

Aberdeenshire

COUNCIL



Infrastructure Services

Marr Area Committee Report 27 March 2018

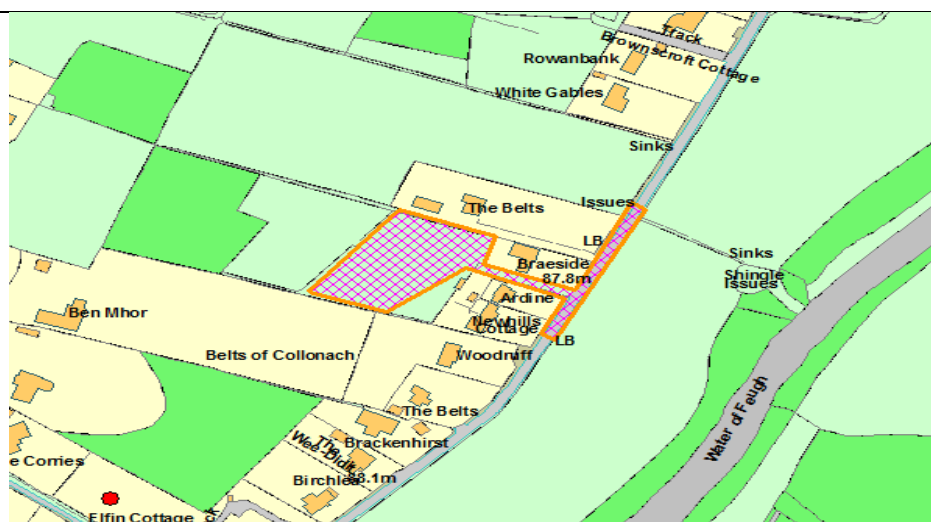
Reference No: APP/2017/3140

Full Planning Permission For Erection of 2 Dwellinghouses (Change of House Types) (Amendment to Previous Planning Approval APP/2016/0985) at Site At Ardine, Belts, Strachan, Banchory, Aberdeenshire

Applicant: Mr Scott McCombie, Fasgadh, Dungeith Avenue,
Banchory, AB31 5UA

Agent: John Wink Design, Midtown Of Foudland, Glens Of
Foudland, Huntly, AB54 6AR

Grid Ref: E:368801 N:793243
 Ward No. and Name: W16 - Banchory And Mid-Deeside
 Application Type: Full Planning Permission
 Representations: 3
 Consultations: 5
 Relevant Proposals: Aberdeenshire Local Development Plan
 Map
 Designations: Rural Housing Market Area
 Complies with: No
 Development Plans:
 Main Recommendation: Grant With Conditions



NOT TO SCALE

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1. Reason for Report

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.3.1g of Part 2C Planning Delegations of the Scheme of Governance as there is an unresolved objection from a consultee.
- 1.2 The Committee is able to consider and take a decision on this item in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.3.1c of Part 2C Planning Delegations of the Scheme of Governance as the application for development is a departure from the Development Plan and is recommended for approval.
- 1.3 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and have no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

2. Background and Proposal

- 2.1 Full planning permission is sought for the erection of 2 dwellinghouses (change of house types) as an amendment to the previously approved APP/2016/0985 on land at Ardine, Belts of Collonach, Strachan, Banchory.
- 2.2 The proposed site is an uncultivated paddock which extends approximately 0.45 hectares. Directly to the east of the field is the vacant dwelling, Ardine, its associated garden curtilage and a vehicle access. The dwelling fronts the B974 which links Strachan to Banchory. The site extends west and is bound by a drystone dyke. A variety of trees/hedging border the proposed development site, which has a gentle declining gradient from west to east. Two neighbouring dwellings lie adjacent to Ardine, Braeside to the north and Newhills Cottage to the south.

