

ABERDEENSHIRE COUNCIL
GARIOCH AREA COMMITTEE

GORDON HOUSE, INVERURIE ON 31 OCTOBER 2017

Present: Councillors F Hood (Chair), D Aitchison (for items 1 to 7), N Baillie, L Berry, M Ewenson, M Ford, V Harper (for items 6B to 6E), S Leslie (for items 1 to 7), D Lonchay, R McKail, A McKelvie, G Reid (for items 1 to 8), H Smith, I Walker and J Whyte.

Officers: M Cardno (Garioch Area Manager), A Overton (Senior Solicitor), B Strachan (Senior Planner), M Watt (Planner), G Steel (Principal Engineer), L Dougall (Affordable Housing Officer), D Armitage (Roads Policy and Asset Manager), J Macleod (Property Manager), and A Cumming (Garioch Area Committee Officer).

The Chair welcomed and congratulated Councillor Lesley Berry who joined the Committee after being elected at the Inverurie and District by-election on 12 October. He also confirmed that Margaret-Jane Cardno was now officially in post as Garioch Area Manager and formally welcomed her to Garioch.

1. DECLARATIONS OF MEMBERS' INTERESTS

In accordance with the Scheme of Governance, the following interests were declared:-

Item 6C Councillor McKelvie as he visited the property and engaged with the applicants in a way that may have demonstrated bias.

Item 6D Councillor Ewenson as her husband works for a company that has had links with the applicants.

Items 9 and 10 Councillors Baillie and Reid as they were founder members of Inverurie Events and 10

Councillors McKelvie, Baillie and Reid indicated that their interests were clear and substantial and left the Council Chamber whilst the relevant items were considered. Councillor Ewenson remained in the Council Chamber and took a full part in determining the item

2. RESOLUTION

A. EQUALITIES

In making decisions on the following items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act, 2010:-

1. to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it.

B. EXEMPT ITEMS

The Committee **agreed** that, under Sections 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for certain items of business on account of the likely disclosure of exempt information of the classes described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act.

Item No.
12

Paragraphs No.
8 and 10

3A. MINUTE OF MEETING OF GARIOCH AREA APPOINTMENTS SUB-COMMITTEE OF 15 SEPTEMBER 2017

In accordance with Standing Order 7.1.1 the Committee **agreed** that the minute was a correct record of proceedings and it was duly signed by the Councillor presiding over the meeting.

3B. MINUTE OF MEETING OF GARIOCH AREA APPOINTMENTS SUB –COMMITTEE OF 22 SEPTEMBER 2017

In accordance with Standing Order 7.1.1 the Committee **agreed** that the minute was a correct record of proceedings and it was duly signed by the Councillor presiding over the meeting.

3C. MINUTE OF MEETING OF 26 SEPTEMBER 2017

In accordance with Standing Order 7.1.1 the Committee **agreed** that the minute was a correct record of proceedings and it was duly signed by the Councillor presiding over the meeting.

4. INTIMATION OF PUBLIC QUESTION TIME

There were no public questions intimated.

5A. ABERDEENSHIRE PERFORMS – INFRASTRUCTURE SERVICES

A report by the Director of Infrastructure Services was circulated detailing the exceptional performance information for the period April to June 2017.

The Committee **agreed** to:-

1. note and acknowledge the good performance achieved April - June 2017 (Quarter 1);
2. congratulate and thank the Street Lighting team and the Development Management team on their excellent performance.
3. note those measures where performance is below expectations April - June 2017;
4. note the publication of the complete April to June 2017 Performance Report and Service Plan Update on Ward Pages and on the Council's website;
5. note the progress made with the actions set out in the IS Service Plan 2017-2020; and
6. advise the Director to continue to report, by exception, to Committee quarterly on performance measures against service objectives and six monthly on progress in delivering all aspects of the service plan.

5B. EDUCATION AND CHILDREN'S SERVICE QUARTERLY PERFORMANCE EXCEPTION REPORTING APRIL – JUNE 2017, (ABERDEENSHIRE PERFORMS)

A report by the Director of Education and Children's Service was circulated detailing the exceptional performance information for the period April to June 2017.

