

ABERDEENSHIRE COUNCIL
FORMARTINE AREA COMMITTEE

THE KIRK CENTRE, STATION ROAD, ELLON, 4 SEPTEMBER 2018

Present: Councillors I Davidson (Chair), I Taylor (Vice-Chair), K Adam, S Duncan, A Forsyth, J Gifford, P Johnston, A Kloppert, G Owen, A Stirling and R Thomson.

Apologies: Councillor A Hassan.

Officers: E Brown (Formartine Area Manager), K Balina (Committee Officer, Formartine), M Ingram (Solicitor, Legal and Governance), A Ramsay, (Senior Planner, Infrastructure Services), K Menzies (Location Manager, Aberdeenshire Health and Social Care Partnership), A McGruther (Location Manager, Aberdeenshire Health and Social Care Partnership), W Chisholm (Local Senior Officer, Scottish Fire and Rescue Service), E Tully (Planner, Infrastructure Services), A Morris (Service Development Co-ordinator, Infrastructure Services), S Norman (Environment Planner, Infrastructure Services), C Loney (Waste Support Officer, Roads, Landscape Services & Waste), L Gravener (Strategy Policy Lead, Engagement & Equalities), D Rennie (Business Development Executive, Economic Development & Protective Services), O Deeming (Landscape Services Officer, Roads, Landscape Services & Waste), P Macari (Principal Developer Obligations Officer, Legal & Governance).

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare in terms of the Councillors' Code of Conduct.

Councillor Forsyth declared an interest in item 6B by virtue of being acquainted with the applicant. He stated that he would take no part and would leave the meeting for this item.

Councillor Owen declared an interest in item 6C by virtue of being a director of The Formartine Partnership and advised that she would leave the meeting and take no part in the consideration of the item.

2. RESOLUTIONS

a) Equalities

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

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

- (c) foster good relations between those who share a protected characteristic and persons who do not share it.

b) Exempt Information

The Committee **agreed**, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, that the public and media representatives be excluded from the meeting for the item 10 of the business on the grounds that it involved the likely disclosure of exempt information of the class described in the Paragraph of Part 6 of Schedule 7A of the Act.

3. MINUTE OF MEETING OF 26 JUNE 2018

The Committee had before them, and **approved** as a correct record, the minute of the meeting of 26 June, 2018.

4. SCOTTISH FIRE AND RESCUE SERVICE – FORMARTINE AREA COMMITTEE PERFORMANCE REPORT FOR Q1 1 APRIL – 30 JUNE 2018

There had been circulated a joint report by a Local Senior Officer of the Scottish Fire and Rescue Service and the Director of Business Services of Aberdeenshire Council, which informed members of how the Scottish Fire and Rescue Service was performing locally in Formartine, against key performance measures and associated targets as set out in the Aberdeenshire Local Fire and Rescue Plan and the Formartine Multi-Member Ward Plan, for the period from 1 April, 2018 to 30 June, 2018. The Aberdeenshire and Moray Station Manager was in attendance to introduce the report.

During discussion, the members requested further information on how to identify and prevent the vulnerable groups.

Thereafter, the Committee:-

- (1) **noted** the performance report relating to the period 1 April, 2018 to 30 June, 2018,
- (2) **noted** the local operational matters arising together with key resource issues as detailed within the appendices to the report, and
- (3) **noted** the revised format of the report.

5. ABERDEENSHIRE HSCP PERFORMANCE & OUTCOMES FRAMEWORK QUARTER 4 REPORTING – JANUARY TO MARCH 2018

There had been circulated a report dated 6 August, 2018, by the Partnership Manager (Central), Aberdeenshire Health and Social Care Partnership (HSCP), which provided information on HSCP performance during the period from January to March, 2018, as reported to the Integration Joint Board on 20 June, 2018, together with further information on local performance. The Location Manager provided further context to the data and responded to questions from Members in relation to local availability of data, delivery the mental health strategy, and performance indicators relating to assessments.

The Committee **agreed**:-

- (1) to note the Integration Joint Board (IJB) Performance Quarter 4 report;
- (2) to provide the following feedback to the Integration Joint Board for their consideration:-
 - (a) a lot of data was not currently available at local level; and
- (3) to request two sessions on the performance indicators that were reported to the Committee and in relation to adult protection.

