

ABERDEENSHIRE COUNCIL

KINCARDINE AND MEARN'S AREA COMMITTEE COUNCIL CHAMBER, VIEWMOUNT, STONEHAVEN, 15 MAY 2018

- Present:** W Agnew (Chair), I Mollison (Vice-Chair), G Carr, A Bews
S Dickinson, A Evison, Provost W Howatson, J Hutchison,
C Pike, D Robertson, S Wallace, L Wilson.
- Officers:** William Munro (Area Manager, Kincardine and Mearns), Karen
McWilliam (Area Committee Officer, Kincardine and Mearns), Peter
Robertson (Senior Solicitor), Clare Taylor-Brown (Team Leader Work
with Young people), Gregor Spence (Senior Planning Officer), Paul
Whalley (Early Years Estate Manager), Peter MacCallum (Roads
Development Manager), Kenn Clark (Principal Engineer,
Transportation).
- In Attendance:** Craig Wallace, Station Manager, Kincardine and Mearns District,
Scottish Fire and Rescue Service, (item 4); Calli Hopkinson Steve
Crawford (Halliday, Fraser Munro), Jo Robinson (Visit Scotland), Phil
Swire, Daniel McLean (Graham & Sibbald) and Ms Melville-Evans (item
9(a)); Aaron Souttar (item 9(b)).

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct, the following declaration was intimated:

Councillor Mollison declared an interest in Item 5 (Area Committee Budget (1.1)) by virtue of him supporting the group by attending their events. Having applied the objective test, he concluded the interest to be remote and insignificant, therefore he would remain and participate in the item.

2A. STATEMENT ON EQUALITIES

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

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it.
- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

2B. RESOLUTION

The Committee **agreed** in terms of Section 50A(4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of the items specified below so as to avoid disclosure of exempt information of the class described in the undernoted paragraphs of Part 1 of Schedule 7A of the Act.

Item No	Paragraph No of Schedule 7A
10	8

3. MINUTE OF MEETING OF KINCARDINE AND MEARNES AREA COMMITTEE OF 24 APRIL 2018

The Committee had before them and **approved** as a correct record the Minute of Meeting of the Committee of 24 April 2018.

4. SCOTTISH FIRE AND RESCUE SERVICE PERFORMANCE REPORT (APRIL 2017 – MARCH 2018)

A joint report by the Local Senior Officer, Scottish Fire and Rescue, and the Director of Communities was circulated advising Members of the service performance for the period, April 2017 to March 2018.

The Station Manager was in attendance to present the report, drawing attention to local statistics in relation to accidental dwelling fires; fire casualties and fatalities; deliberate fires; secondary fires; road traffic accidents and other special service calls; and unwanted fire alarm signals.

Members sought and received clarification about a number of items including; repeat requests for unwanted fire alarms; local staffing; the community safety hub; issues that may have arisen due to alcohol and or drug misuse; familiarisation with the AWPR for future emergency calls.

The Committee commend the work of the Scottish Fire and Rescue Service, **agreed** to acknowledge the performance report relating to the period, April 2017 to March 2018, and made the following comments:

1. Ensure future reports omit the use of acronyms and or append a glossary of terms, and
2. Disseminate information with regard to gender balance within the Fire and Rescue Service to Members.

5. AREA COMMITTEE BUDGET 2018 – 2019

A report by the Director of Infrastructure Services was circulated advising Members of applications to the Area Committee Budget for the financial year 2018/2019.

Members were advised, by the Area Manager, that two applications were being presented for consideration. The first was from the Newtonhill Festive Lights group for £4,250.00 towards the cost of purchasing LED replacement festive lights. The total cost of the project was £8,300.00 therefore there was a shortfall in achieving the recommended 50% matched funding. However, the group had now confirmed that they could cover 50% of the total

project cost therefore only required £4,150.00. Members were advised that the outcome of the review of the policy on festive lights would not be known until the meeting of the Infrastructure Services Committee in June, it was possible that after this there may be further applications relating to festive lights.

The second application was from the Johnshaven School who had requested £2,687.15 towards the project cost of £6451.00 to refurbish a community space within the school. Members were advised that Johnshaven had a score of one for geographic access in the Scottish Indices of Multiple Deprivation. This meant that families who lived in Johnshaven had no easy access to local services in their area for health, early years education, family support, or leisure facilities. Also, the transport to neighbouring communities was considered expensive for those who were living in poverty.

