

## ABERDEENSHIRE COUNCIL

### GARIOCH AREA COMMITTEE

#### GORDON HOUSE, INVERURIE ON 17 APRIL 2018

**Present:** Councillors F Hood (Chair), D Aitchison, N Baillie, L Berry, M Ewenson, M Ford, V Harper, D Lonchay, R McKail, A McKelvie, G Reid, H Smith, Walker and J Whyte.

**Apology:** Councillor Leslie.

**Officers:** M J Cardno (Garioch Area Manager), A Overton, (Senior Solicitor), B Strachan (Senior Planner), A Murphy (Senior Planner), K Clark (Principal Engineer), L Watson (Principal Engineer), G Steel (Principal Engineer), G Lee (Principal Engineer), L Robertson (Engineer/Technician), L Dougall (Affordable Housing Officer), A Lawal (Asset Management Surveyor) and A Cumming (Garioch Area Committee Officer).

The Chair highlighted the success of Aberdeenshire athletes in the Commonwealth Games. In particular he drew attention to the silver medal won by Hannah Miley from Inverurie in the 400 metre individual medley. On behalf of the Committee, he congratulated Hannah and the other athletes for their excellent performance.

### 1. DECLARATIONS OF MEMBERS' INTERESTS

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

Item 5A Councillor Whyte as she is the Council's representative on the Garioch Sports Trust and her husband is a Trustee on this body. Councillor Whyte confirmed that she would leave the Council Chamber whilst the item was determined.

Item 10 - Councillor Ford as his wife is a Fintray Community Councillor. Councillor Ford continued to take a full part in considering 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.

#### B. EXEMPT ITEMS

"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”.

<b>Item Nos.</b>	<b>Paragraph No.</b>
11	9
12	9

### **3A. MINUTE OF MEETING OF 13 MARCH 2018**

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 SPECIAL MEETING OF 27 MARCH 2018**

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. ABERDEENSHIRE PERFORMS**

### **A. INFRASTRUCTURE SERVICES**

A report by the Director of Infrastructure Services was circulated presenting the performance information, by exception, for the period October to December 2017.

The Committee **agreed** to:-

1. acknowledge the good performance achieved October - December 2017 (Quarter 3) as detailed within the appendix to the report;
2. note those measures where performance is below expectations October – December 2017;
3. note progress of actions set out in the Infrastructure Services Service Plan 2017 – 2020;
4. note the publication of the complete October - December 2017 Performance Report and Service Plan Update on Ward Pages and on the Council's website;
5. 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;
6. congratulate the Planning Service on its excellent, much improved performance; and
7. request further information regarding:-
  - a) Page 3 - 2.6 – 1.1 Regeneration Actions - The reasons why progress has not been as planned;
  - b) Page 7 ISSP1 SO1, Can you provide information as to how many premises were not compliant in multiple quarters? Is it the same premises that are continuing to be non-compliant or are the figures new premises that are being identified? What percentage of these premises end up being closed down?

- c) Ref 5.2G - Why is the target set at 55%? This seems much lower than other PIs and is being well exceeded.

## **B. EDUCATION AND CHILDREN'S SERVICES**

A report by the Director of Education and Children's Services was circulated presenting the performance information, by exception, for the period October to December 2017.

The Committee **agreed** to:-

1. acknowledge the performance achieved October – December 2017, referred to in paragraphs 2.3 to 2.6 in the report;
2. consider those measures where performance is below expectations October – December 2017, referred to in paragraphs 2.5 to 2.6 in the report;
3. note the publication of the complete October – December 2017 Performance Report on Ward Pages;
4. instruct the Director of Education and Children's Services to continue to report, by exception, to committee quarterly performance measures against Service objectives; and
5. request further information regarding the nature of the complaints that have been received (Ref SO4 4.3)

## **C. RESPONSES FROM HOUSING TO QUERIES PREVIOUSLY RAISED BY COMMITTEE**

A report by the Director of Education and Children's Services was circulated detailing responses received from the Housing Service in relation to queries previously raised by the Committee.

The Committee **agreed** to note the responses from the Housing Service to queries previously raised by the Committee.

## **5. PLANNING APPLICATION FOR CONSIDERATION**

The following planning applications were considered and were dealt with as recorded in **Appendix A** to this Minute.

