element keeps the town centres active and safe when shops are closed. The proposed development complies with Policy P3
- 6.9 Policy P1, Layout, siting and design supports all new development that can demonstrate the six qualities for successful areas. The Planning Service can confirm that the proposed development meets the six qualities as special consideration were given to these qualities in order to protect and enhance the character of the conservation area. All new development must protect the

privacy and amenity of the surrounding area. The development has been designed to include a flat, green roof element above the shop and in order to retain the privacy of the neighbouring house and No. 4 The Square. The Planning Service is satisfied that this application will have no impact on the privacy of No.4 The Square.

- 6.10 With regard to the privacy for the houses on Oakbank Gardens. The Planning Service considers that the separation distance between the flats and the mutual boundary is suitable to maintain privacy. The distance between the windows and the boundary is 14 metres. It is considered good practice to ensure that a distance between ground floor windows and the mutual boundary is 9 metres and 12 metres for upper floors. As such this application is acceptable. The Planning Service acknowledges that the properties on Oakbank Gardens are located on the edge of an established town centre, which is usually densely developed. As such the properties at Oakbank Gardens are not going to achieve a 100% private garden space. The properties on Oakbank Gardens experience a degree of loss of privacy from the windows within the Hotel to the east of the development site. As there is suitable separation distance between the proposed windows and the mutual boundary, any loss of privacy is not considered to be significant. The Planning Service considered it to be appropriate to condition that the Juliette balcony glazing is opaque to provide additional comfort in terms of privacy.
- 6.11 Overdevelopment of the site was an issue raised by one of the objectors. The Planning Service is satisfied that the development can be accommodated within the site, while providing acceptable parking and turning facilities. The proposed development does not include any provision of public open space, however given the town centre location it is not considered that the provision of open space here is necessary. Policy P2 Open Space and access to new development alternately advises that open space provision for windfall sites may take the form of contributions to improving existing open space. The applicant has agreed to the head of terms of their developer obligations that seeks contributions to sports and recreational facilities within Oldmeldrum, which the Planning Service considers to be acceptable.
- 6.12 With the site being a former garage, it is important to assess the application for any contamination of the site. Policy P4 Hazardous and potentially polluting developments and contaminated land, states that we will not allow development on land that is known or suspected to be contaminated unless appropriate site investigations have been undertaken to identify any actual or potential risk to public health or the environment. In support of this application, a Desk study (phase one geoenvironmental), dated April 2017, was submitted. This report identifies that other than the garage use as a filling station and workshop there does not appear to have been any particular contaminative past. The report identifies the presence of underground tanks that will require investigation. The existing building located within the site make intrusive investigations of the site difficult at this time; however the Phase one report provides details of investigations to be carried out. Aberdeenshire Council's Contaminated Land team have assessed the content

of this report and are satisfied with its content, conclusions and recommendations. As such a condition will be placed within any decision notice to request that no development, other than the demolition of the existing buildings, will be carried out unless an investigation of the site has been carried out in accordance with the "Investigations of Potentially Contaminated Sites – Code of Practice".

- 6.13 Policy H2 Affordable Housing, ensures that all new development of 4 or more houses must include 25% of the plots for affordable housing. This application proposes 1 x 1 bed flat and 1 x 2 bed flat, located on the ground floor, to be the affordable housing contribution. The Housing Strategy team have confirmed that the proposed contribution complies with the Housing Need and Demand Assessment and as such this application complies with this policy.
- 6.14 Infrastructure Services (Roads Development) have confirmed that they have no objection to the approval of this application as the minimum visibility and parking requirements can be met. The Planning Service has no concerns with this aspect of the proposal; therefore the development is in compliance with Policy RD1.
- 6.15 As the proposal involves the removal of the existing buildings, the application is assessed for Bats. Policy E1 Natural Heritage, states that development shall seek to avoid any detrimental impact on protected species through the carrying out of the surveys and the submission of protection plans describing appropriate mitigation where necessary. The submitted bat survey concluded that there was no evidence of bats using the building and that the building was not suitable for bats. The Council's Environmental Planner agreed with the content of the survey. It is therefore considered that this application complies with Policy E1.
- 6.16 It is important, particularly within Conservations areas, to protect trees that contribute positively to the character of the surrounding area. In this case, the Planning Service can confirm that the application site does not contain any trees. However, within one of the letters of representation received for this site, concerns were raised that the proposed works would have a detrimental impact on a tree on the adjacent site. The Planning Service can confirm that is it not reasonable to request that the applicant for this application provides protection for this tree as it is outwith the application boundary. However, the applicant should be mindful not to disturb any trees in Conservation Areas and an informative will be included within any decision notice to highlight this.
- 6.17 The Planning Service received two letters of representation to this application. While most of the issues raised in these letters have been addressed within the report, one additional matter raised was to the stability of the retaining wall located on the southern boundary and its ability to sustain the proposed car park. To address this concern, the agent sought the advice from structural and civil engineering Company, Ramsay and Chalmers. The letter from Ramsay and Chalmers, dated 15 March 2017, states the existing retaining wall will be inspected and improvements detailed, if required. Any improvements will be designed to current codes of practice to resist loading