Johnshaven School is a small rural school which currently has 30 pupils. The roll had fallen considerably over the past few years, in part due to there being no accessible child care. Working families often send their children to a neighbouring community with wrap around care. It was considered that as there was no early year's provision, there was no opportunity, currently, to build relationships with families before their children started school. No early intervention for children living in poverty, with additional support needs. The plan was to develop a Community Hub within school. The aim was to develop an annual programme of early years workshops that supported families to meet the key milestones of a child's development. Through partnership work with Community Learning and Development and the Third Sector, the aim was to build capacity in the community through the provision of services that support family learning, particularly in respect of the Universal Credit roll-out, family/carer support and support for Mental Wellbeing. Funding had been raised previously to adapt a small area into a kitchen space and storage. Funding from Awards for All, Lottery and Calor Rural Funding was currently being progressed, this was to develop another space in the school as a sensory area to support children with social and emotional behaviour disorders. The cost of this second phased project was £12,300.00.

Provost Howatson, seconded by Councillor Wilson, moved to disburse the following grants from the Area Committee Budget 2018/2019:

1. Newtonhill Festive Lights - £4,150.00 Subject to the conclusion of the review on Festive Lights to be presented to the Infrastructure Services Committee in June 2018, and
2. Johnshaven School - £2,687.15.

As an amendment Councillor Evison, seconded by Councillor Robertson, moved to disburse £2,687.15 to Johnshaven School but to defer consideration of the application from Newtonhill Festive Lights pending the outcome of the festive light review to be presented to Infrastructure Services Committee.

The Committee voted:

For the motion(9) Councillors Agnew, Bews, Carr, Hutchison, Provost Howatson, Councillors Mollison, Pike, Wallace and Wilson.

For the amendment (3) Councillors Dickinson, Evison and Robertson.

The motion was carried, and the Committee **agreed** to a disburse funds, from the Area Committee Budget, to the following groups:

1. Newtonhill Festive Lights - £4,150.00
Subject to the conclusion of the review on Festive Lights to be presented to the Infrastructure Services Committee in June 2018, and
2. Johnshaven School - £2,687.15

6. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 APPLICATION FOR GRANT OF TEMPORARY PUBLIC ENTERTAINMENT LICENCE – REQUEST FOR EXTENSION OF OPERATING HOURS for JENSEN CODONA, FUNFAIR at STONEHAVEN FEEIN’ MARKET on 2 JUNE 2018.

A report by the Director of Business Services was circulated advising Members of a report requesting the extension of operating hours for a funfair at the Stonehaven Feein’ Market.

The Senior Solicitor was in attendance to present the report and answer any queries.

The Committee **agreed** to grant that the extension of the hours of operation of the funfair be granted as sought.

7. HOUSING QUARTERLY PERFORMACNE EXCEPTION REPORTING (OCTOBER - DECEMBER) 2017 ABERDEENSHIRE PERFORMS.

A report by the Director of Infrastructure Services was circulated advising Members of the most recent performance figures for the Housing Service in Aberdeenshire Council.

The Area Manager presented the report advising that the measure relating to average re-let times was performing below target, however there had been a slight improvement from the previous quarter. Members were advised that of the 10 low demand properties there was one in Kincardine and Mearns, 18 Mearns Court, Laurencekirk, originally the accommodation for the warden at the sheltered housing complex. These types of properties had proven difficult to manage as wardens no longer lived on site at sheltered housing complexes. The property had now been reconfigured for use as a wheelchair accessible property, which required extensive work, and should now be a more useful inclusion in the hosing stock.

With regard to re-let times, it was suggested that comparator figures form other Local Authorities could be presented to the Communities Committee.

The Committee **agreed** to:

1. Acknowledge the positive performance achieved October to December 2017, referred to in the report,
2. 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, and
3. Seek further clarification with regard to the following:
 - a. What factors influence and determine a low demand property,

- b. What options/criteria are available for people when being offered a property?

8. COMMUNITY LEARNING AND DEVELOPMENT PLAN REFRESH (2018/2021).

A report by the Director of Education Children's Services was circulated advising Members of the proposal to refresh the Community Learning and Development Plan 2018 – 2021.

The Adult Learning Team Leader was in attendance to present the report and to answer any queries.