6. PLANNING APPLICATIONS FOR DETERMINATION

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

Reference	Description	Decision
A APP/2017/2718	Full Planning Permission for Erection of 5 Dwellinghouses at Land to the North East of East Kinharrachie Farm, Kinharrachie, Ellon	defer
B APP/2018/1511	Full Planning Permission for Erection of 3 Dwellinghouses at Plots A, B and C, Site at Thornhill Road, Hillhead of Teucher, Cuminestown	refuse
C APP/2017/2857	Full Planning Permission for Installation Of Wind Turbine (Hub Height 59m, Total Height 99.91m) With Access Track and Hardstanding at Land at Cardinghill, Ellon	defer
D APP/2017/1045	Planning Permission in Principle (Major) for Residential Development of 220 Units with Open Space and Associated Infrastructure at OP2 Site, Land South of Chapelwell, Balmedie South, Balmedie	refer to the ISC with a recommendation to defer
E APP/2018/0436	Full Planning Permission for Upgrade of Access, Formation of Bund, and Change of Use from Agricultural Land Use Storage & Distribution Yard (Use Class 6) (Part Retrospective) at Shiels Quarry, Whitecairns	grant with a condition regarding visibility splays
F APP/2018/1491	Full Planning Permission for Conversion of Steading to 3	grant with an amendment of condition

Dwellinghouses at Overton Farm, Berefold, Ellon to include passing place

7A. PLANNING APPEAL DECISION NOTICE - APP/2017/2430 – CROSS OF JACKSTON, BY ROTHENORMAN

There had been circulated, and was **noted**, a Planning Appeal Decision Notice dated 18 June, 2018, advising that the reporter dismissed the appeal and refused planning permission.

The salient points to be acknowledged by the Committee and the Service had been outlined within the information provided to the members.

7B. PLANNING APPEAL DECISION NOTICE - COMP/2018/0017 - HADDO QUARRY, TARVES

There had been circulated, and was **noted**, an Appeal Decision Notice dated 18 June, 2018, advising that the reporter dismissed the appeal.

The salient points to be acknowledged by the Committee and the Service had been outlined within the information provided to the members.

8. INFRASTRUCTURE SERVICES QUARTER 4 2017-2018 PERFORMANCE REPORT (ABERDEENSHIRE PERFORMS)

There had been circulated a report dated 7 August, 2018, by the Director of Infrastructure Services, which provided the Committee with a summary of Infrastructure Services' performance during the period from January to March, 2018.

During the discussion the Committee requested further information in relation to High-Risk Premises visited within the timescale.

The Committee **agreed**:-

- (1) to note the good performance achieved from January to March, 2018;
- (2) to acknowledge those measures where performance was below expectations from January to March, 2018;
- (3) to note the publication of the complete January to March 2018 Performance Report on Ward Pages and on the Council's website; and
- (4) to advise the Director of Infrastructure Services to continue to report, by exception, to the Area Committee quarterly on performance measures against service objectives.

9. ABERDEENSHIRE COUNCIL BUILT HERITAGE STRATEGY 2018-2021

There had been circulated a report dated 2 July, 2018, by the Director of Infrastructure Services, which sought comments, for consideration by the

Infrastructure Services Committee, on the Built Heritage Strategy 2018-2021 and associated Action Plan.

The Environment Team Leader introduced the strategy and highlighted the key priorities which related to conservation and management, enhancement, promotion, and continuous improvement.

The Committee:

- (1) **noted** the aims and key priorities of the Built Heritage Strategy 2018-21 and associated Action Plan,
- (2) **agreed** to fully support the Built Heritage Strategy, and
- (3) **agreed** to make the following comments:
 1. Councillors should have access to any courses that are made available to help to raise their awareness in regard to Built Heritage Strategy,
 2. The strategy should refer to enhancing the built heritage of all town centres, not just regeneration areas, and
 3. A longer term strategy would provide greater ability to plan and source external funding.

10. APPLICATION FOR RENEWAL OF STREET TRADERS LICENCE (EXEMPT UNDER PARAGRAPH 6 OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973)

There had been circulated a report dated 16 April, 2018, by the Director of Business Services, which asked the Committee to consider an application for the renewal of a Street Trader's Licence and the representation made in respect thereof and determine whether the application should be granted or refused.