APP/2018/0099	Alteration and extension to sports centre to provide new indoor and outdoor facilities, including pitches, stands, jogging/cycling track with associated floodlighting, parking and landscaping at Garioch Sports Centre, Strathburn Park, Inverurie	Delegated Grant
APP/2018/0317	Change of use of bakery (Use Class 1) to hot food takeaway (Sui Generis) and installation of flue at 13 Oldmeldrum Road Newmachar	Grant

## 6. GARIOCH 2018/2019 BRIDGEWORKS (ROAD NETWORK)

A report by the Director of Infrastructure Services was circulated seeking approval for the programme of bridge works (road network) in the Garioch Area.

The Committee sought clarification about the extent of some of the works and the categorisation of capital and revenue projects. Concerns were raised about the damage done to bridges by HGVs and whether restrictions could be put in place to protect these bridges. It was pointed out that temporary restrictions had been put in place on the B979 following the work being done to the bridge and Local Members asked whether this could be made permanent.

The Committee **agreed**:

1. to approve the Garioch Area 2018/2019 Bridgeworks Programme (Road Network), as detailed in Appendix A to the report; and
2. to note that approval for any Garioch Area based procurements of £50,000 or over will be sought within the Infrastructure Service 2018/2019 Procurement Work Plan; and
3. that the Service should report back to Local Members on how the restrictions on HGVs using the B979 can be made more permanent.

## 7. ASSET DISPOSAL AND REINVESTMENT

A report by the Director of Infrastructure Services was circulated seeking comments to the Communities Committee on asset disposal and reinvestment.

Members were generally supportive of the proposals that would see the disposal of poorly performing properties, but they sought clarification as to the criteria that would be used to determine what was "poorly performing". They were assured that this would include a number of considerations and that where the property sale exceeded £100k the decision would be taken by the relevant Area Committee. Members were keen to ensure that detailed information be provided and careful consideration be given to each property before a decision is taken to dispose of the asset.

The Committee **agreed** to make the following comments to the Communities Committee on the:-

1. proposed strategy to dispose of poorly performing assets on the Housing Revenue Account, to be approved on a case by case basis following the process set out in 2.4-2.8 to the report;
2. proposal to reinvest the proceeds from any disposals to enable the delivery of affordable housing in the local area

Comments

- a) The Council should not have a policy that would see it reaching its energy efficiency targets by getting rid of the least energy efficient properties; and
- b) Councillors should be provided with extensive facts and figures when taking decisions relating to the disposal of these assets.

## 8. FLOOD RISK AND COAST PROTECTION PROGRAMME OF MEASURES 2018/2019

A report by the Director of Infrastructure Services was circulated recommending the Committee approve the flood risk and coast protection programme of measures 2018/19.

Members were given an update with the progress being made with the works at Kingsfield Road, Kintore and were assured that works would be undertaken by the summer. Councillors sought clarification about the timescale for Kemnay being considered as a vulnerable area and whether the Service would consider liaising with residents regarding the works at Kirkton of Skene. The Principal Engineer explained that the consultation for the next Flood Risk Management Plan would be starting in a few months-time, but that the plan would not come into force until 2022. He confirmed that the Service had already been communicating with residents and were happy to liaise with the residents of Kirkton of Skene.

The Committee **agreed** to:

1. approve the Flood Management and Coast Protection Programme of Measures for 2018/2019 as detailed in Appendix A, as it relates to the Garioch Area;
2. approve the schemes on the Reserve List of Measures within the Garioch Area, as detailed in Appendix A; and
3. agree that schemes can be brought forward from the Reserve List in the order of priority given in the event of slippage, provided that their inclusion does not result in the overall expenditure exceeding the allocated budget sum.

## 9. GARIOCH AREA COMMITTEE BUDGET 2018/19

A report by the Director of Education and Children's Services was circulated presenting proposals for the allocation of funds from the Area Committee Budget.

The Committee welcomed the report, but was keen to clarify that funding for upgrade of existing lights to LED should also be included with the criteria.

The Committee **agreed** to:-

1. allocate £15,000 of the Garioch Area Committee Budget 2018/19 to the Garioch Area Initiatives Fund, in line with the eligibility criteria outlined in Sections 2.3-2.11 of the report subject to Subject to the amendment of 2.12.1 to read "Applications will be considered for new lights and upgrades of existing lights to LED. Repair maintenance, installation and storage costs will not be supported", to promote the development of community-based initiatives supporting the delivery of the following themes:

Theme	
Improving the appearance and maintenance of towns and villages	£15,000
Healthy Communities	
Strong Communities	
Safe Communities	

2. allocate £5,000 of the Garioch Area Committee Budget 2018/19 to the Garioch Rural Partnership Small Grant Initiative: and
3. utilise the remaining £60,000 of the Garioch Area Committee budget for projects which have a strategic impact across Garioch.

