

ABERDEENSHIRE COUNCIL

FORMARTINE AREA COMMITTEE

THE KIRK CENTRE, STATION ROAD, ELLON, 22 AUGUST 2017

Present: Councillors K Adam, I Davidson, A Forsyth, J Gifford, A Hassan, P Johnston, A Kloppert, G Owen, A Stirling, I Taylor and R Thomson.

Officers: C White (Area Manager, Buchan), C Young (Committee Officer, Formartine), M Ingram (Solicitor, Legal and Governance), D Ross (Planning Team Manager, Infrastructure Services), A Ramsay (Senior Planner, Infrastructure Services), A Jones (Transportation Engineer, Infrastructure Services), A Wood (Health and Social Care Partnership Manager, Central), K Menzies (Location Manager, Ellon/Haddo, Health and Social Care Partnership), A McGruther (Location Manager, Turriff/Oldmeldrum, Health and Social Care Partnership), C Menzies (Transportation Strategy Team Leader, Infrastructure Services), D Rennie (Business Development Executive, Infrastructure Services), T Buchan (Facilities Manager, Business Services), L Dougall (Affordable Housing Officer, Infrastructure Services), K Abel, (Quantity Surveying Manager, Business Services), T Morgan (Estates Team Leader, Business Services), and S Cochrane (Project Manager, Business Services).

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 Kloppert declared an interest in Item 6B as she was friends with one of the objectors. As she felt this interest was clear and substantial, she indicated that she would not take part in the debate of this application and would withdraw from the chamber during discussions.

Councillor Johnston declared an interest in Item 10 as his wife worked for the Fostering and Adoption Service. As he did not feel this interest was clear and substantial, he indicated that he would take part in the debate of the item.

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

b) Exempt Information

The Committee **agreed** that under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the Meeting for Items 16 to 19 of the business on the grounds that they involved the likely disclosure of exempt information of the class described in Paragraphs 8, 9 and 10 of Part 1 of Schedule 7A of the Act.

3. MINUTE OF MEETING OF 13 JUNE, 2017

The Committee had before them, and **approved** as a correct record, the minute of the meeting of 13 June, 2017, subject to the following amendments:

Item 13 – insert “Cllr Stirling declared an interest, as regards the application from the Aberdeen and District Angling Association, as her husband was a member of the association. As she felt this interest was clear and substantial, she withdrew from the chamber during discussions on this application”.

Item 16 – amend wording to read “requested that officers give consideration to removing the partitions within the dining room at Ellon Academy”.

4. HEALTH AND SOCIAL CARE PARTNERSHIP – PERFORMANCE REPORTING FOR 2016/17

There had been circulated a report dated 2 August, 2017 by the Aberdeenshire Health and Social Care Partnership Manager (Central). The report detailed the Integrated Joint Board’s performance, in relation to the performance and outcomes framework, for the fourth quarter of 2016/17. It was noted that the indicators detailed were to be reviewed and rationalised in line with the partnership’s locality plan priorities which would be finalised early next year.

The Central Manager was in attendance with the two Location Managers for Formartine. The members welcomed the report and, during discussion, suggested that it would be useful to have a workshop with relevant officers; it would be helpful if future reports could contain figures as well as percentages; it would be helpful for officers to share the risk register with members, in order to better understand the information that was being provided; commented on whether some statistics reflected on performance or if it related to how prosperous the area was; noted that it was not always easy to review satisfaction, particularly for health issues; highlighted that the Formartine

based information was appreciated; and requested that officers provide a list of contact details for the local ward contacts.

Officers advised members that they would welcome any queries and gave assurance that they were keen to work with the Formartine Area Committee and Area Management Team.

Thereafter, the Committee:-

- (1) **noted** the content of the Integrated Joint Board Performance Q4 report,
- (2) **requested** a workshop with relevant officers to put into context the information that is being reported,
- (3) **requested** that officers circulate the Integrated Joint Board risk register,
- (4) **requested** that future reports contain figures as well as percentages, and
- (5) **requested** that officers circulate the relevant contact details for each ward within Formartine.

5. MASTERPLAN ADDENDUM FOR LAND TO THE NORTH OF MEADOWBANK ROAD, TURRIFF

The Planning Team Manager introduced the report which sought approval for an addendum to the Masterplan for site OP2 (formally sites H1, EH1 and R1) at land to the north of Meadowbank Road, Turriff. It was highlighted to members that the new Local Development Plan allowed for the reconfiguration of proposed housing numbers and the addendum submitted proposed smaller, more affordable houses and therefore a denser housing mix, though it was clarified that the total number of bedrooms would broadly remain the same. Under the current Local Development Plan, the affordable housing requirement sought remained at 25% and any affordable housing provided above this requirement would require to be administered by the developer rather than Aberdeenshire Council.