The Committee then heard from the applicant and the Principal Roads Engineer. After discussion, the Committee **agreed** unanimously to grant the application for renewal of a street trader's licence.

11. WASTE MANAGEMENT – RECYCLING AND WASTE COLLECTIONS POLICY AND PROCEDURES

There had been circulated a report dated 12 July, 2018, by the Director of Infrastructure Services, which sought comments, for consideration by the Infrastructure Services Committee, on the policy and procedures relating to recycling and waste collections.

The Waste Team Manager introduced the report and responded to questions from Members. A number of issues raised during discussion would be considered further when the draft Waste Strategy was presented to the Committee.

The Committee **agreed** to note the policy and procedures in relation to recycling and waste collections and comment:-

- (1) The recycling instructions were complicated and difficult to follow,
- (2) More education was necessary to help and encourage people to recycle, and
- (3) On the importance of communication, with reference made to stickers on bins, and pictorial guides including for gypsy/travellers.

12. CONSULTATION ON DOGS IN SCHOOL GROUNDS, COUNCIL PLAYPARKS, SPORTS PITCHES, CEMETERIES AND BEACHES – MEMBER PROMOTED ISSUE

There had been circulated a report dated 13 June, 2018, by the Director of Infrastructure Services, which asked the Committee to consider options regarding the presence of dogs in specified locations and select a preferred approach for recommendation to the Infrastructure Services Committee.

Following a discussion, the Committee:

- (1) **noted** the options regarding the presence of dogs in specified locations, as described in the report,
- (2) **agreed** to recommend to the Infrastructure Services Committee that the preferred approach would be to implement existing policy but with an additional resources and budget requirements.
- (3) **agreed** to make the following comments:
 - (1) there was currently no consistent policy covering the presence of dogs on council premises and that a policy should be developed, and
 - (2) it would be extremely difficult to manage and implement proposed options due to the current workload of existing staff resources and budget requirements.

13. BRITISH SIGN LANGUAGE LOCAL PLAN 2018-2024

There had been circulated a report dated 27 July, 2018, by the Director of Business Services, which sought comments on the Aberdeenshire British Sign Language (BSL) Local Plan 2018-2024 for consideration by the Business Services Committee in September.

The Strategic Policy Lead (Engagement and Equalities) provided background information on development of the plan and highlighted some of the key actions.

The Committee provided the following comments on the Aberdeenshire British Sign Language (BSL) Local Plan 2018-2024:-

- (1) Aberdeenshire Council should do more to encourage BSL users to apply for vacancies within the Aberdeenshire Council, and

- (2) Aberdeenshire British Sign Language Local Plan 2018-2014 should have been taken for consideration by the all Services within Aberdeenshire Council.

14. ECONOMIC ACTIVITY IN FORMARTINE – APRIL 2017 TO MARCH 2018

There had been circulated a report dated 1 June, 2018, by the Director of Infrastructure Services, which provided information on Economic Development activity in the Formartine Area during the period from April 2017 to March 2018.

The Business Development Executive outlined the economic backdrop and invited comment from Members.

The Committee **noted** the content of the report and **agreed**:-

- (1) to request further information on the business start-ups and businesses supported through the Survive and Thrive program, and
- (2) to fully support the local business activity and to attend the local events.

15. LICENSING (SCOTLAND) ACT 2005 – SECTION 6 AND SECTION 7 – REVIEW OF ABERDEENSHIRE NORTH, CENTRAL AND SOUTH DIVISIONAL LICENSING BOARDS' LICENSING POLICY STATEMENTS AND OVERPROVISION POLICY STATEMENTS

There had been circulated a report dated 25 July, 2018, by the Director of Business Services, which advised that the Aberdeenshire North, Central and South Licensing Boards were formally consulting on a draft Policy Statement and asked the Committee to consider and comment on the draft Policy Statement, particularly the proposed changes as highlighted at section 2.4 of the report.

The Committee **agreed** to note and support the terms of the Aberdeen Divisional Licensing Boards' draft Policy Statement and in particular the changes highlighted in section 2.4 of the report.

16. AREA COMMITTEE BUDGET 2018-2019

Ellon Kirk Centre New Scots 'Drop In'
Item withdrawn by Applicant

Fyvie, Rothienorman and Monquhitter Community Council

An application had been received from the Fyvie, Rothienorman and Monquhitter Community Council which sought a contribution towards a community event to commemorate WW1.