Background

- 2.3 The proposal was discussed with the Planning Service in 2014 (ENQ/2014/2860) and then a subsequent meeting was held in February 2015 to discuss the proposal further. The Planning Service were positive during pre-application discussions and encouraged the applicant to speak to consultees to iron out any requirements pre-submission.
- 2.4 In 2016 (APP/2016/0985) an application was submitted to replace the existing cottage, Ardine and erection of three dwellinghouses in the field to the west including the formation of an access. The application was supported as being an addition to the organic growth settlement of Strachan, compliant with the then adopted LDP, and on the basis of the supportive pre-application advice given. Marr Area Committee agreed with the recommendation and the application was subsequently approved.

Proposal

- 2.5 The revised proposal involves a reduction in the number of dwellings proposed in the field to the west of Ardine, from three to two. Plot 1 would be

orientated east to west, covering a substantial 'H' shaped footprint with the parking and access to the east. Garden ground would be to the south and west. Plot 2 would be orientated north to south, with the parking, access and majority of the garden ground to the south. Both dwellings incorporate attached double garages.

- 2.6 The dwellings are a storey and three quarter in height, with different designs, but both with the same design principles. The dwellings are contemporary in style and design with the use of traditional materials. The majority of both dwelling have a natural slate roof, with plot 1 displaying a covered entrance in zinc. Off-white k-rend render has been proposed throughout the development, areas of granite and timber cladding have also been incorporated to break up the mass of each elevation. Windows and doors will be painted timber. The dwellings incorporate large gables with full height, feature glazing.
- 2.7 A new access road was proposed and approved as part of the previous application. This replaced the existing track which runs to the north of Ardine. Under the current application, the siting of the access remains the same, dwellings will be served by a 4m wide road, constructed upon the footprint of the existing access track to the north of Ardine, running west from the B974. Turning areas have been provided within both dwellings to allow for vehicle manoeuvring. A 2m wide service strip is proposed along the northern extent of the access road as a shared surface, providing pedestrian linkages to the site entrance and the B974, as well as aiding vehicular passing.
- 2.8 A number of documents have been submitted in support of the application.
- **Design Statement (John Wink Design)** - the design statement provides a site analysis and description, design solution and materials. The agent states that the proposal is to sit naturally within the site and have respect for its position in the wider landscape, minimum impact on the amenity of adjacent properties. Ensure high performance in terms of minimising energy use and be developed with high architectural quality.
 - **Drainage Impact Assessment (Cameron and Ross dated February 2018)** – foul water from the proposed development will connect to the foul sewer in the B974. The ground conditions are not suitable for soakaways for surface water disposal. It is therefore proposed to use filter strips to provide one level of treatment at source and then attenuation via storage tanks. This will connect to a new surface water sewer which will connect into a ditch at the north of the site. Control chambers will be used to control the run-off rate.
 - **Tree Survey (Astell Associates dated January 2018)** – four trees are to be felled to accommodate the development, additional trees are recommended to be felled due to their poor quality and mainly grow along the base of the dyke which runs along the west boundary of the site. A total of 22 trees are recommended to be felled for woodland management or health and safety. All retained trees are to be protected by fencing during development and to ensure the access road of plot 2 does not impact on the retained trees, 'no dig' construction technique shall be used (as shown in appendix 1). A total of 21 replacement trees are proposed within the site and beech hedging.

3. Representations

- 3.1 A total of 3 valid representations have been received, 2 supporting the proposal and 1 in objection as defined in the Scheme of Delegation. All issues raised have been considered. The letters raise the following material issues:

Objecting

- Principle of development
- Dwellings not in keeping with area

Supporting

- Site is screened from B974
- Planting ensures the proposal would not negatively impact on neighbours
- Scale, location and styles of properties is appropriate for area, enhancing quality of landscape
- Proposal will bring people back into the area
- Construction of new sewage plant allows for development
- Varied styles of house designs in the area
- Existing permission on site
- Proposal improves safety as site lines are improved