The Committee **agreed** to:-

1. note and acknowledge the performance achieved April – June 2017 referred to in paragraphs 2.4 to 2.8;
2. note those measures where performance is below expectations April – June 2017; referred to in paragraphs 2.6 to 2.8;
3. note the publication of the complete April – June 2017 Performance Report on Ward Pages; and
4. instruct the Director of Education and Children's Services to continue to report, by exception, to committee quarterly performance measures against Service objectives.

5C. RESPONSES FROM ABERDEENSHIRE HEALTH AND SOCIAL CARE PARTNERSHIP TO QUERIES PREVIOUSLY RAISED BY COMMITTEE

A report was circulated detailing responses received from Services to queries previously raised by the Committee.

The Committee **agreed** to note the information provided within the report.

6. PLANNING APPLICATIONS FOR CONSIDERATION

The following planning applications were considered along with any valid representations received and were dealt with as recorded in **Appendix A** to this Minute.

| | | | |
|----|---------------|---|--|
| A. | APP/2017/1720 | Alterations and extension to dwellinghouse at 8 Spring Tyne, Westhill | Refuse |
| B. | APP/2017/2268 | Sub-division and change of use of warehouse (Class 6) to form a Unit for Gymnastic Club (Class 11) at Building 1, Unit 2, Advertising House, Burghmuir Circle, Blackhall Industrial Estate, Inverurie | Grant |
| C. | APP/2017/0858 | Erection of deck (Retrospective) at 40 Dawson Drive, Westhill | Delegated Grant |
| D. | APP/2017/1802 | Continued use of building for Class 5 (General Industrial); Non Compliance with Condition 1 (Time) of Full Planning Permission Ref. APP/2015/0663 at Units 4 and 5 South Fernet, Skene | Refuse |
| E. | APP/2017/1536 | Demolition of part steading; change of use, alterations and extension to part steading to form 2 no. dwellinghouses and erection | Refer to Infrastructure Services Committee |

of 6 no. dwellinghouses at Kingseat Farm,
Kingseat, Newmachar

7. STRATEGIC HOUSING INVESTMENT PLAN 2018-2023

A report by the Director of Infrastructure Services was circulated recommending the Committee provide comments on the draft Strategic Housing Investment Plan 2018 – 2023 to Communities Committee.

The Committee welcomed the potential housing provision, but noted the dependence that this had on the development industry and build out rates. Councillors were keen to see housing futureproofed with infrastructure for technology and sought clarification as to the action being taken with regard to the provision of gypsy/travellers sites

The Committee **agreed** to welcome the investment in housing and to forward the following comments to the Communities Committee:-

- a) The Strategic Housing Investment Plan needs to include further clarification about what action the Council is going to take with regarding the provision of gypsy travellers sites;
- b) The development industry should be encouraged to incorporate broadband infrastructure in order to futureproof developments.

8. FESTIVE LIGHTS AND ATTACHMENTS TO STREET-LIGHTING COLUMN POLICY

A report by the Director of Infrastructure Services was circulated recommending the Committee comment on the festive lights and attachments to street-lighting column policy.

The Committee expressed various concerns about the potential impact that proposals would have on communities whilst accepting the importance of recognising that there had been a hidden subsidy through provision of electricity in the past. They were keen to see a partnership approach with the communities to ensure that festive lights could continue to be provided within communities.

The Committee **agreed** to forward the following comments to Infrastructure Services Committee:-

- a) Flexibility should be included with regard to the dates that lights should be erected and taken down as this is often done by volunteers or by a commercial company and it may be difficult for this to be achieved within a short period of time;
- b) Hanging basket brackets should be left up all the time;
- c) Committee welcomed the removal of the hidden subsidy, but was concerned about the financial impact of the proposals on community groups and that it will impact on their ability to continue with this important community activity;

Further consideration should be given to:

- (i) The partnership element of this and how the Council can be involved to assist in the continued provision of festive lighting;
- (ii) Whether the Council could look at assisting communities with capital costs e.g. to purchase LED lights to cut down on revenue expenses;

- d) Commercial sponsorship should be allowed, but there should be an indication of how large sponsorship name/logos can be;
- e) Concern was raised that the policy focusses on the Christian festival of Christmas and this should be reviewed to take into account other religious festivals; and
- f) The policy should clarify that it is only for new applications and the lighting specifications requirements would not affect communities that already have authorised displays.