The Committee requested further information from Fyvie, Rothienorman and Monquhitter Community Council and **agreed** to discuss the application at the next Formartine Area Committee Meeting.

17. STATEMENT OF OUTSTANDING BUSINESS

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

In relation to Item 2, the Committee noted that a session had been rescheduled to allow discussions with Policy Committees in the first instance.

In relation to items 3 and 4, the members were informed that both sessions would be arranged once information is available.

In relation to Item 5, the Committee instructed the Area Manager to liaise with the Planning Environment Service, the Haddo Estate and the local community.

Draft

APPENDIX A

6A. Reference No: APP/2017/2718

Full Planning Permission for Erection of 5 Dwellinghouses at Land to the North East of East Kinharrachie Farm, Kinharrachie, Ellon, Aberdeenshire, AB41 8PQ

Applicant: Annie Kenyon Architects Ltd
Agent: Annie Kenyon Architects Ltd

There had been circulated a report dated 1 August, 2018, by the Director of Infrastructure Services, which sought consideration of an application for full planning permission for the replacement of an existing steading, Dutch barn and red brick shed with 5 dwellinghouses.

Having heard that requests to speak had been received, the Committee **agreed** to hear from Annie Kenyon, the applicant and the agent.

The Senior Planner introduced the application which was recommended for refusal. During her presentation she made reference to the siting and design of the development, access, drainage issues and risk of contaminated land. The Planning Service was satisfied with the overall layout and design of this proposed development and as such the development complied with Policy P1.

The proposal did not comply with Policy R2, the developments exceeded what is defined as small scale residential developments in the countryside. In addition, the Dutch barn which was considered a temporary structure was precluded as a building that could be replaced under that Policy.

The development was also contrary to Policy RD1, Policy C4 and Policy P4 contained in the Aberdeenshire Local Development Plan 2017. An applicant had not provided the required information to address concerns regarding surface water flooding, the drainage system and sufficient information relating to the potential presence of contamination at the site. Therefore, Aberdeenshire Council were unable to determine that the development would not have a significant detriment impact on public health or the environment.

The applicant addressed the Committee and spoke about benefits of application; made comments in relation to the modern and good quality design; mentioned there was no public objections to the project; having been unable to prepare the Flood Risk Assessment Report and provide information relation to the potential presence of contamination at the side within proposed timescale.

After discussion, it was **noted** by members that there were outstanding issues and a lack of information provided by the applicant to the Planning Service.

It was **agreed** to defer consideration of the application for two cycles pending:

- (1) The submission of further information relating to surface water flooding, and
- (2) The submission of further information relating to the potential presence of contamination at the site.

6B. Reference No: APP/2018/1511

Full Planning Permission for Erection of 3 Dwellinghouses at Plots A, B and C, Site at Thornhill Road, Hillhead of Teuchar, Cuminestown, AB53 5YL

Applicant: Mr Alex McLean-Bullen
Agent: Cooper & MacGregor Ltd

There had been circulated a report dated 3 August, 2018, by the Director of Infrastructure Services which was sought for the erection of three houses at a site at Thornhill Road, Hillhead of Teuchar, Cuminestown.

With reference to Item 1 of the Minute, Cllr Forsyth declared an interest and left the meeting during this item.

Having heard that requests to speak had been received, the Committee agreed to hear from Bob MacGregor, the agent, Alex McLean – Bullen, the applicant and Ms Willox, a supporter.

The Senior Planner reported on the detail of the application. The proposal did not comply with Policies PR1 and R2 of the Local Development Plan and was therefore recommended for refusal. The Senior Planner introduced the planning history including previous refused applications and responded to questions relating to prime agricultural land.

The Planning Service received 16 valid letters of representation (15 letters of support and 1 letter of objection) to this application, including an objection from the Fyvie, Rothienorman & Monquhitter Community Council.

The Committee then heard the agent, Mr Bob McGregor who made comments about a good design of proposed development; existing local housing stock; mentioned that the development would not have significant impact on neighbouring properties and would support the affordable housing; noted that development was energy and water efficient. The applicant had proposed to connect to the public water infrastructure.