The Committee **agreed** to forward the following comments on the proposed Improvement Priorities, identified by Aberdeenshire Learning Community Partnership (ALCP), for the three year Community Learning and Development Plan, for the period (September 2018-August 2021), to the Education and Children's Services Committee and Community Planning Partnership Board:

1. Whilst it was acknowledged that the direction of Community Learning and Development (CLD) had changed from previous delivery, which included a broad range of classes, with an approach that was considered to be inclusive and a very good method in dealing with inequality and community integration,
2. A focus on Care Leavers would be beneficial,
3. With reference to Priority 1 (Positive Learner Transitions), inclusion of Women returners, transition to parenthood should be considered,
4. With reference to Priority 2 – (Community Engagement to Empowerment), supporting those who are vulnerable was seen as a priority,
5. Literacy work was seen as essential in tackling inequalities, and
6. Tangible outcomes that are measurable was seen as a priority for future feedback on the CLD Service.

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

Reference Number	Address
(A) APP/2017/1366	At Mains Of Luther, Luthermuir, Laurencekirk, Aberdeenshire.
(B) APP/2018/0370	Woodside Croft, Luthermuir, Laurencekirk, Aberdeenshire, AB30 1PS.
(C) APP/2018/0434	The West Of Upper Balfour Farm, Woodlands Of Durris.

Councillor Presiding over meeting

Print Name

Signature

Date

**KINCARDINE AND MEARNS AREA COMMITTEE, 15 MAY 2018
APPENDIX**

PLANNING APPLICATIONS FOR DETERMINATION

(A) **Reference No: APP/2017/1366**

Planning Permission in Principle for Erection of Roadside Services (Comprising Class 1 (Shops), Class 2 (Financial, Professional and Other Services), Class 3 (Food and Drink) and Class 7 (Hotels and Hostels) and Petrol Station (Sui Generis)) with Associated Car Parking, Infrastructure and Landscaping at Site At Mains Of Luther, Luthermuir, Laurencekirk, Aberdeenshire

Applicant: Luther Farm Services Ltd, C/o Agent
Agent: Halliday Fraser Munro Planning, Carden Church,
6 Carden Place, Aberdeen, AB10 1UR

A report by the Director of Infrastructure Services was circulated advising Members that the Committee was able to consider and take a decision on this item in terms of the Scheme of Governance as the application was for major development. The Head of Planning and Building Standards was of the professional opinion that the approval of this application would be a departure from the Development Plan, albeit not a significant departure, and in the event that the Area Committee deciding to support the application it would require to be referred to the Infrastructure Services Committee for determination.

The Senior Planning Officer advised that the fundamental principle of the planning system was to ensure that development and changes in land use occurred in suitable locations and are sustainable. The proposed development failed to meet the fundamental requirements of a number of policies contained within the Local Development Plan which shared the theme of sustainability. Ultimately, the siting of the proposal was considered to be unsuitable for the development proposal outlined.

The Committee was advised that the proposed development did not comply with Policy 2 Housing and employment development elsewhere in the countryside. This policy supported development proposals in the rural housing market area if they were small-scale employment proposals. It was clear that, if fully developed, the proposal would extend well over 0.5 Ha and would employ well over 5 full time employees and could therefore not be considered to be small scale in nature. In conjunction with this, although the applicant had carried out pre-application consultation for this major application and has consulted widely with other organisations, there was no agreed statement, as per the requirements of Policy

P1, and the proposal was technically a departure from this aspect of Policy P1 Layout siting and design. Members were advised that the area of ground to be used was now less than reported in the report and would now extend to approximately 4.67Ha.

The proposed site was considered to be disconnected from surrounding settlements and would be almost entirely reliant on the use of the car. The lack of an identified requirement for the form of development proposed in this location, in conjunction with a lack of convenient accessibility by different modes of transport, resulted in a clear failure to demonstrate compliance with Policies B3 Tourist facilities and P1 Layout, siting and design.

The proposed development did not comply with Policy PR1 Protecting important resources (agricultural land). With regard to the loss of agricultural land to accommodate development, Scottish Planning Policy indicated such development should come forward as a bid for inclusion in the Development Plan and may only likely be included if the proposed development met an identified need. Although the reduction in the size of the site from that which was originally applied for meant that less prime agricultural land would be used for development the Planning Service continued to be of the view that the loss of prime agricultural land, in this instance, had not been adequately justified.