4. Consultations

Internal

- 4.1 **Business Services (Developer Obligations)** have confirmed that contributions were previously secured under APP/2016/0985 which will be applied to the current application. Therefore, in this instance, no additional contribution is required.
- 4.2 **Infrastructure Service (Environment Department)** commented that the previous application included compensatory planting. However, the updated survey does not identify compensatory planting and this should be provided. Therefore, drawing ACS-1802-LS was submitted identifying this.
- 4.3 **Infrastructure Services (Flood Prevention Unit)** have reviewed the application and information provided and have confirmed that the application is out-with an area identified as having an annual probability of fluvial and/or surface water flooding. Therefore, they are satisfied with the level of flood risk associated with the development. They recommend a condition is attached ensuring the proposal is in line with Drainage Impact Assessment.
- 4.4 **Infrastructure Services (Roads Development)** has objected to the proposal on the basis of insufficient visibility. Visibility southwards can be provided by way of an agreement between the neighbouring property Newhills Cottage and Ardine, as was provided previously under APP/2016/0985. Whilst the southward visibility could not be improved to the 120m sought, it was a significant improvement and it also gave a similar benefit to other accesses to the north. Since the approval of APP/2016/0985 and the submission of the current application, hedging and a fence has been erected along the frontage

of the property immediately to the north (Braeside) affecting the visibility of both properties.

As it currently stands, visibility northwards is less than what existed at the time of the previous consent, and the improvement to the southward visibility (by way of Legal Agreement) will not additionally benefit the properties to the north, negating the benefit previously provided. Therefore, Roads Development object to the proposal.

External

- 4.5 **Scottish Water** at the time of writing, has made no response to the proposal and therefore it is assumed that they hold no objection.

5. Relevant Planning Policies

5.1 Scottish Planning Policy

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

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

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

5.2 Aberdeen City and Shire Strategic Development Plan 2014

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

5.3 Aberdeenshire Local Development Plan 2017

Policy P1: Layout, siting and design
Policy R2: Housing and employment development elsewhere in the countryside
Policy PR1: Protecting important resources
Policy C4: Flooding
Policy RD1: Providing suitable services
Policy RD2: Developers' obligations

5.4 Other Material Considerations

Consent exists on the site for three dwellings, granted in the last plan period as detailed above.

6. Discussion

- 6.1 The main planning considerations with this application relate to the principle of erecting two new dwellinghouses on this site and the impact this would have upon the character, amenity and overall context of the area. Technical matters such as drainage and access will also be considered.

Principle of development

- 6.2 Full planning permission was granted in August 2016 for the erection of a replacement dwelling with detached garage, the erection of 3 dwellings and the formation of an access road. Previously, the development was supported as it was considered to organically grow Strachan in line with Policy 3 of the Aberdeenshire Local Development Plan 2012. Planning policy stated that organic growth should be approximately 400metres from the edge of the built up area. The previous Local Development allowed discretion to be exercised where an application out with this development demonstrated exceptional layout, siting and design. Whilst the site lies beyond the 400m distance referred to in Policy, it was felt that locating the housing within an existing group was more appropriate in terms of landscape and visual impacts than it would be to locate the housing in an isolated setting within 400m of Strachan.
- 6.3 Policy R2: Housing and employment development elsewhere in the countryside within the Aberdeenshire Local Development Plan 2017 supports the small scale growth of settlements by the addition of no more than 3 houses within 200 metres of the settlement boundary. The site is located 1km from Strachan. Therefore, since the previous plan, the distance has been reduced and there is no longer the flexibility of 'approximately', nor the exceptional circumstance clause. However, the previous permission was granted in August of 2016, therefore the existing consent could be implemented.
- 6.4 The Planning Service remain to be of the view that the organic growth of Strachan is better directed to existing built areas rather than sporadic housing popping up in remote areas, however the change in policy wording would not allow this proposal to be supported without the materiality of the history. The site is considered to be within a well-established cluster of dwellings at Belts of Collonach, which minimises any wider impact on the landscaping setting. Further to this, as outlined below in section 6.7 - 6.9, the proposal is reducing the number of dwellings proposed and improving the layout and design.