arising from the soil and water pressure as well as surcharges from vehicles, including deliveries, bin lorries and domestic cars. The design of the retaining walls will be subject to the Building Warrant process. The Planning Service is satisfied that the wall will be surveyed and improved or replaced in accordance with any report. However this Service considers it appropriate to condition that any survey is carried out prior to commencement of works on site.

- 6.18 In addition, the letters of representation raised issues regarding the protection of a gate post that abuts the application site and the potential disturbances to local residents associated with deliveries to the site. With regard to the gate post, it is not attached to the Meldrum Motors building, but is very close to it. It is noted that the gate post is outwith the boundary of this application site and removal of the gate post is not being proposed. However, due to the close proximity of the gate post the Planning Service considers it appropriate to condition a demolition method statement be submitted and approved prior to the commencement of works. This method statement will ensure that the demolition of the building will have no impact on the Conservation Area or the adjacent listed building.
- 6.19 With regards to delivery hours, a condition will be attached to any decision notice that ensure that deliveries do not take place during night time hours, which are considered to be between 7pm and 7 am.
- 6.20 Overall, it is considered that the proposed development is in compliance with the relevant policies of the Aberdeenshire Local Plan 2017, in that the retail and residential development is appropriate for this town centre location. The proposed development will not impact on the character and amenity of the surrounding area. As such, the application is recommended for approval.

## **7. Area Implications**

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

## **8. Equalities, Staffing and Financial Implications**

- 8.1 An Equalities Impact Assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics.
- 8.2 There are no staffing and financial implications.

## **9. Sustainability Implications**

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

## 10. Departures, Notifications and Referrals

### 10.1 Strategic Development Plan Departures

None

### 10.2 Local Development Plan Departures

None

10.3 The application is not a Departure from the Local Development Plan or the Strategic Development Plan and no departure procedures apply.

10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.

10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

## 11. Recommendation

### 11.1 **That authority to GRANT be delegated to the Head of Planning and Building Standards subject to:-**

1. Conclusion of Section 75 Agreement;
2. The following conditions;

01. No works in connection with the development hereby approved shall commence unless details of the proposed means of enclosure to be erected on the eastern boundary of the site have been submitted to and approved in writing by the Planning Authority. The development hereby approved shall not be brought into use unless the means of enclosure have been erected in accordance with the approved details. Once erected, the means of enclosure shall thereafter be permanently retained in accordance with the approved details.

Reason: In the interests of the residential amenities of the neighbouring property and the visual amenities of the area.

02. 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 development hereby approved shall not be brought into use unless the glass on the Juliette balcony on the south facing elevation of the building is obscure glazing. Once installed, the obscure glazing shall be permanently retained thereafter and shall not be altered without an express grant of planning permission from the Planning Authority.

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

03. The development hereby approved shall not be erected unless an Energy Statement applicable to that building 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.

04. The development hereby approved shall not be brought into use unless it's turning and parking area for 19 cars has been provided and surfaced in accordance with the details shown on the approved plans. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of parking provisions and for road and public safety.

05. The vehicular access, driveway and parking area hereby approved shall not be brought into use unless all have been provided and surfaced in accordance with the details shown on the approved plans and the drop kerb footway crossing has been formed at the new access. The first five metres of the driveway measured from the back of the footway shall be fully paved and shall have a maximum gradient not exceeding 1:20. The access and parking area shall be internally drained and formed in such a way to prevent any flow of surface water either onto or from the public road. Once provided, the access, driveway and parking area shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the access, driveway and parking area to an adequate standard; to prevent the carriage of loose driveway material on to the public road and to ensure the retention of adequate off-street parking facilities, all in the interests of road safety.