The Committee sought further guidance in relation to the consultation response from Transport Scotland in that the proposal could not be considered as roadside services as it was located on only one side of the road. PAN 75 recommended that where services were located on only one side of the road, access from the opposite direction should be via a grade separated overbridge. Members were advised that it would mean signage to the proposed Roadside Services must indicate that the development was not suitable for HGVs and must not designate the development as roadside services.

Members sought clarification with regard to comparisons with other junctions on the A90 and were advised that the Crosspoles junction would be considered slightly substandard to what you would expect using current design standards. Comparisons with other nearby A90 junctions were difficult to make as there were often differing traffic conditions. Members were advised that the Roads Service felt that the issues was not just about passing traffic but also likely new destination trips to this proposed development. Members further queried slip roads and acceleration lanes and after discussion were advised that these could potentially be improved but that an increase in right turn manoeuvres into or out of the side roads was not desirable at an at-grade dual carriageway junction.

The Committee heard from, Calli Hopkinson and Steve Crawford (Halliday, Fraser Munro) in support of the application for reasons of support to the local economy, tourism and green energy through the promotion of electric charging points. Members were advised that there had been no opportunity to submit an agreed statement for this development as it did not meet the criteria to do so as it was not currently a site in the Local Development Plan.

The Committee heard from, Jo Robinson (Visit Scotland), in support of the application, advising that the proposal offered a potential destination development that would be seen as important to the developing tourism offer in Aberdeenshire.

The Committee heard from Phil Swire, in objection to the proposal advising that development would be detrimental to the local business economy as it would create an overprovision (albeit that he acknowledged that this was not a material planning consideration). However any assessment of the positive economic and tourism benefit of the development had to take account of the fact that it would have a detrimental effect on other established businesses in the area and could lead to job losses. He did not consider that the presence of what was essentially a roadside service station would benefit other small businesses in the area in the way that the applicants claimed. Mr Swire also

expressed safety concerns with regard to the current roads infrastructure and its ability to cope with the number of vehicle manoeuvres that would take place at the junction with the A90 should the proposal go ahead. He also noted that the proposed development had not come through as part of the current Local Development Plan.

The Committee also heard from Ms Melville-Evans, in objection to the application advising that this rural site was the wrong location for a development of this size. It could not be seen as a sustainable development as it was on productive agricultural land and there was very little opportunity of public transportation.

After discussion, Councillor Pike, seconded by Councillor Wallace, moved to defer consideration of the application to arrange a site visit so that the Committee could consider the site and its current land use.

As an amendment, Councillor Mollison, seconded by Councillor Evison, moved to determine the application as Members had sufficient information to do so.

The Committee voted:

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| For the motion | (3) | Councillors Carr, Pike and Wallace. |
| For the amendment | (9) | Councillors Agnew, Bews, Dickinson, Evison, Hutchison, Provost Howatson, Councillor Mollison, Robertson and Wilson. |

The amendment was carried and the Committee **agreed** to determine the application at this meeting.

Councillor Wilson, seconded by Councillor Bews, moved to refer the application to the Infrastructure Services Committee with a positive recommendation to grant Planning Permission in Principle for the erection of Roadside Services (Comprising Class 1 (Shops), Class 2 (Financial, Professional and Other Services), Class 3 (Food and Drink) and Class 7 (Hotels and Hostels) and Petrol Station (Sui Generis) with Associated Car Parking, Infrastructure and Landscaping at Site at Mains of Luther, Luthermuir. The following reason was given:

There was not considered to be a significant departure from LDP policies P1 B3 R2 and PR1 and that this was outweighed by the significant economic benefits of employment; tourism; and benefits to the local economy.

As an amendment, Provost Howatson, seconded by Councillor Agnew, moved to refuse to grant Planning Permission in Principle for the erection of Roadside Services (Comprising Class 1 (Shops), Class 2 (Financial, Professional and Other Services), Class 3 (Food and Drink) and Class 7 (Hotels and Hostels) and Petrol Station (Sui Generis) with Associated Car Parking, Infrastructure and Landscaping at Site at Mains of Luther, Luthermuir, for the reasons given in the report.