- 6.5 Overall, the site in question has extant full planning permission for the erection of three dwellinghouse approved under the previous plan period. The general siting of dwellinghouses remains to be considered appropriate in terms of layout, siting and design, considering that the proposed location fits successfully due to its infill nature, primarily as the context of the area allows the site to integrate into the grouping of buildings.
- 6.6 As such, and given the character of the grouping and the infill nature of the proposal, the siting of the development would not affect the natural or built character of the area, or have any undue effect on the local landscape. The development is not considered to lead to a 'ribbon' effect due to having development on three sides, and demonstrates connectedness consistent with the existing pattern of development. One objector questions the principle of development on the site, however the principle of development has previously been established and the existing consent could be implemented at any time. This proposal offers a reduction in houses, of a different design to that consented. Whilst this proposal would not comply with the current LDP if assessed afresh just now, the materiality of the existing consent for 3 dwellings presents an opportunity to depart from Policy and support this proposal. Therefore, taking the above into account, while the proposal would not accord with Policy R2, however given the application's progress and the basis of the planning history on the site, the Planning Service are taking a pragmatic approach and are willing to support the proposal as a departure from the current Policy R2 of the Aberdeenshire Local Development Plan 2017.

Layout, siting and design

- 6.7 The development site is located between two neighbouring properties, albeit set back in the field to the west. The main character of development in Belts of Collonach is the dwellings fronting the road (B974); however Belts of Collonach does have a scattered pattern of development with this site's neighbouring property, The Belts, set further to the North West in line with plot 1 of the proposed development. In addition, the south side of Belts of Collonach is substantially more built up with infill development allowing the properties to the east of the settlement join with the west. The objector considers the development not to be in keeping with the area. Giving consideration to the above, the Planning Service dispute this and consider that the proposed development does not detrimentally alter the existing pattern of development at Belts of Collonach or Strachan, as there would still be a substantial area of undeveloped fields to the west of the proposal site. Further to the acceptance of the layout, siting and design of this proposal, there does remain the extant consent for three dwellings. The reduction in density and loss of one dwelling in this proposal does not alter that acceptable integration of this development.
- 6.8 The proposed house designs are traditional whilst encompassing some modern elements, matching in with the design of adjacent dwellings. Policy P1: layout, siting and design states that new development must be appropriately designed and in-keeping with the character and setting of the surrounding area. In terms of siting, the dwellings have been located centrally within the feu to maximise private usable space between each building.

Adequate rear/side garden ground remains within each plot to ensure that sufficient amenity space exists for each property, whilst there is suitable separation to prevent any overlooking or overbearing impacts on the adjacent plots. The dwellings are to be finished in white render, horizontal cladding and natural stone, the mix of materials have been chosen to break up the massing of the dwellings. The roof will be natural slate with painted timber windows. There is a variety of materials in the area and therefore, the chosen materials are considered acceptable. Viewing the proposal as a whole, the two dwellings present a high standard of design, layout and finish enhancing the local area.

- 6.9 Overall, the proposed house designs are considered to demonstrate the requirements set out with Policy P1 and Policy E2 Landscape. The site is considered to demonstrate a natural development westwards while ensuring connectivity throughout the site, a balance of house types through the development providing a sense of place and appropriate, contemporary aesthetic appeal.

Amenity

- 6.10 In regard to the potential amenity impacts, the proposal has been reduced in scale since the previous approval from three dwellings to two. Albeit the dwellings now proposed are larger in scale and massing, this does allow for larger plots, improved separation, and a more in keeping plot ratio and pattern of development. Notwithstanding this, the layout has improved allowing a greater separation distance between properties. There is approximately 40 metres between plot 1 and neighbouring property Braeside, and 47 metres between plot 2 and Newhills Cottage. Hedging is proposed to define the boundary between the two plots with the existing mature Cyprus hedging remaining to the north. The proposed layout, boundary treatments and separation distances are considered suitable to ensure the proposal will not create a detrimental impact on amenity in terms of overlooking, overshadowing and overbearing.