9. INVERURIE COMMON GOOD FUND APPLICATION FOR ASSISTANCE – INVERURIE EVENTS SC043539

As previously indicated, Councillors Baillie and Reid declared interests and left the Council Chamber whilst the application was considered.

A report by the Director of Education and Children's Services was circulated to Committee to consider the application to the Inverurie Common Good Fund.

The Committee **agreed** to take this item in public.

The Committee **agreed** to:

1. to grant £9,000 to Inverurie Events towards the purchase of Christmas lights.; and
2. agree the procedure for the determination of future Common Good applications as outlined in paragraph 2.8 of the report.

10. GARIOCH AREA COMMITTEE BUDGET APPLICATION FOR ASSISTANCE – INVERURIE EVENTS SC043539

As previously indicated, Councillors Baillie and Reid declared interests and left the Council Chamber whilst the application was considered.

A report by the Director of Education and Children's Services was circulated asking Committee to consider an application to the Garioch Area Committee Budget.

The Committee **agreed** to take this item in public.

Members recalled previous decisions by the Area Committee not to provide funding for Christmas lights since it provided a specific fund for this some years ago. They considered it appropriate to revisit this decision, but did not wish to make any award for Christmas lights in isolation. The Committee asked the Area Manager to bring forward a report for the coming financial year that would include provision in the criteria for funding of festive lights in line with the policy requirements for festive lighting.

The Committee **agreed** to:-

1. refuse the application from Inverurie Events towards the purchase of Christmas lights; and
2. request that the Area Manager provide a report to Committee incorporating appropriate criteria relating to Christmas lights taking into account the emerging Council policy position.

11. ACT2 (ABERDEENSHIRE CHARITIES TRUST) APPLICATION

A report by the Director of Education and Children's Services was circulated asking Committee to consider an application for ACT2 funding from Aberdeenshire North Foodbank.

The Committee **agreed** to take this item in public.

The Committee **agreed** to grant £1,000 to Aberdeenshire North Foodbank and that this should be allocated on a percentage basis, related to the funding available.

West Garioch £2.13;
Inverurie £933.91; and
East Garioch £63.96

12. 18051 INVERURIE COMMUNITY CAMPUS – GATEWAY 3 AND FINANCIAL CLOSE

A report by the Director of Business Services was circulated to Committee to provide comments on the 18051 Inverurie Community Campus – Gateway 3 and Financial Close to Full Council

The Committee **agreed** to provide the following comments to Full Council:-

- a) The inclusion of NHS staff is welcomed, but the Council should not assume the risk of this not being confirmed and a deadline should be set to get the position confirmed; and
- b) The Committee was concerned by the increase in the capital requirement and asked that work be done to mitigate and reduce the overspend as far as possible.

Councillor Presiding over meeting

Print Name

Signature

Date

GARIOCH AREA COMMITTEE

31 OCTOBER 2017

APPENDIX A

PLANNING APPLICATIONS FOR DETERMINATION

A. Reference No: APP/2017/1720

Full Planning Permission for alterations and extension to dwellinghouse at 8 Spring Tyne, Westhill, Aberdeenshire, AB32 6NH

Applicant: Mr Dave McGuiken
Agent: Mike Mair Architectural Services

The Committee agreed to hear from parties that had requested to speak.

The Senior Planner explained that the application was recommended for refusal and had been referred to Committee following consultation with Local Members. He explained that the Planning Service was concerned about the impact of the proposals on the neighbouring property given the topography and orientation of the properties. He explained that the proposals would see the roof height raised by 1.7m and would add a family room, 3 bedrooms, an en-suite and shower-room. He confirmed that new windows were being formed and that the ones to the front and rear were not of concern, however, he expressed concern regarding the rooflights that were to be included to the east which would overlook 6 Spring Tyne. He said that the applicant had indicated that these windows are required as a means of escape, but that Building Standards had confirmed that this was not the case.

The Senior Planner confirmed that the applicant had been asked to provide a sun path diagram to demonstrate the level of overshadowing, but that this had not been provided.

Members sought clarification as to whether there was any impact on the property to the north. The Senior Planner confirmed that given the topography and provision of obscured glazing, there was not considered to be an unacceptable impact on the house to the north. Members also sought clarification as to the relevance of similar extensions to 4 Spring Tyne and the whether the amount of garden ground remaining was considered acceptable. The Senior Planner explained that 4 Spring Tyne had its roof raised, but did not include an extension, the orientation of these properties was different and there was a greater distance between the properties. He confirmed that the amount of remaining garden ground for the application site was considered acceptable.