During discussion, the members asked where the Aberdeenshire Council allocation of affordable housing would be located; if there was a robust justification for the proposed increase in house numbers; whether a Section 75 agreement would be required for the developer to deliver additional affordable housing; if there was a Registered Social Landlord in place; whether it was appropriate to consider the Masterplan and a planning application for the site on the same agenda and indeed why the Masterplan required to be changed; whether it would be possible to amend the Masterplan in future, if necessary, if building works had already commenced;

and whether 100% affordable housing was deliverable. There were also queries about whether the proposed Masterplan was acceptable under the Place Standard framework.

Following a full debate, the Committee **agreed** to **defer** consideration of this item, pending:

- (1) the provision of robust justification for the proposed increase in house numbers,
- (2) a transport assessment in relation to the proposed increase in house numbers,
- (3) clarification on whether the proposed plan constitutes good “place”, and
- (4) for clarification on whether the proposed 100% affordable housing can be delivered.

6. PLANNING APPLICATIONS FOR DETERMINATION

Reference	Description	Recommendation
A. 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	Delegated Grant
B. APP/2017/1358	Planning Permission in Principle for Residential Development at Land to The North of Waterton House, Ellon	Delegated Grant
C. APP/2017/0017	Full Planning Permission for Partial Demolition of and Alterations to Hotel to Include 12 En-suite Rooms and Manager's Flat, Conversion of Bedroom Annexe to Form 2 Dwellings, Erection of 5 Townhouses and Ancillary Works at Udny Arms Hotel, 50 Main Street, Newburgh	Delegated Grant
D. APP/2017/0122	Planning Permission in Principle for Erection of Dwellinghouse at Land at Moss Side Croft, Belhelvie, Balmedie	Refuse
E. APP/2016/3261	Full Planning Permission (Major) for Residential	Defer

Development Consisting of 231 Dwellinghouses and Associated Infrastructure at EH1/H1 (OP2) at Land North of Meadowbank Road, Turriff

- F.** APP/2017/0911 Full Planning Permission for Grant Erection of Boarding Kennels at Moss Croft, Slains, Ellon
- G.** APP/2017/1057 Full Planning Permission for Refuse Erection of 3 Dwellinghouses at OP1 Site, South-East of Udney Green School, Udney Green, Ellon
- H.** APP/2017/1422 Full Planning Permission for Grant Alterations and Extension to Dwellinghouse at North Ythsie Cottage, Tarves

7. PROGRAMME FOR WALKING, CYCLING AND SAFETY INITIATIVES

There was a report circulated by the Director of Infrastructure Services which detailed the Aberdeenshire wide projects that were approved by Infrastructure Services Committee earlier this year and the associated programme of works for the Formartine area.

During discussion, the members suggested that it would be helpful for them to have a site map of the works to be carried out at Turriff Golf Course, noting that the works might tie in with road repairs at that site; and asked about the proposed build-outs in Turriff, querying whether there had been local consultation.

Following debate, the Committee

- (1) **noted** the Aberdeenshire wide projects that were approved by Infrastructure Services Committee on 1 June, 2017, as detailed in Appendices 1 and 2 of the report,
- (2) **noted** the programme of works for the Formartine area for financial year 2017/18, which would be considered by Infrastructure Services Committee in October, 2017, as detailed in Appendix 3 of the report,
- (3) **requested** details of the A947 works to be undertaken and associated timescales,

- (4) **requested** that officers liaise with the Friends of McDonald Park in relation to the proposed footpath to be constructed between the Castleton development and Golf Road, Ellon,
- (5) **requested** that officers give consideration to the Aberdeen to Ellon cycle route, to ensure there are no gaps, particularly towards Balmedie, and report back to the members with an update,
- (6) **requested** that officers note that works were required to the stair and stair railings beside the old Academy site, and
- (7) **requested** that officers give consideration to whether it would be possible to construct a footpath to allow children to walk to school in Cultercullen.

8. ECONOMIC ACTIVITY IN FORMARTINE – APRIL 2016 TO MARCH 2017

There had been circulated a report dated 2 June, 2017 by the Director of Infrastructure Services which provided an annual overview of the economic development related actions, specifically in the Formartine area.

During discussion, the members asked how many of the new business start-ups had continued; noted that there were now five business streams in relation to ONE; queried how the service captured and evidenced outcomes and the difference that was being made to our communities; and asked whether there were concerns that automated services were having an impact on employment.