## 10. COMMUNITY COUNCIL GRANTS 2018/19

A report by the Director of Education and Children's Services was circulated recommending the approval of Community Council Administration Grants for 2018/19.

The Committee **agreed** to the allocation of Community Council administration grants for the Garioch Area for 2018/19, as detailed in the appendix to the report.

## 11. SALE OF HATTON OF FINTRAY SCHOOL HOUSE, HATTON OF FINTRAY AB21 0YG

A report by the Director of Business Services was circulated recommending approval of the sale of Hatton of Fintray School House.

The Committee noted the loss of the garden area used by the Primary School and stressed the need to ensure that similar facilities continued to be available to the School.

The Committee **agreed** to approve the sale of Hatton of Fintray School House for the highest bid on the terms as detailed in the report.

## 12. NEW BUILD AFFORDABLE HOUSING, KINGSEAT

A report by the Director of Infrastructure Services was circulated seeking approval for the acquisition of affordable housing in Kingseat.

The Committee **agreed** to approve the acquisition of 6 new build affordable housing units from Barratt Homes for social rent through Aberdeenshire Council's new build affordable housing programme

**Councillor Presiding over meeting**

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**Print Name**

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**Signature**

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**Date**

## **GARIOCH AREA COMMITTEE**

**17 APRIL 2018**

### **APPENDIX A**

#### **PLANNING APPLICATIONS FOR DETERMINATION**

**A. Reference No: APP/2018/0099**

**Alteration and extension to sports centre to provide new indoor and outdoor facilities, including pitches, stands, jogging/cycling track with associated floodlighting, parking and landscaping at Garioch Sports Centre, Strathburn Park, Burghmuir Drive, Inverurie**

**Applicant: Inverurie Community Council**  
**Agent: Lippe Architects & Planners Ltd**

With reference to item 1 of the minute, Councillor Whyte declared an interest and left the Council Chamber whilst the application was determined.

The Senior Planner explained that the application was a major application that would see the extension of the Garioch Sports Centre and a range of new facilities. He confirmed that the Centre was a well-used facility that was located within informal open space protected within the Local Development Plan. He explained that the proposals would see a new main building with a bridge linking to the existing centre. He confirmed that it would provide an upgraded 3G pitch, a new hybrid pitch with stands to Scottish Football Association standards. He explained that the proposals would also see a relocated J-track, circular cycling track and jogging track. He confirmed that additional parking and landscaping would be provided on site.

The Senior Planner explained that the loss of public open space was considered to be acceptable on the grounds that the new facilities were for community use and ancillary development and also that the development would not result in a deficit of sports grounds as identified in the open space audit. He confirmed that the proposals would see development closer to residential properties, but that the impact on these properties was considered to be acceptable. He explained that although parking was being increased, the use of car parks 3 and 4 would be restricted to matchdays only, so the main access on to the site would be from Burghmuir Drive. He explained that the burn located within the site had create some challenges, but confirmed that SEPA and FPU were content with the proposals. He confirmed that issues relating to noise and light pollution would be dealt with by condition.

Members sought clarification about phasing, provision of pedestrian crossings, traffic management, impact on Strathburn school. The Senior Planner confirmed that as all of the provision was linked to the main building, it was likely that nothing would be developed without the provision of it. He confirmed that the distance between the school and the nearest building was in excess of 100 metres and it was unlikely that there would be issues with overshadowing. The Principal Engineer explained that consideration had not been given to provision of a crossing on Blackhall Road and the island at the top of the road was considered to be adequate. He also explained that car parks 3 and 4 provided a further 120 spaces and access to these would need to be managed by the Centre. It was pointed out that the maximum number of attendees at the football would only occur two or three times during the year, although it was recognised that the Centre hosts other events.

Members welcomed the proposals and the facilities that would be available to residents as a result. They considered that the appropriate protections were in place to protect the amenity of residents and supported the recommendation.