The Committee voted:

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|-------------------|-----|---|
| For the motion | (7) | Councillor Bews, Carr, Dickinson, Evison, Robertson, Wallace and Wilson. |
| For the amendment | (5) | Councillor Agnew, Hutchison, Provost Howatson, Councillor Mollison, and Pike. |

The motion was carried and the Committee **agreed** to refer the application to the Infrastructure Services Committee with a positive recommendation to grant Planning Permission in Principle for the erection of Roadside Services (Comprising Class 1 (Shops), Class 2 (Financial, Professional and Other Services), Class 3 (Food and Drink) and Class 7 (Hotels and Hostels) and Petrol Station (Sui Generis) with Associated Car Parking, Infrastructure and Landscaping at Site at Mains of Luther, Luthermuir. The following reason was given:

There was not considered to be a significant departure from LDP policies P1 B3 R2 and PR1 and that this was outweighed by the significant economic benefits of employment; tourism; and benefits to the local economy.

(B) **Reference No: APP/2018/0370**

Planning Permission in Principle For Erection of Dwellinghouse and Sub Division of Feu at Woodside Croft, Luthermuir, Laurencekirk, Aberdeenshire, AB30 1PS

Applicant: Mr Calum Young, Woodside Croft, Caldhame, Luthermuir, Laurencekirk, AB30 1YX

Agent: J W Souttar, 3 Clerk Street, Brechin, DD9 6AF

A report by the Director of Infrastructure Services was circulated advising Members that the Committee was able to consider and take a decision on this item in terms of the Scheme of Governance as the application was recommended for refusal but at least two Local Ward Members had requested that the application be referred to the Area Committee.

The Senior Planning Officer advised that the principle of replacing a domestic garage with a dwellinghouse did not represent a suitable redevelopment opportunity. Therefore the proposal did not accord with Policy R2 Housing and employment development in the countryside of the Aberdeenshire Local Development Plan 2017. The garage was an extension to the existing dwellinghouse and it was considered that it could still be used for domestic purposes. The garage was not a separate planning unit which would justify its replacement with a dwellinghouse. No exceptional circumstances had been demonstrated which would warrant a departure from policy. Furthermore, no drainage information had been submitted and therefore the proposal also failed to comply with Policy RD1 Providing suitable services.

The Committee heard from Aaron Souttar in support of the application on behalf of the applicant. Members were advised that the garage was not fit for purpose as it was too small for modern day cars. Furthermore the building was an eyesore so for it to be replaced by a rural cottage would be of benefit to the built heritage.

The Committee **agreed** to delegate the authority to grant Planning Permission in Principle for the erection of a dwellinghouse and sub division of the feu at Woodside Croft, Luthermuir, to the Head of planning and Building Standards subject to appropriate planning conditions, to include drainage, etc. The reasons given were as follows:

1. Although this was a departure from LDP, P1 (Layout siting and design) and R2 (Housing and employment development elsewhere in the countryside) in that the garages could still be used for storage purposes nevertheless in this particular case the proposed development would be a significant improvement to the amenity and appearance of the area. Whilst this would only rarely provide justification for departing from policy the Committee felt that it could be justified in the circumstances of this particular case, and

2. Compliance with policy: RD2 Developers' obligations.

(C) **Reference No: APP/2018/0434**

Planning Permission in Principle For Erection of Dwellinghouse at Land To The West Of Upper Balfour Farm, Woodlands Of Durris

Applicant: Forbes Homes Ltd, C/o Agent

Agent: Harry McNab, Hollygrove, Upper Lochton, Banchory, AB31 4ES

A report by the Director of Infrastructure Services was circulated advising Members that the Committee was able to consider and take a decision on this item in terms of the Scheme of Governance Scheme as there is an unresolved objection from a consultee.

Members were advised that Crathes, Drumoak and Durris Community Council had submitted an objection to the application raising concerns regarding the level of housing approved on the outskirts of Woodlands of Durris, particularly in the Upper Balfour area. The Community Council considered that no further housing was required in Durris at this stage and although out with the settlement boundary, further applications would have an impact on the limited infrastructure available in the area. This additional housing in conjunction with other approved sites in the area exceeded the number of housing agreed for Woodlands of Durris in the Local Development Plan.

The Senior Planning Officer advised that overall, it was considered that the principle of the development could be supported under the criteria of Policy R2 Housing and employment development elsewhere in the countryside. All technical matters had been addressed and the proposal complied with all relevant policies of the Aberdeenshire Local Development Plan 2017.

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

01. Details of the specified matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No development shall begin on the site unless all of the details listed in this condition have been submitted to and approved in writing by the planning authority. The development shall be carried out in complete accordance with the details approved in relation to this condition.