Following debate, the Committee:-

- (1) **noted** the contents of the report,
- (2) **requested** that officers give consideration to reporting more frequently and provide detail of how the Council captures and evidences outcomes, showing what differences are being made to our communities, and
- (3) **requested** that officers bring back a report in relation to broadband, highlighting what service is being provided to each area within Formartine.

9. REVIEW OF PUBLIC TOILET PROVISION IN TURRIFF

There had been circulated a report dated 16 July, 2017 by the Director of Business Services which asked the Committee to consider the current and future toilet provision in Turriff.

During discussion, members thanked the officers involved for the work carried out with the community. It was highlighted that the preferred option for the community was to retain the toilet provision in the Haughs area.

Following debate, the Committee **agreed** to **recommend to Business Services Committee** that the public convenience at Turriff High Street public car park be replaced with the site at the Haughs, as the permanent public convenience site for Turriff.

10. LOOKED AFTER CHILDREN TRUANCY AND ABSENCES

Councillor Johnston declared an interest in Item 10 as his wife worked for the Fostering and Adoption Service. As he did not feel this interest was clear and substantial, he indicated that he would take part in the debate of the item.

There had been circulated a report dated 21 June, 2017 by the Director of Education and Children's Services which had been requested by members during consideration of the Service's performance indicators in April, 2017.

During discussion, the members noted that the report did not contain any information in relation to Turriff Academy or Formartine Primary Schools.

The Committee **agreed** to **defer** consideration of this item for one cycle and requested that an officer attend to allow further discussion.

11. HOUSING QUARTERLY PERFORMANCE – EXCEPTION REPORTING, JANUARY – MARCH 2017

There had been circulated a report dated 11 August, 2017 by the Director of Infrastructure services which detailed exceptions in performance monitoring that were significantly above or below performance targets.

During discussion it was agreed that the proposed briefing with Housing officers would be best arranged for after November, 2017.

Thereafter, the Committee:-

- (1) **noted** the positive performance achieved from January to March, 2017, as detailed in paragraph 2.3 of the report,
- (2) **noted** the measures where performance was below expectations in January to March, 2017 (Quarter 4), as detailed in Appendix 1 of the report,
- (3) **noted** the publication of the complete January to March, 2017 performance report on Ward Pages, and
- (4) **requested** that the Area Committee Officer circulate the further information that had been provided in relation to fuel poverty.

12. APPLICATION FOR TEMPORARY PUBLIC ENTERTAINMENT LICENCE – REQUEST FOR EXTENSION OF OPERATING HOURS FOR FUNFAIR AT TURRIFF SHOW – HOMOLOGATION OF DECISION TO GRANT REQUEST

There had been circulated a report dated 7 August, 2017 by the Director of Business Services which detailed the delegated powers that had been used by officers in relation to Codona's Funfair at the Turriff Agricultural Show.

The Legal Monitoring Officer highlighted that members were not being asked to homologate the decision that had been taken by officers as this was no longer required under the new Scheme of Governance.

Following consideration of the information provided, the Committee **noted** the use by officers of delegated powers (as provided in the List of Officers Powers – Part 2B of the Scheme of Governance at sections B1, B2 and B3) by reasons of special urgency, as summarised in the report, in order to ensure that Codona's Funfair could operate as part of the Turriff Agricultural Show.

13. APPOINTMENTS TO THE SCHOOL PLACINGS AND EXCLUSIONS APPEAL COMMITTEE

There had been circulated a report dated 21 July, 2017 by the Director of Business Services which asked members to consider an external appointment to the School Placings and Exclusions Appeal Committee.

Following consideration of the information provided, the Committee **agreed** to **appoint** Mr Alex McRobb as an external member of the School Placings and Exclusions Appeal Committee.

14. AREA COMMITTEE BUDGET 2017-2018

With reference to the Minute of Meeting of this Committee of 21 March, 2017 (Item 11), at which the broad allocation of the Area Committee Budget for 2017-18 was agreed, there was circulated a report dated 25 July, 2017 by the Director of Business Services which detailed requests for funding that had been received from local groups.

Gordon Rural Action

An application had been received from Gordon Rural Action, seeking a contribution towards their Formartine base for 2017-18.

After consideration of the information provided, the Committee **agreed** to **refuse** to award any monies.

Dial-a-bus Plus

An application had been received from Dial-a-Bus Plus, seeking a contribution towards the DAB Plus Driving Ambition project, to improve road safety awareness in young drivers in Formartine.

After consideration of the information provided, the Committee **agreed** to **refuse** to award any monies but suggested the applicant to make contact with the Community Safety Strategic Partnership.

Turriff Business Association – Christmas Lights Fund

An application had been received from the Turriff Business Association, seeking a contribution towards the erection/dismantle and maintenance/repair of the Turriff Christmas lights for the town centre.