The Chair invited Mr Mike Mair, agent for the application, to address the Committee. Mr Mair gave details about the proposals and suggested that the overlooking would only be on to the roof of the neighbouring property. He confirmed that the windows to the east were required as a means of escape, but the size could be reduced slightly.

The Committee sought clarification regarding why no sun path diagrams were provided. Mr Mair indicated that a supporting statement was provided along with sections, but they considered that a precedent had been set by the similar extension and didn't want to put the applicant to further expense.

There were no further questions and Mr Mair returned to the public benches.

The Senior Planner restated the Planning Service view that the windows to the east would look directly into neighbouring windows and would overlook part of the garden ground and that Building Standards had confirmed that the windows to the east were not required as a means of escape.

The Committee expressed concern at the lack of overshadowing information and indicated that this did not allow them to have all of the necessary information to fully understand the impact on the neighbouring property, but agreed with the Planning Service recommendation.

The Committee **agreed** to refuse Full Planning Permission for the following reason:-

The applicant has failed to demonstrate that the proposed development will not have an adverse impact on neighbouring properties from overshadowing. In addition, there is considered to be an unacceptable opportunity for overlooking from the rooflights on the east elevation and taking these two reasons, the proposal is considered to be contrary to Policy P3: Infill and householder developments within settlements (including home and work proposals) of the Aberdeenshire Local Development Plan 2017.

B. Reference No: APP/2017/2268

Full Planning Permission for sub-division and change of use of warehouse (class 6) to form a unit for gymnastic club (Class 11) at Building 1, Unit 2, Advertising House, Burghmuir Circle, Blackhall Industrial Estate, Inverurie, Aberdeenshire, AB51 4FS

Applicant: Inverurie Gymnastics Club
Agent: James Greig Architect

The Committee **agreed**:-

1. that the reason for departing from the Aberdeenshire Local Development Plan 2017 is that the proposed development is of a limited scale, provides additional benefits and is capable of being reversed in the future. In addition, the proposal fully meets the requirements set out by Policy RD1.
2. to grant Full Planning Permission

C. Reference No: APP/2017/0858

Full Planning Permission for erection of deck (retrospective) at 40 Dawson Drive, Westhill, Aberdeenshire, AB32 6NS

Applicant: Mrs Kathryn Dahl

As previously indicated, Councillor McKelvie declared an interest and left the Council Chamber whilst the item was determined.

The Committee **agreed** to hear from parties that had requested to speak.

The Senior Planner explained that the application was seeking retrospective permission for the erection of a deck and had been referred to Committee by Local Members. He confirmed that the application had been brought as a result of a complaint received by enforcement. He explained that the gradient of the garden at the back was such that the new deck sat approximately 2 metres higher with the height rising to 4 metres when the fence was included. He accepted that the topography of the site caused issues and that the provision of fencing had improved the potential overlooking to the south, but expressed concerns about the

overlooking that remained to the west. He suggested that the level of loss of amenity and privacy was unacceptable.

Members sought clarification on a number of technical issues, then the Chair invited Mr Dahl, applicant, to address the Committee. Mr Dahl explained the process that he had gone through and accepted that he had made a mistake about not seeking permission. He highlighted the issues with the topography of the garden and his efforts to make it a useable space. He confirmed that he could already see into the neighbours' garden from the conservatory and the level of overlooking would be no greater.

Councillors indicated that there were many other properties with decks in this area, given the topography and whether they would all have to seek permission. The Senior Planner confirmed that they were not looking at other properties in this location.

Members expressed some sympathy with the applicant and accepted the injustice of this deck being treated differently as a result of a complaint. Some Councillors felt that the level of privacy and overlooking was acceptable. Others considered that the decking was too close to the neighbouring properties which resulted in an unacceptable level of overlooking.

Councillor McKail, seconded by Councillor Whyte, moved that authority to grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to appropriate conditions on the grounds that the proposal would not have an unacceptable impact on the amenity of neighbouring properties and the application therefore complied with Policy 3.