Specified matters:

- (a) Full details of the layout and siting of the proposed development;
- (b) Full details of the external appearance and finishing materials of the proposed development;
- (c) A landscaping scheme and tree protection plan including proposed landscape features, including trees to be retained and planted.
- (d) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point;
- (e) Full details of the proposed means of disposal of foul and surface water from the development;

- (f) Full details of the proposed access to the development including visibility splays where appropriate;
- (g) Full details of the proposed car parking/vehicle turning area for the development;
- (h) Full details of the proposed refuse collection point and refuse storage areas.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. The dwellinghouse hereby approved shall not be occupied unless parking spaces, surfaced in hard standing materials have been formed within the site and shall be provided in accordance with details to be submitted to and approved in writing by Planning Authority. The first 5 metres of the driveway shall be fully paved and the maximum gradient of the access shall not exceed 1:20 gradient. 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. The junction of the proposed vehicular access formed with the public road shall be kerbed to a radii of 5 metres, the minimum width at the throat of the bell mouth so formed will be 5 metres. The area within the bell mouth and for a minimum of 5 metres from the public road carriage way shall be constructed in accordance with the Council's Specification appropriate to the type of traffic which will use the access, and shall be surfaced in dense bitumen macadam or asphalt. Once provided, the access, turning and parking area shall thereafter be permanently retained as such.

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

03. No works in connection with the permission hereby granted shall commence unless a lay-by measuring 8 metres by 2.5 metres with 45 degree splays, has been formed on the frontage of the site and the proposed vehicular access is to be taken via this. Construction shall be to a standard appropriate to the location and must be agreed in advance with Infrastructure Services (Roads Development).

Reason: To ensure the existing road network can accommodate the traffic likely to be associated with the proposed development in the interests of road safety.

04. 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 120 metres in both directions along the channel line of the public road has been provided from a point 2.4 metres measured at right angles from the existing edge of the carriageway surface along the centre line of the vehicular 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.

05. No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store area have been submitted to and approved in writing

by the planning authority. The area shall be constructed behind any visibility splay and shall be designed so as to be accessible for refuse bin uplift and to prevent empty bins from being wind-blown. The dwellinghouse shall not be occupied unless the refuse bin uplift store area has been provided and surfaced in accordance with the approved details. Once provided, the refuse bin uplift store area shall thereafter be permanently retained as such.

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

06. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority.

Details of the scheme shall include:

- a) Existing landscape features and vegetation to be retained;
- c) Protection measures for the landscape features to be retained;
- d) Existing and proposed finished levels;
- e) The location of new trees, shrubs, hedges, grassed areas and water features;
- f) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- g) The location, design and materials of all hard landscaping works including walls, fences and gates;
- h) An indication of existing trees, shrubs and hedges to be removed;
- i) A programme for the implementation, completion and subsequent management of the proposed landscaping.

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.

07. 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.

08. The dwellinghouse hereby approved shall not be occupied unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans and Ground Assessment Report and Drainage Recommendations by S.A. McGregor dated 30 March 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.

09. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

Reason for Decision

01. The proposed site is located within 200m of an identified settlement as defined in the Aberdeenshire Local Development Plan 2017. No other dwellinghouses have been approved under this plan period and therefore the proposal is acceptable in principle and complies with Policy R2 Housing and employment development elsewhere in the countryside. All technical matters have been addressed and the proposal complies with all other relevant policies.

10. SUPPLEMENTARY ANNUAL WORK PLAN FOR EDUCATION CHILDREN'S SERVICES DIRECTORATE – PROCUREMENT APPROVAL.

A report by the Director of Education Children's Services was circulated advising Members of a supplementary work plan for the Service.

The Early Years Estate Manager was in attendance to present the report and to answer any queries. The Chair was asked, and agreed, that the following project information be made available to the community;

Portlethen Primary School – Early Learning & Childcare (ELC) Refurbishment	Refurbishment of part of the School building to deliver an enhanced Early Learning & Childcare (ELC) environment. Refurbishment works to include an enhanced play space, toilets, kitchen, sensory area and outdoor play area. The project will also expand upon existing core building facilities, in order to increase Nursery capacity.	Start date 01/08/2018	End date 01/04/2019
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The Committee **agreed** to:

1. Approve the items on the Work Plan identified as falling within the remit of the Committee,

2. Not reserve approval of the Business Case for any item on the Work Plan which fall within the Committee's remit where the value of the matter is between £50,000 and £1,000,000, and
3. Instruct Officers to ensure that Members are included in any community engagement exercises about the work planned for Portlethen Primary School.

DRAFT