After consideration of the information provided, the Committee **agreed** to **award £2,000** to the group.

Methlick Play Park Team

An application had been received from the Methlick Play Park Team, seeking a contribution towards a multi-use games area in Methlick.

After consideration of the information provided, the Committee **agreed** to **award £3,480** to the group.

2nd Belhelvie Brownies

An application had been received from the 2nd Belhelvie Brownies, seeking a contribution towards a trip to Edinburgh for the girls from the unit.

After consideration of the information provided, the Committee **agreed** to **refuse** to award any monies.

Gallowshill Sports Hub

An application had been received from the Gallowshill Sports Hub, seeking a contribution towards planning, engineering and design costs for a 3G astro turf pitch in Newburgh.

After consideration of the information provided, the Committee **agreed** to **award £3,654.75** to the group.

Rothienorman Hall

An application had been received from the Rothienorman Hall Committee, seeking a contribution towards a feasibility study and associated material to assess the needs of the community in relation to the existing hall facilities and usage.

After consideration of the information provided, the Committee **agreed** to **award £2,000** to the group.

15. STATEMENT OF OUTSTANDING BUSINESS

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

The Committee **requested** that an update be sought in relation to “the identification of a new site for a school for Balmedie”. It was clarified that the school did not need to be within Balmedie and it was an update in relation to the strategic need for a school that was being sought.

16. OLDMELDRUM - MILLBURN ROAD NEW HOUSING CONTRACT 18130

There had been circulated a report dated 4 August, 2017 by the Director of Business Services which sought approval for a tender for proposed works at Millburn Road, Oldmeldrum.

Following discussion, the Committee:-

- (1) **noted** the project cost, inclusive of associated costs, as detailed within the report,
- (2) **authorised** acceptance of the tender submitted by CHAP Group (Aberdeen) Ltd, as detailed in the report, and
- (3) **requested** that officers give consideration to the scoring mechanism used for future tenders, given how close the outcome was on this occasion.

17. ELLON CEMETERY PROVISION

There had been circulated a report dated 1 August, 2017 by the Director of Business Services which sought approval for the purchase of a new cemetery site for Ellon.

Following discussion, the Committee:-

- (1) **approved** the purchase of a replacement new cemetery site, as detailed within the report,

- (2) **agreed** to **delegate** authority to the Head of Legal & Governance, following consultation with the Head of Property & Facilities Management, to agree the detailed terms and conditions of the missives in respect of (1), and
- (3) **requested** that officers give consideration to the construction of a footpath to the west of the proposed site.

18. TURRIFF – ERROL COURT – HATTON ROAD NEW HOUSING CONTRACT 18022 (EXEMPT)

There had been circulated a report dated 2 August, 2017 by the Director of Business Services which sought approval for a tender in relation to the proposed works at Errol Court, Turriff.

During discussion, local members raised concerns about the design and layout of the proposed housing works to be carried out, reiterating that further consultation with members would have been welcomed prior to the planning application being approved.

Following debate, the Committee **agreed by majority** to:-

- (1) **note** the project cost, inclusive of associated costs, as detailed within the report, and
- (2) **authorise** acceptance of the tender submitted by CHAP Group (Aberdeen) Ltd, as detailed within the report.

19. PROJECT 18217: RELOCATION OF BULKING STATION, BALMACASSIE, ELLON – GATEWAY 2 REPORT (EXEMPT)

There had been circulated a report dated 2 August, 2017 by the Director of Business Services in relation to the relocation of the bulking station at Balmacassie in Ellon.

Following consideration of the information provided, the Committee:-

- (1) **approved** the design development as detailed in Appendix A of the report,
- (2) **approved** the project cost plan as detailed in Appendix B of the report and associated Business Case at Appendix C of the report, and
- (3) **approved** the progression of the project to Gateway 3: Detailed design and tender.

APPENDIX A

6A. 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

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

During discussion, the members asked about visibility splays; queried whether the proposed design was in-keeping with the conservation area; asked for further information in relation to the amenity area above the proposed store; queried whether emergency access to the site was possible; asked about the large vehicle assessment and swept analysis; queried whether the proposed parking would be for residents only; and asked whether any alternative accesses had been considered.

Following debate, Councillor Adam, seconded by Councillor Gifford, **moved** that the application be approved in line with the recommendations in the report, with additional conditions to: extend the proposed boundary treatments to fully protect the privacy of the surrounding properties; and to protect as many of the existing trees on the site as possible.

Councillor Johnston, seconded by Councillor Kloppert, **moved** as an **amendment** that the application be refused on the grounds that the application was contrary to Policy P1, Layout, Siting and Design, due to: the impact on amenity of the surrounding properties; and concerns over road safety due to the proposed access.