As an amendment, Councillor Ford, seconded by Councillor Reid, moved that the application be refused for the reasons detailed in the report.

The Committee voted:-

| | | |
|-------------------|-----|---|
| For the motion | (9) | Councillors Hood, Aitchison, Baillie, Leslie, Lonchay, McKail, Smith, Walker and Whyte. |
| For the amendment | (5) | Councillors Berry, Ewenson, Ford, Harper and Reid. |

Councillor McKelvie was absent from the division.

Therefore, the motion was carried and the Committee **agreed** that authority to grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to appropriate conditions on the grounds that there is not an unacceptable impact on the neighbouring properties and the application therefore complies with Policy 3.

D. Reference No: APP/2017/1802

Full Planning Permission for continued use of building for class 5 (general industrial); non-compliance with Condition 1 (Time) of Full Planning Permission Ref. APP/2015/0663 at Units 4 And 5, South Fornet, Skene, Aberdeenshire, AB32 7BX

Applicant: South Fornet Estates Ltd
Agent: Burness Paull LLP

As previously indicated, Councillor Ewenson declared an interest, but continued to take a full part in determining the application.

The Planner gave detailed information about the site and its history. He explained that the current application had resulted from a temporary permission granted by the Area Committee to allow the business who had been operating from the site without permission, time to relocate to an appropriate industrial/employment site. He explained that the applicant had provided supporting information to show that they had looked at alternative sites, but that this had not included Westhill or Blackburn. It also indicated that the business had relocated to Inch for a short time. He explained that the statement did not give any justification as to why the business could not operate from an allocated site and pointed out that to grant permission for this would result in an undesirable precedent across Aberdeenshire. He explained that the proposals were in agricultural buildings that were not considered to be redundant as they were large modern buildings capable for modern farming practice.

The Planner indicated that the current policies in the Local Development Plan allowed small-scale employment in the countryside, but that it required the business to employ 5 people or fewer and be on a site of less than 0.5 hectares. He confirmed that the business currently employed 15 people. The Planner stressed the need to create sustainable communities and for businesses like this to be appropriately sited within settlements with sustainable transport and appropriate services available.

Councillors asked for clarification as to whether the original application was retrospective. The Planner confirmed that this was the case.

The Chair invited Mr Neal Still and Mr Angus Kerr, applicants, to address the Committee. They gave information about the site history and its various uses. They highlighted the appeal decision for the other unit and indicated that the road use was not an issue.

Members pointed out that the appeal decision for the other unit was taken under a previous Local Development Plan and that the policy had changed. Members asked why sites in Westhill and Blackburn were not considered. The applicants explained that appropriate sites were not available in Blackburn as they would not be able to afford to build the size of building required and that they couldn't afford the sites in Westhill. Councillors asked what the number of movements of HGVs were. The applicants confirmed that it would be 2 or 3 per week, but there would also be other vehicle movements. Members asked what the issues were at the Inch site. The applicants confirmed that there were issues with communications, lack of space and power supply.

The Chair thanked Mr Still and Mr Kerr and invited Ms Elaine Young, a supporter of the application to address the Committee. Ms Young explained that she worked in the office and that the traffic issues identified were not from the development. She also indicated that there had always been businesses operating from the site. The Committee had no questions and Ms Young returned to the public benches.

The Chair invited Ms Fiona Bick and Mr John Carter, objectors to the application, to address the Committee. Ms Bick questioned the economic argument being put forward by the applicant and the extent of the search that had been done by them to identify alternatives. She indicated that the business accounts showed that it could afford to pay for appropriate allocated sites. Mr Carter questioned whether the farm building was redundant and the scale of traffic movements to and from the site. The Committee had no questions and Ms Bick and Mr Carter returned to the public benches.

The Planner confirmed that the Reporter's decision only looked at unit 1 and had also set a time limit so that the permission could be reviewed once the other permissions had expired. He confirmed that the cost of sites was not something that the Planning Service could be involved in and that it had to treat all businesses consistently. He confirmed that the Planning Service had used the vehicle movements declared by the applicant when considering the application.

Members explored the traffic issues with the Principal Engineer. He confirmed that signs erected stating no HGVs were advisory only.