06. No development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility of 11 metres in both directions along the channel line of the public road has been provided from a point 2 metres measured at right angles

from the existing edge of the carriageway surface along the centre line of the approved new access in accordance with the Council's Standards for Road Construction Consent and Adoption. The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated outwith the splays in accordance with the approved plans. 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.

07. No works in connection with the development hereby approved shall commence unless details and location of the refuse bin uplift store areas have been submitted to and approved in writing by the Planning Authority. The area shall be designed so as to be accessible for refuse bin uplift and to prevent empty bins from being wind-blown. No dwelling house shall be occupied unless the refuse bin uplift store area has been provided and surfaced in accordance with the approved details. Once provided, the refuse bin uplift store area shall thereafter be permanently retained as such.

Reason: To ensure the provision of an appropriate means of servicing in the interests of road safety.

08. No works in connection with the development hereby approved shall commence unless a sample and specification and colour of all the materials to be used in the external finish for the approved development have been submitted to and approved in writing by the Planning Authority. The development shall not be brought into use unless the external finish has been applied in accordance with the approved details.

Reason: In the interests of preserving or enhancing the character or appearance of the conservation area

09. 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.

10. Waste water from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means 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.

11. The development hereby approved shall not be brought into use unless full details of a surface water drainage system and maintenance report has been submitted to and approved in writing by the Planning Authority. Once approved the surface water drainage system shall be carried out in accordance with the approved details and 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.

12. That deliveries to the store will not take place between the hours of 1900hrs to 0700hrs

Reason: In the interest of residential amenity of the surrounding residents.

13. No works in connection with the development hereby approved (other than the demolition of the existing buildings) shall commence unless an investigation of the site has been undertaken in accordance with BS 10175:2011+A1:2013 - 'Investigation of Potentially Contaminated Sites - Code of Practice' and a report of that investigation has been submitted to and approved in writing by the Planning Authority.

Where it is determined by the site investigation report that remediation of the site is required no works in connection with the development hereby approved (other than the demolition of the existing buildings) shall commence unless a remedial scheme has been submitted to and approved in writing by the Planning Authority. The development hereby approved shall not be brought into use unless the approved scheme of remediation has been carried out in its entirety and a validation report has been submitted to and approved in writing by the Planning Authority.

Any areas of hardstanding, clean cover or other such barriers within the application site boundary that are included within the approved scheme of remediation and are required to break one or more pollutant linkages shall be permanently retained as such and shall not be disturbed without the prior written approval of the Planning Authority.

Reason: In order to ensure any potential contamination of the site is dealt with appropriately in the interests of public and environmental safety.

14. No works in connection with the development hereby approved shall commence unless a detailed site-specific demolition method statement and related site plan has been submitted to and approved in writing by the Planning Authority. The demolitions method statement shall demonstrate that the precautions taken to ensure that all demolition works will have no impact on the neighbouring properties, with particular attention given to the retention of the gate post at No. 4 Market Square. All demolition works on the site shall be carried out in strict accordance with the approved demolition method statement.



Reason: In the interests of protecting the existing built heritage of the surrounding area.