The members voted as follows:

For the Motion:	6	Councillors Adam, Forsyth, Gifford, Hassan, Taylor and Thomson
For the Amendment:	5	Councillors Davidson, Johnston, Kloppert, Owen and Stirling

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

- (1) The conclusion of a Section 75 Agreement,
- (2) a condition to extend the proposed boundary treatments to fully protect the privacy of the surrounding properties,
- (3) a condition to protect as many of the existing trees on the site as possible, and
- (4) the following conditions:

1. 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.

2. 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.

3. 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.

4. 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.

5. 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 offstreet parking facilities, all in the interests of road safety.

6. 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.

7. 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.

8. 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

9. 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.

6B. Reference No: APP/2017/1358

Councillor Kloppert declared an interest in Item 6B as she was friends with one of the objectors. As she felt this interest was clear and substantial, she indicated that she would not take part in the debate of this application and she withdrew from the chamber during discussions.

Planning Permission in Principle for Residential Development at Land to The North of Waterton House, Ellon, Aberdeenshire

Applicant: Lippe Architects & Planners
Agent: Lippe Architects + Planners

The Senior Planner introduced the application, highlighting that should members be minded to approve the proposals, authority to grant Planning Permission in Principle would need to be delegated to the Head of Planning and Buildings Standards, subject to the conclusion of a Section 75 Agreement, as well as the conditions as detailed within the report.

During discussion, the members asked about the bus stop near to the proposed site; queried whether the Committee could condition the number of houses allowed on the site; asked about the potential impact the proposals could have for future flooding on the site and surrounding areas; queried whether it was appropriate to develop prime agricultural land; noted that Scottish Water had not submitted an objection, however there was no capacity at the waste water treatment works; and asked about the Local Development Plan history for this site.

The Chair asked the members if they would find a Site Visit useful but it was agreed that the Committee had enough information in order to determine the application.

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

- (1) the conclusion of a satisfactory Section 75 Agreement,
- (2) a condition to stipulate that the permission is for “not more than 10 houses”, and
- (3) 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 development shall

begin on the site unless all of the details listed in this condition have been submitted to and approved in writing by the Planning Authority. In the event of the development being phased, the full details specified below will be required particular to the specific plot/plots to be developed.

The development shall be carried out in complete accordance with the details approved in relation to this condition.

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) Full details of all existing and 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 means of access to the development, including the required visibility splays;
- (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 MSC or full planning being granted, a Street Engineering Review (SER) to include Quality Audit and Stage 2 Road Safety Audit must be submitted & agreed with this service.
- (b) The maximum gradient of the first 5m of the new access must not exceed 1 in 20.
- (c) Prior to MSC or Full Planning being granted Details of the Roads SUDS proposed & SUDS selection method used must be submitted to this service for approval.
- (d) Prior to occupancy of development, parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the Council's Car Parking Standards.
- (e) Prior to occupancy of development, a 2m wide adoptable footpath will be required at the frontage of the site extending westwards and connecting to the existing footpath to the west.
- (f) Prior to commencement of development, visibility splays, measuring 2.4m by 90m to be formed on either side of the junction of the vehicular access with the public road. The visibility splays so

formed shall thereafter be kept free of all permanent obstructions above adjacent carriageway level.

Reason: In order to ensure that the development is served by an appropriate standard of access and associated servicing in the interests of road safety.

3. 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.

4. 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.

5. That the proposed foul and surface water drainage system shall be carried out in accordance with the approved Ground Assessment & Surface Water Disposal Recommendation Report by S.A. McGregor (Report dated 6th June 2017), and 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. 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. No works in connection with the development hereby approved shall commence 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:

- a) Existing landscape features and vegetation to be retained;
- b) Protection measures for the landscape features to be retained;
- c) Existing and proposed finished levels;
- d) The location of new trees, shrubs, hedges, grassed areas and water features;
- e) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- f) The location, design and materials of all hard landscaping works including walls, fences and gates;

- g) An indication of existing trees, shrubs and hedges to be removed;
- h) A programme for the implementation, completion and subsequent management of the proposed landscaping.

Landscaping works for each individual plot, (if development is phased), or for the whole development should commence prior to the occupation of the first dwellinghouse.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. 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. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management 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.

7. 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.