Some Councillors accepted that relocating would increase the costs for the business, but they highlighted the need for this type of development to be appropriately sited. Councillors highlighted the measures that had been allowed by the Committee to give the business an opportunity to relocate, but stressed that at the time the Committee clearly indicated that the development was not appropriate on this site. They pointed out that other businesses have to use allocated land and that to open up use of land in the countryside across Aberdeenshire would set an extremely undesirable precedent. They also highlighted that the scale of this business was outwith the criteria for small-scale business in the countryside.

Other Councillors pointed out the difficulties faced by the farming industry and the need for diversification. They suggested it would be unlikely that the buildings would be used for farming again and were therefore redundant. They welcomed their alternative employment use. They pointed out that it was not clear who was damaging the roads.

Councillor McKail, seconded by Councillor McKelvie, moved that the application be refused for the reasons detailed in the report.

As an amendment, Councillor Whyte, seconded by Councillor Leslie, moved that authority to grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to appropriate conditions on the grounds that it would be appropriate to depart from Policy R2 as the application supports local business employment and it would be the appropriate reuse of existing farming buildings which are redundant.

The Committee voted:-

| | | |
|-------------------|-----|--|
| For the motion | (9) | Councillors Aitchison, Baillie, Berry, Ford, Harper, McKail, McKelvie, Reid, and Walker. |
| For the amendment | (6) | Councillors Hood, Ewenson, Leslie, Lonchay, Smith and Whyte. |

Therefore the motion was carried and the Committee **agreed** to refuse Full Planning Permission for the following reasons:-

1. There is no justification to support the claim that the existing buildings on site are redundant from their former use and the developers have not provided any evidence to suggest why the existing buildings on site are not capable of modern day agricultural purposes. The buildings therefore cannot be considered as redundant. The proposed operations do not fall under the definition of small scale development. The proposed development is therefore contrary to Policy R2 Housing and

employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017.

2. The site lacks alternative modes of transport to the private car, particularly with regard to pedestrian connectivity and public transport provision which is deemed unsuitable for the proposed employment use class. Therefore the application fails to comply with Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017.

E. APP/2017/1536

Full Planning Permission for demolition of part steading; change of use, alterations and extension to part steading to form 2 no. dwellinghouses and erection of 6 no. dwellinghouses at Kingseat Farm, Kingseat, Newmachar, Aberdeenshire, AB21 0UF

Applicant: Buchan Property Holdings Ltd
Agent: WCP Architects

The Senior Planner explained that the application is recommended as a departure from policy as a result of the planning history and the advice given at the time under the 2012 Local Development Plan. He pointed out the sensitive conversion of the steadings and the design of the new dwellings that complemented the scale and had a contemporary design. He confirmed that one affordable unit would be provided along with a commuted sum to make the provision up to 25%.

The Committee **agreed**:-

1. that the reason for departing from the Aberdeenshire Local Development Plan 2017 is that the proposed development would ensure the reuse of the existing attractive vernacular steading building and positively transform the redundant farm complex to create an aesthetically pleasing development on the same site as the buildings which they intend to replace. In addition, the Planning Service is prepared to support the application as a departure from this policy given the planning history of the site; and
2. that the application be referred to the Infrastructure Services Committee for determination and confirm its support for the application by agreeing that Authority to grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to:
 - a) conclusion and registration of a legal agreement; and
 - b) the following conditions:
 1. 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.

2. 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.

3. 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.

4. 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 2.4 metres by 120 metres is formed on either side of the junction of the vehicular access with the public road has been provided 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.

5. No individual dwellinghouse (with the exception of Units 7 & 8) 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.

6. The vehicular access and driveways hereby approved shall not be brought into use unless they have been provided and surfaced in accordance with the details shown on the approved plans. The first 5 metres of the access measured from the edge of the road or back of the footway shall be fully paved and shall have a maximum gradient not exceeding 1:20. 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, the access, driveway and parking area shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the access and driveway 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.

7. Prior to occupancy of each dwelling, 2 off street parking spaces surfaced in hard standing materials must be provided within the plot.

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.

8. Prior to occupancy of the first dwelling, 4 off street visitor parking spaces surfaced in hard standing materials must be provided at the location shown on the Site Plan (drawing number 2375/1001B).

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.

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. That the proposed foul water drainage system shall be carried out in accordance with the Drainage Recommendation Report dated 21st February 2017 and the approved plans 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.