Technical considerations

- 6.11 Turning to Policy RD1: Providing suitable services, both proposed properties are to connect to the public water supply network. Scottish Water have been consulted regarding this but have not responded at the time of writing, however any developer is required to obtain the direct consent of Scottish Water to connect to their infrastructure, and this matter lies out with the realms of planning control. Foul water from the proposed development will connect to the foul sewer in the B974. The ground conditions are not suitable for soakaways for surface water disposal. It is therefore proposed to use filter strips to provide one level of treatment at source and then attenuation via storage tanks. This will connect to a new surface water sewer which will connect into a ditch at the north of the site, across the B974. Control chambers will be used to control the run-off rate. The Councils Flood Prevention Unit were consulted on the proposal and have confirmed that the proposal is out-with an area identified as having an annual probability of fluvial and/or surface water flooding. They are satisfied with the level of flood risk associated with the development and recommend a condition is attached ensuring the proposal is in line with the Drainage Impact Assessment.

Therefore, the solution is in line with Policy RD1 Providing suitable services and Policy C4 Flooding.

- 6.12 Roads Development has objected to the proposal on the basis of insufficient visibility. Visibility southwards can be provided by way of an agreement between the neighbouring property Newhills Cottage and Ardine, as was provided previously under APP/2016/0985. Whilst the southward visibility cannot be improved to the 120m sought, it was considered on the previous application to be a significant improvement, therefore, was accepted. Previously, there was no obstruction to visibility northwards.
- 6.13 Since the approval of APP/2016/0985 and the submission of the current application, hedging and a fence has been erected along the frontage of the property immediately to the north (Braeside) affecting the visibility of both properties. The verge that the fence and hedging has been sited is reportedly within the ownership of the applicant, however, as it currently stands, visibility northwards is less than what existed at the time of the previous consent. The improvement to the southward visibility (by way of Legal Agreement) is not considered by Roads Development to additionally benefit the properties to the north due to the wall and hedging now being in place, negating the benefit previously provided that allowed Roads Development to support the previous application. This application, therefore, has an objection from Roads Development regarding visibility.
- 6.14 Notwithstanding the above, the site contains full planning permission for three dwellings that would require the visibility northwards to be clear prior to the commencement of the consent. The applicant states they own the land in question, therefore whilst a fence and hedge has been erected, it would appear that their removal is within the control of the applicant. Compliance with the condition on the extant consent could therefore reasonably be achieved, albeit subject to civil matters between the applicant, who states they own the land, and the proprietor who erected the fence and hedge. Such a civil matter is not a material planning condition, but the fact remains that the extant consent could be implemented, subject to compliance with the relevant conditions. Therefore, notwithstanding the current objection from Roads Development to this proposal, the Planning Service are willing to support the proposal on the basis of this resulting in one less dwelling than what could otherwise be developed on site, and through attaching the conditions that are on the consent for three dwellings, the proposal can be developed to ensure a suitable access is provided. The Planning Service consider that by complying with the same conditions attached to the extant consent, which was accepted by Roads Development, this proposal would then remedy their concerns and comply with Policy RD2 Providing suitable services. Therefore, this consent for a reduction in the number of units would represent an improvement on the previous consent by virtue of less units and less traffic, using that same access solution. The Planning Service will attach the conditions on the previous consent relating to roads and access to this consent, which allows this proposal to be approved. Should the civil matter and obstruction to visibility splays that now exists not be resolved, the applicant would then not be able to implement/occupy either consent, thus the decision and conditions protect against a development utilising an unsafe access arrangement.

- 6.15 Developer Obligations have confirmed that contributions have previously been secured for the site under APP/2016/0985, therefore, no contribution is required in line with Policy RD2: Developers' obligations.

Landscaping/trees

- 6.16 In regard to trees on site, Policy PR1 aims to protect individual and groups of trees as trees contribute to the character and amenity of an area. A total of 26 trees are to be felled within the development, the majority of which are for health and safety or woodland management. Drawing number ACS-1802-LS identifies existing and replacement planting. A total of 21 trees are to be replaced within the development and the addition of beech hedging acting as the natural boundary treatments throughout the development. Tree protection fencing is proposed and the use of 'no dig' construction to ensure the protecting of existing planting within the site. The development is considered to be compliant with Policy PR1: Protecting important resources.