6C. Reference No: APP/2017/0017

Full Planning Permission for Partial Demolition of and Alterations to Hotel to Include 12 En-suite Rooms and Manager's Flat, Conversion of Bedroom Annexe to Form 2 Dwellings, Erection of 5 Townhouses and Ancillary Works at Udney Arms Hotel, 50 Main Street, Newburgh, Aberdeenshire, AB41 6BL

Applicant: ECS Investments Ltd
Agent: Michael Gilmour Associates

The Senior Planner introduced the application which had previously been deferred for additional information. The Senior Planner had been made aware that some trees had been removed from the site already but confirmed that there had been no Tree Preservation Orders in place and the site was not a conservation area. It was proposed that, should the members be minded to grant the application, a condition would be put in place to protect the remaining tree/s on site.

During discussion, the members commented on the trees that had been removed and asked whether the design of the proposed townhouses was appropriate for the area.

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

- (1) the conclusion of the Section 75 Agreement,
- (2) a condition to ensure there was satisfactory landscaping at the site, and
- (3) the following conditions, noting that condition 11 will be updated to reflect the remaining tree/s on site:

1. 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.

2. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation

(WSI) has been submitted to and approved in writing by the Planning Authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning Authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

3. No works in connection with the development hereby approved shall commence unless a Level 1 archaeological standing building survey of the extant buildings and structures on the application site has been undertaken and has been submitted to and approved in writing by the Planning Authority.

The standing building survey shall not be undertaken unless its scope has been approved in writing by the Planning Authority. The survey must be in a digital format and must be clearly marked with the planning reference number.

Reason: To ensure that a historic record of the building is made for inclusion in the National Record of the Historic Environment and in the local Sites and Monuments Record.

4. All flood risk mitigation works required in connection with the development hereby approved shall be carried out in complete accordance with the following:

- Flood Statement A/15132 dated December 2015
- Cross sections as per Drawing No. A/15132 905 1 - Rev 1. - 'Watercourse Sections'
- Additional drainage proposals as per Drawing No. A/15132 904 - 'Proposed Drainage Layout'

Additionally sizing and attenuation calculations of the associated filter trenches will have to be provided for acceptance prior to development.

Reason: To ensure that there is no increased risk of flooding as a result of the development.

5. No other works in connection with the development shall commence unless the compensatory flood storage area shown hatched red in Drawing No. A/15132 - 900 - Rev 5 detailed in the approved Flood

Statement A/15132 dated December 2015 has been provided in complete accordance with the approved details.

Once provided, and 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 no development shall be carried out within the compensatory flood storage areas without an express grant of planning permission by the Planning Authority.

Reason: To ensure that there is no increased risk of flooding as a result of the development.

6. The development hereby approved shall not be occupied unless it has been carried out in complete accordance with the approved finished floor and ground levels (minimum of 4.35 metres Above Ordnance Datum).

Reason: To ensure that there is no increased risk of flooding as a result of the development.

7. Notwithstanding the details of the approved plans there shall be no bedroom or living accommodation within the hotel basement at any point during the lifetime of the development.

Reason: In the interest of public safety during a flood event.

8. That prior to the commencement of development final design details of all engineering works, within the planning application boundary, that are in or adjacent to the water environment (those that require CAR authorisation from SEPA) shall be submitted to and approved by the Planning Authority, in consultation with SEPA. The details submitted must demonstrate that the detailed design of the works does not negatively impact on flood risk. Once approved the development shall be carried out in accordance with the approved details and retained in perpetuity.

Reason: To ensure that the engineering works proposed will not have a negative impact on flood risk.

9. 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, no additional means enclosure, other than that shown on the approved plans, enlargement of the dwelling or structure within the curtilage shall be erected on the site under the terms of Class 1C, 2A, 2B,3A, 3B, 3C, 3D, 3E of Schedule 1 to that Order without an express grant of planning permission from the Planning Authority.

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

10. No works in connection with this permission hereby approved shall commence unless a tree management scheme has been submitted to and approved in writing by the Planning Authority. The scheme shall provide details of appropriate proposals for the care and management of the five existing trees to be retained on the northern boundary of the application site, as shown on drawing number 151 revision B, and any new areas of planting.

Once agreed, the scheme shall be carried out in full.

Reason: In order to preserve the character and visual amenity of the area.

11. No works in connection with the development hereby approved shall commence unless a tree protection plan for the five mature trees located on the northern boundary of the site, as shown on drawing number 151 revision B, has been submitted to and approved in writing by the Planning Authority.

Tree protection measures shall be shown on a layout plan accompanied by descriptive text to protect the trees located on the northern boundary and shall include:

- a) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);
- b) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction);
- c) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas.