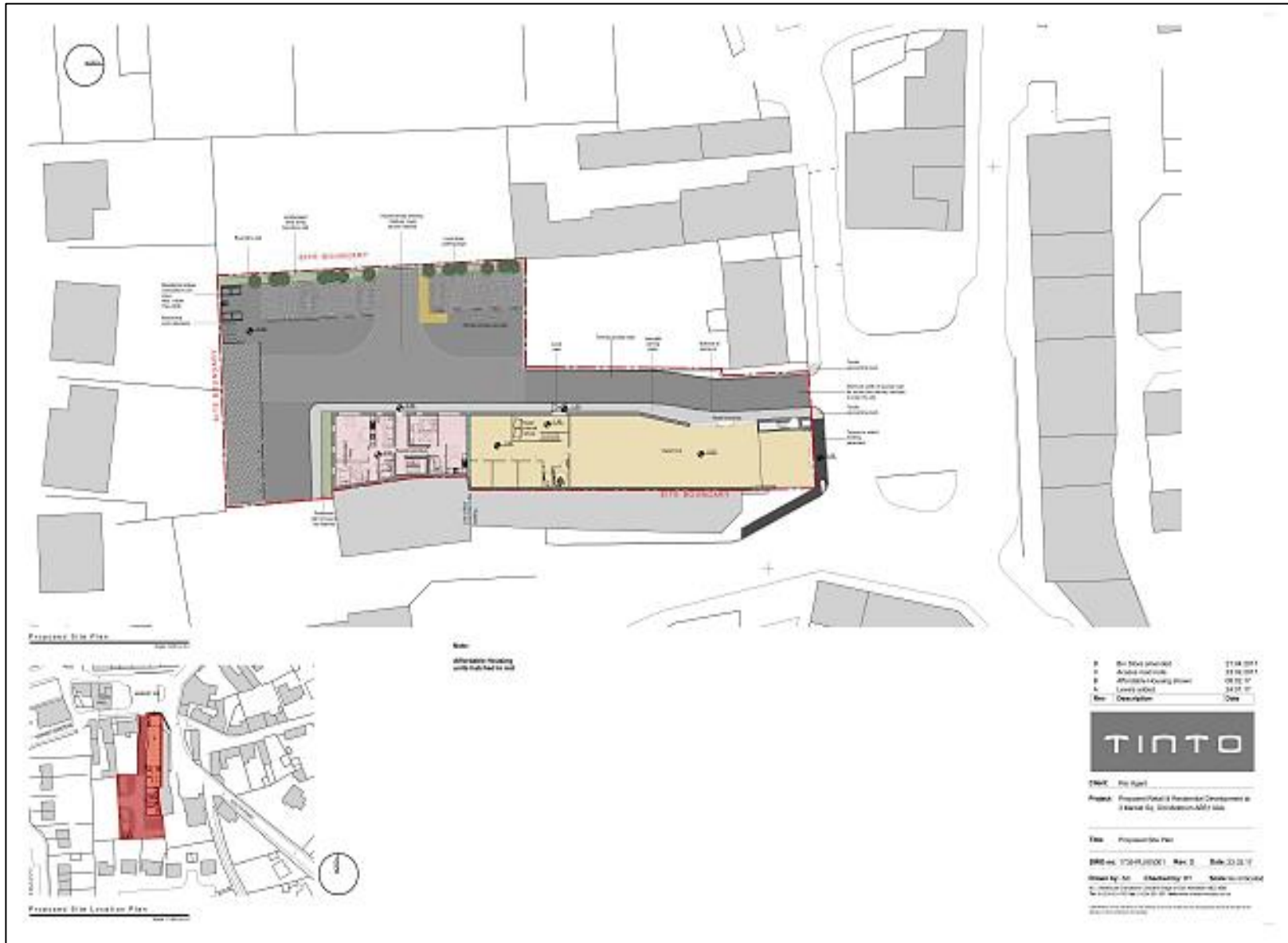
15. No works in connection with the development hereby approved shall commence unless a detailed Engineer Structural Report, mitigation/improvement scheme and schedule of works has been submitted to and approved in writing by the Planning Authority. The report and mitigation scheme shall be specific to the retaining wall on the southern boundary of the site. Once approved, any mitigation or improvement scheme shall be carried out in strict accordance with the approved information and schedule of works.

Reason: In the interests of public safety.

#### 11.2 **Reasons for Decision**

01. That the proposed development complies with Policies B2 Town centres and office development, P1 Layout, siting and design, HE2 Protecting historic and cultural areas and RD1 Providing suitable services contained with the Aberdeenshire Local Development Plan 2017 in that the retail and residential development is appropriate for this town centre location and the proposed development will not impact on the character and amenity of the surrounding area.

Stephen Archer  
Director of Infrastructure Services  
Author of Report: Laura Dingwall  
Report Date: 22 May 2017







APP/2017/0112

Appendix 4



## Meldrum, Bourtie & Daviot Community Council

31a Kirk Street  
Old Meldrum  
Aberdeenshire  
AB51 0DF

29 February 2017

The Formartine Planning Team,  
45 Bridge Street,  
Ellon,  
AB41 9AA

Dear Sirs,

**APP/2017/0112 | Demolition of Existing Buildings to form Retail Unit including 2 Flats, Residential Block with 6 Flats and Associated Car Parking | Meldrum Motors Ltd Market Square Oldmeldrum Aberdeenshire AB51 0AA**

At our monthly Community Council Meeting held on 28 February 2017 the Community Council voted to support this application.

Yours faithfully

James A Milton  
Chairman