Conclusion

- 6.17 The proposal is considered appropriate in terms of design and scale and there would be no adverse visual, landscape or amenity impact arising from this development, however the proposal fails to comply with the principal Policy R2. The planning history and compliance of the proposal with the previous LDP, and extant consent for three dwellings on this site presents a compelling case to depart from the LDP and approve this application for less units than before. The Planning Service are therefore willing to support the application as a departure from Policy R2: Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017.
- 6.18 Further to the above, Roads Development are objecting to the proposal on the basis of insufficient visibility northwards since the neighbour to the north (Braeside) erected a fence and planted hedging. The Planning Service are willing to support the proposal on the basis of the extant permission that exists on site for a larger scale development. The implementation of the proposal would need to comply with appropriate conditions to ensure that the visibility splays and access is provided, as was required in the previous consent. The Planning Service are content that the visibility could be achieved as the verge is within the ownership of the applicant. Roads Development must assess the proposal on the basis of the existing situation, hence their objection to the current proposal. The Planning Service do consider that the required visibility can be achieved, and through compliance with the condition the objection from Roads Development would be remedied, and the proposal could then comply with Policy RD1. However, the objection from a statutory consultee does remain, but the application is recommended for approval, as a departure from Policy R2 of the LDP, and against the recommendation from a statutory consultee.

7. Area Implications

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

8. Implications and Risk

- 8.1 An equality impact assessment is not required because the granting or refusing of the application will not have a differential impact on any of the protected characteristics.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

9. Sustainability Implications

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

10. Departures, Notifications and Referrals

10.1 Strategic Development Plan Departures

None

10.2 Local Development Plan Departures

Policy RD2: Housing and employment development elsewhere in the countryside

- 10.3 The application is a Departure from the valid Local Development Plan and has been advertised as such. Any representations received have been circulated as part of the agenda and taken into account in recommending a decision. The period for receiving representations has expired.
- 10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.
- 10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

11. Recommendation

11.1 GRANT Full Planning Permission subject to the following conditions:-

01. The dwellinghouse hereby approved shall not 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 local development plan policy C1 regarding the aim, where feasible, of achieving a Gold sustainability label under section 7 of the building standards technical handbook.

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 local development plan policy C1 regarding, among other things, carbon-dioxide emissions.

02. 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.

03. The tree management proposals shall be carried out in complete accordance with the approved scheme.

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

04. The dwellinghouses hereby approved shall not be brought into use unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans and Drainage Impact Assessment by Cameron and Ross dated February 2018. The foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved maintenance scheme.

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

05. 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 74 metres in a southwest direction and 120 metres in a north east direction 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.

06. The dwellinghouses hereby approved shall not be occupied unless the refuse bin uplift store areas have 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.

07. The dwellinghouses hereby approved shall not be occupied unless its driveway, parking and turning area 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 first 5 metres of upgraded access shall not exceed 1:20 gradient and the first 10 metres of the upgraded access (measured from the edge of the public road) should be fully paved. A suitable vehicular turning area must be formed within the site to enable all vehicle movements onto or from the public road to be carried out in a forward gear. 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.

08. The development hereby approved shall not be brought into use unless off-street car parking for a minimum of 6 cars has been provided in accordance with the details shown on the approved plans. Once provided, the approved additional car parking area shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the additional car parking area to an appropriate standard and to ensure the retention of adequate off-street parking facilities within the site, all in the interests of road safety.

09. The junction that the proposed vehicle access forms with the public road is to be kerbed, the area within the bellmouth and for a minimum distance of 10m from the public road carriageway, is to be constructed in accordance with the Council's Specification appropriate to the type of traffic which will use the access and shall be surfaced with dense bitumen macadam or asphalt.

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

11.2 That the Committee agree the reason for departing from the Aberdeenshire Local Development Plan.

The applications seeks a reduction in scale of a consented development from three dwellinghouses to two. This site has a consent that could be implemented, therefore this proposal is not being treated as a new development, but an amendment to the previous approval. Furthermore, the scale, design and setting of the proposal remains to be considered appropriate and does not impact on the character of the surrounding area. The proposal is therefore supported as a departure from Policy R2 housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan (2017).

Stephen Archer
Director of Infrastructure Services

Author of Report: Louise Smith

Report Date: 8 March 2018