No works in connection with the development hereby approved shall commence unless the tree protection measures have been implemented in full in accordance with the approved tree protection plan. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

Reason: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

12. No works in connection with the development hereby approved (including demolition, ground works and vegetation clearance) shall

commence unless a construction environmental management plan (CEMP) has been submitted to and approved in writing by the Planning Authority. The CEMP shall include the following:

- (a) Risk assessment of potentially damaging construction activities;
- (b) Identification of biodiversity protection zones;
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- (d) The location and timing of sensitive works to avoid harm to biodiversity features;
- (e) The times during construction when specialist ecologists need to be present on site to oversee works;
- (f) Responsible persons and lines of communication;
- (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- (h) Use of protective fences, exclusion barriers and warning signs. All works carried out during the construction period shall be undertaken strictly in accordance with the approved CEMP.

Reason: In the interests of protecting the biodiversity of the environment.

13. 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.

14. 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.

15. Prior to the commencement of development full details of the sustainable treatment of surface water drainage shall be 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.

16. No dwellinghouse hereby approved shall be occupied unless its driveway, parking and turning area for that dwellinghouse has been

provided and fully paved in accordance with details to be submitted to and approved in writing by the Planning Authority. The maximum gradient of the access shall not exceed 1:20 gradient and the access 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, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of each driveway to an adequate standard to prevent the carriage of loose driveway material on to the public road in the interests of road safety.

17. 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 59 metres in both directions along the channel line of the public road has been provided from a point 2.4 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.

18. The development hereby approved shall not be occupied or brought into use unless the refuse bin uplift store areas has been provided and surfaced in accordance with the details shown on the approved plan. Once provided, the refuse bin uplift store areas shall thereafter be permanently retained as such.

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

19. No works in connection with the permission hereby granted shall commence unless a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved CTMP.

Reason: In the interests of road safety, to avoid degradation of the road and protect amenity.

6D. Reference No: APP/2017/0122

Planning Permission in Principle for Erection of Dwellinghouse at Land at Moss-side Croft, Belhelvie, Balmedie, Aberdeenshire

Applicant: Mr Kenneth Raitt
Agent: Michael Slessor

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

During discussion, the members asked about soil assessments and queried the area of prime agricultural land.

Following debate, Councillor Taylor, seconded by Councillor Gifford, **moved** that authority to grant Planning Permission in Principle be delegated to the Head of Planning and Building Standards, as a departure from policy, on the grounds that: there was evidence of a former building on the site and therefore the application was compliant with Policy R2; and the proposed development was appropriate for the area and the application was therefore compliant with Policy P1, Layout, Siting and Design.

Councillor Johnston, seconded by Councillor Davidson, **moved** as an **amendment** that the application be refused in line with the recommendations contained within the report.

The members voted as follows:

For the Motion:	2	Councillors Gifford and Taylor
For the Amendment:	8	Councillors Adam, Davidson, Forsyth, Hassan, Johnston, Kloppert, Owen, and Thomson
Declined to Vote	1	Councillor Stirling

Therefore the **amendment was carried** that the application be **refused** for the following reasons:-

1. The development does not comply with Policy R2 of the Aberdeenshire Local Development Plan 2017. Any building that once stood on the site has not been occupied for 93 years and has since deteriorated to state that there is no clear evidence that a building once stood. The site has naturalised and is currently used for agricultural purposes,
2. The proposed development does not comply with Policy PR1 Protecting important resources of the Proposed Aberdeenshire Local Development Plan 2017 in that the development would cause

the permanent loss of prime agricultural land out with any allocation in the development plan, and

3. The application is contrary to P1 Layout siting and design of the Aberdeenshire Local Development Plan 2017 in that the surrounding area is characterised by single dwellings and farms of individual design and character, located on the road side. This proposed development does not fit with the built pattern of the area. The proposed house would not be located on the road side and requires a new 272 metre long private access road to be created that will lead to the application site.

6E. Reference No: APP/2016/3261

Full Planning Permission for Residential Development Consisting of 231 Dwellinghouses and Associated Infrastructure at EH1/H1 (OP2) at Land North of Meadowbank Road, Turriff, Aberdeenshire

Applicant: Springfield Properties PLC
Agent: No Agent

The Planning Team Manager introduced the application, highlighting that it was contrary to the current Masterplan, noting that the proposed new Masterplan had been deferred by the Committee earlier on this agenda. It was also highlighted that a range of consultations had been carried out; the planning service were satisfied that the increase in number of houses would not create any adverse strain on the infrastructure in the area; contributions had been sought towards an extension to the local health centre; and this application could be commended as a positive indication of a developer wishing to develop an allocated site despite the current economic climate.

During discussion, the members noted the constraints in relation to waste water treatment in the area; questioned whether there would be no impact on the infrastructure in the area; queried how viable the proposals were in terms of the delivery of 100% affordable housing; questioned whether the finish of the proposed houses was in-keeping with the character of the town, albeit the site was located next to the new modern school; raised concerns about road safety due to increased traffic movements; and noted the other developments happening in the area already. Members also raised concerns about considering this application before the proposed new Masterplan had been agreed.