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

- a) a satisfactory consultation response from SportScotland and any condition arising from this; and
- b) the following conditions:
  - (1) No works in connection with the development hereby approved (including ground works) 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) The use of protective fences and exclusion barriers of maximum possible width either side of the length of the Strath Burn prior to and during construction phases;
    - (c) How to address surface water management during construction through construction SUDS;
    - (d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
    - (e) The location and timing of sensitive works to avoid harm to biodiversity features;
    - (f) The times during construction when specialist ecologists may need to be present on site to oversee works;
    - (g) Responsible persons and lines of communication;
    - (h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;

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 environment, including the water environment.

- (2) All recommendations from the Black Hill Ecology Tree Report shall be implemented in full and no works in connection with the development hereby approved shall commence unless a tree protection plan 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 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;



- (d) An arboricultural impact assessment which evaluates the direct and indirect impacts of the proposed development on the trees to be retained and proposed mitigation;
- (e) An arboricultural method statement to demonstrate that operations can be carried out with minimal risk of adverse impact on trees to be retained;
- (f) A method statement for any works proposed within the root protection areas of the trees shown to be retained.

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.

- (3) That from the date of this notice, there shall be no change to existing ground levels within the 1 in 200 year flood extent as shown on drawing number 111487/2010 by Fairhurst in the Revised Flood Risk Assessment dated March 2018.

Reason: To protect people and property from flood risk.

- (4) That the lowest point of entry to the proposed building to be at least 75.85m AOD.

Reason: To protect people and property from flood risk.

- (5) That the three new watercourse crossings are designed to ensure that they do not constrict the flow of water during flood conditions and do not increase flood risk locally. They should be designed to span the full width of the watercourse up to the 1 in 200 year design flow with the soffit level set above the 1 in 200 year design flood level plus a suitable allowance for freeboard.

Reason: To protect people and property from flood risk.

- (6) Prior to the occupation of the new sports centres, details of Emergency Procedures, including the closure of areas of car park at continued flood risk, shall be submitted for the approval of the planning authority.

Reason: To protect people and property from flood risk.

- (7) Prior to the commencement of construction of the new synthetic pitch to the east of the site, details of contractor(s) and pitch specification shall be submitted for the written approval of the planning authority. For the avoidance of doubt, the pitch must be designed and constructed by a recognised (e.g. SAPCA\* registered) specialist pitch contractor(s). Once approved, the pitch shall be constructed in full accordance with the approved details.

\*SAPCA is The Sports and Play Construction Association ([www.sapca.org.uk](http://www.sapca.org.uk))

Reason: to ensure the replacement pitch is constructed to a standard which compensates for the loss of the grass pitches area.

- (8) Prior to the extension or construction or any of the additional parking hereby approved, a car park management plan shall be submitted for the written approval of the planning authority. The plan shall include:
- a) the position of all barriers to restrict access;
  - b) details of the hours of operation for car parks 1 & 2;
  - c) details of the match day only use of car parks 3 & 4;
  - d) details of those responsible for ensuring car parks are secured;
  - e) details of how the management plan will be monitored and reviewed;  
and
  - f) any other details necessary to allow effective management of the car parks.

Once approved, the car park management plan shall be implemented in full prior to the relevant parking area being brought into use.

Reason: In the interests of ensuring traffic in the area of Old Chapel Road and disturbance to neighbouring properties is minimised.

- (9) Prior to the commencement of development, designs and an implementation plan for a new pedestrian crossing between the site entrance and Burghmuir Circle shall be submitted for the written approval of the planning authority. Once approved, the crossing shall be installed in accordance with the approved details prior to the new sports centre being brought into use.

Reason: To ensure the safety of pedestrians as a result of the increase in traffic generated by the development.

- (10) Prior to the commencement of development, any necessary waiting restrictions in and around Old Chapel Road shall be submitted for the written approval of the planning authority. Once approved, the restrictions shall be installed in accordance with the approved details prior to the new stadium being brought into use.

Reason: To ensure the additional restrictions are implemented in the interests of road safety.

- (11) The development hereby approved shall not be brought into use unless an updated Travel Plan for Garioch Sports Centre produced in line with the framework in the Transport Statement has been submitted to and approved in writing by the planning authority. A Travel Plan for Inverurie Loco Works FC shall also be produced covering staff and spectators for approval. Each Travel Plan shall encourage more sustainable means of travel and shall include mode share targets. They shall identify measures to be implemented, the system of management monitoring review, reporting and duration of the incorporated measures designed to encourage modes other than the private car. Neither the sports centre nor stadium facility shall be brought into use unless the measures set out in its respective approved Travel Plan have been implemented in full.