During debate, a motion was moved to refuse the application, with a counter amendment being moved that authority to grant Full Planning Permission be delegated to the Head of Planning and Building Standards, however after further discussion, these were both withdrawn.

Following consideration of the information available and discussed, the Committee agreed to **defer** consideration of the application, pending:

- (1) The provision of robust justification for the proposed increase in house numbers,
- (2) a transport assessment in relation to the proposed increase in house numbers, to satisfy road safety concerns,
- (3) clarification on whether the proposed 100% affordable housing can be delivered,
- (4) clarification on the insufficient capacity in the Turriff waste water treatment works and whether this can be addressed within the time constraints for development, should this application be granted, and
- (5) confirmation from officers that the design of the proposed houses is considered appropriate for the character of the area.

6F. Reference No: APP/2017/0911

Full Planning Permission for Erection of Boarding Kennels at Moss Croft Slains, Ellon, Aberdeenshire, AB41 8JZ

Applicant: Ms Sarah Grint
Agent: ACD Projects Ltd

The Planning Team Manager introduced the application which was recommended for approval, as an acceptable departure from policy.

During discussion, the members noted that licensing issues were not a matter for this Committee.

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

1. That the sound mitigation measures as detailed in paragraphs 7.01, 7.02 and 7.03 of the "Noise Impact Assessment proposed for Moss Croft country kennels, Moss Croft, Ellon, Aberdeenshire" prepared by CSP Acoustics dated 6 July 2017 will be installed prior to the premises being brought into use as a boarding kennel. Once installed the mitigation measures will be retained in perpetuity.

Reason: In the interests of the amenity of the surrounding area.

2. No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store area have been submitted to and approved in writing by the Planning Authority. The area shall be constructed behind any visibility splay and shall be designed so as to be accessible for refuse bin uplift and to prevent empty bins from being windblown.

The business shall not be brought into use 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.

3. Prior to the commencement of the development full details of the disposal of surface water shall be submitted to and approved in writing by the Planning Authority. Once approved the surface water drainage shall be implemented in accordance with the approved plans and prior to the building being brought in to use. The surface water drainage system 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.

6G. Reference No: APP/2017/1057

Full Planning Permission for Erection of 3 Dwellinghouses at OP1 Site, South-East of Udney Green School, Udney Green, Ellon, Aberdeenshire

Applicant: Waterton Property Ltd
Agent: Sutherland & Co Architects Ltd

The Senior Planner introduced the application, highlighting that Udney Community Council had objected on the grounds of the initial roads concerns, but advised that the roads department were satisfied following subsequent consultation.

During discussion, the members asked about the protected zone that was being encroached upon by the proposals; and asked about the proposed access in relation to the Traffic Management Plan.

Following debate, Councillor Gifford, seconded by Councillor Johnston, **moved** that the application be refused on the grounds that the application site encroached onto the P5 allocation and it was appropriate to retain this as protected land.

Councillor Hassan, seconded by Councillor Stirling, **moved** as an **amendment** that authority to grant Full Planning Permission be delegated to the Head of Planning and Building Standards, subject to the conditions as detailed within the report and an additional condition to stipulate that a different construction route must be taken, to satisfy safety concerns.

The members voted as follows:

For the Motion: 10 Councillors Adam, Davidson,
Forsyth, Gifford, Johnston, Kloppert,

Owen, Stirling, Taylor and Thomson

For the Amendment: 1 Councillor Hassan

Therefore the **motion was carried** that the application be refused on the grounds that the application site encroached onto the P5 allocation and it was appropriate to retain this as protected land.

6H. Reference No: APP/2017/1422

Full Planning Permission for Alterations and Extension to Dwellinghouse at North Ythsie Cottage, Tarves, Aberdeenshire, AB41 7LS

Applicant: Mr and Mrs Ian Stewart
Agent: Architectonics

The Planning Team Manager introduced the application which was recommended for approval.

Following debate, Councillor Hassan, seconded by Councillor Gifford, **moved** that the application be granted in line with the recommendations contained within the report.

Councillor Johnston, seconded by Councillor Adam, **moved** as an **amendment** that authority to grant Full Planning Permission be delegated to the Head of Planning and Building Standards, subject to the conditions as detailed within the report; and it being stipulated that the roofing must be slate.

The members voted as follows:

For the Motion: 7 Councillors Davidson, Forsyth, Gifford, Hassan, Owen, Stirling and Taylor

For the Amendment: 4 Councillors Adam, Johnston, Kloppert and Thomson

Therefore the **motion was carried** to **grant** Full Planning Permission.