Reason: In the interests of encouraging a more sustainable means of travel to and from the proposed development.

- (12) In addition to the landscaping details already submitted, 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) a schedule of planting within and along the Strath Burn;
- (b) specifications and standards of native species (incl. increased use of evergreen trees) within the area south of the SUDS basin (north of Maryfield West) and the area north of the hybrid pitch (adjacent to Old Chapel Road);
- (c) the position of proposed bird and bat boxes within the site;
- (d) the position of at least three seats / benches in appropriate locations adjacent to the SUDS pond, car park 3 and Old Chapel Walk boundaries, or as otherwise agreed in writing with the planning authority;
- (e) A programme for the implementation, completion and subsequent management of the proposed landscaping and above measures.

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.

- (13) Notwithstanding the details on the approved drawings, prior to the construction of any development involving the coloured profile metal cladding (buildings, pitch or play area enclosures), samples of the colours proposed shall be submitted to the Planning Service for formal written approval. Once approved, the cladding shall be installed in accordance with the agreed details.

Reason: To allow the finish of the key elements of the proposal to be considered in the interests of the appearance of the development.

- (14) No individual building hereby approved shall 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 Policy C1 of the Aberdeenshire Local Development Plan 2017.

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 Policy C1 of the Aberdeenshire Local Development Plan 2017.

- (15) The jogging and cycle track along with footpaths within the site shall be completed and available for use prior to the sports centre being completed.

Reason: To ensure the timeous provision of these ancillary features in the site.

- (16) The athletics J track shown on the approved plans shall be completed and available for use prior to the sports centre being completed.

Reason: To ensure the timeous provision of the track and retention of athletics provision on the site.

- (17) That the outdoor 3G / hybrid pitches shall not be used outside the hours 08:00 - 22:00 and any artificial lighting shall not be used outwith the hours 08:00 - 22:15.

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

- (18) 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.

- (19) 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.

- (20) The sports facilities hereby approved shall not be brought into use unless the proposed surface water drainage system has been provided in accordance with the approved plans and the Fairhurst Drainage Assessment dated November 2017 Issue 2 and amended drawing 111487/2200 Rev C. 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.

## Reason for Decision

The proposed development accords with the Local Development Plan and there are no material considerations which indicate that permission should be refused.

### **B. Reference No: APP/2018/0317**

**Change of use of bakery (Use Class 1) to hot food takeaway (Sui Generis) and installation of flue at 13 Oldmeldrum Road, Newmachar, Aberdeenshire, AB21 0PN**

**Applicant: Mr Bo Ling**  
**Agent: Neil Rothnie Architects**

The Senior Planner explained that the proposals would see the change of use of a bakery to a hot food takeaway. She confirmed that the application had been the subject of 40 representations, but the majority of these supported the application. She explained that the main concerns related to odour, noise and parking. She confirmed that the proposed ventilation was considered to be acceptable and was conditioned. In terms of parking she confirmed that although the required level of parking was not being provided, there was considered to be sufficient on street parking available in the surrounding area.

Some Members remained concerned about the lack of parking provision and how this could impact on the neighbouring properties. It was pointed out that the previous operating hours of the bakery complemented that of the fish and chip shop, but that the takeaway would be attracting customers at the same time, increasing the amount of parking at key times. However, it was pointed out that there was specific parking bays available across the road and that there was a number of streets that could be used to park for the short periods involved that would not impact on neighbours.

The Committee **agreed** to grant Full Planning Permission subject to the following conditions:-

1. The development hereby approved shall not be brought to use unless the ventilation and filtration equipment has been installed in accordance with the approved details and its operation has been demonstrated to the planning authority in consultation with environmental health. Once provided, the approved ventilation and filtration equipment shall be permanently retained thereafter.

Reason: To ensure that odour from the development does not result in undue loss of amenity for surrounding properties.

2. The use hereby approved shall not operate outwith the hours of 16:00 – 22:30, Monday to Friday; Saturday and Sunday.

Reason: In order to ensure that the development would not result in undue loss of amenity for surrounding properties.

## Reason for Decision

The proposed development accords with the applicable policies contained within the local development plan and there are no material considerations or technical issues which indicate that permission should be refused.