Ms Willox, a supporter, spoke about the positive impact development would have on the local services and school in Cuminestown.

The members then asked questions in relation to the soil survey and classification.

The motion was from Cllr Taylor, seconded by Cllr Johnston to refuse full planning permission. The amendment was from Cllr Stirling, seconded by Cllr Duncan to delegate authority to grant full planning permission to the Head of Planning and Building Standards on the grounds that the proposal would provide additional housing to the community, the site was reasonably connected to the settlement, and it was considered reasonable to accept the quality of the land was not high enough to qualify as Prime Agricultural Land as there was an absence of evidence.

Members of the Committee voted: -

For the motion (6)

Councillors Adam, Davidson, Gifford,
Johnston, Taylor and Thomson

For the amendment (4)

Councillors Duncan, Kloppert, Owen and
Stirling

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

- (1) The proposed development is contrary to Policy R2 Housing and employment development elsewhere in the countryside contained in the Aberdeenshire Local Development Plan 2017 in that the proposed site is greenfield, agricultural land and as such is not considered to be a redundant brownfield opportunity site. In addition, the site is not considered to be an appropriate addition to an existing group or cluster of 5 houses, as there is only 3 houses nearby.
- (2) The development is contrary to Policy PR1 Protecting important resources contained in the Aberdeenshire Local Development 2017 in that the application site is located within Class 3.1 prime agricultural land of the Soil Survey for Scotland, Land Capacity for Agriculture. Such sites should not be developed unless the development is directly related for the purposes of agriculture, which this development is not or the site is allocated in the Local Development Plan, again which this site is not.

6C. Reference No: APP/2017/2857

Full Planning Permission for Installation of Wind Turbine (Hub Height 59m, Total Height 99.91m) With Access Track and Hardstanding at Land at Cardinghill, Ellon

Applicant: Cardinghill Renewables Ltd
Agent: Farm Energy Consulting Ltd

There had been circulated a report dated 16 August, 2018, by the Director of Infrastructure Services which sought consideration of an application for full planning permission for the erection of an Enercon E82 1.5mW wind turbine. The turbine proposed had a rotor blade length 45m with a hub height of 59m. The total height to tip of this turbine was 99.91m. The proposal comprised additional associated infrastructure including an access track and hardstanding.

With reference to Item 1 of the Minute, Cllr Owen declared an interest and left the meeting during this item.

Having heard that requests to speak had been received, the Committee **agreed** to hear from David Smith, the applicant and Rod McGovern, the agent.

The Senior Planner introduced the application which was recommended for refusal for the following reason: -

- (1) The proposal is contrary to Policy C2 Renewable energy of the Aberdeenshire Local Development Plan 2017 on the basis that there would be an unacceptable interference with air defence radar at RRH Buchan, and the impact on the Air Traffic Control at Prestwick is also unacceptable. MoD, National Grid, NATS and Aberdeen International Airport all have unresolved objections to the application. Environmental Health have also objected on the basis that the noise information provided by the agent is insufficient for them to fully assess whether the noise impact of the turbine would be acceptable.

The Senior Planner responded to questions.

Councillor Johnston, seconded by Councillor Duncan, moved to undertake a site inspection to the application site. The reason was to gain a better understanding of the site and landscape.

Councillor Davidson, seconded by Councillor Stirling moved as an amendment, that a site inspection was not necessary.

Members of the Committee voted:-

For the motion (4)	Councillors Adam, Duncan, Johnston and Taylor
For the amendment (6)	Councillors Davidson, Forsyth, Gifford, Kloppert, Stirling and Thompson

Therefore, the amendment was carried and the Committee **agreed** that a site inspection was not necessary.

The Committee then heard the applicant, David Smith who referred to the previous planning application which had been accepted and Mr Rod McGovern, the agent who made comments about the application process; he had not received response to provided methodology and had not had enough time to resolve that issue; both turbines, the existing and planned, would be operated by the same operator.

The Committee raised concerns about the application on the basis they had had insufficient information on the noise impact in order to fully assess the proposal. They were also unable to receive clarification from the Environmental Health Officer who had been unavailable.

The motion was from Cllr Thomson, seconded by Cllr Davidson to refuse the application.

The amendment was from Cllr Gifford, seconded by Cllr Stirling to defer consideration of the application to allow a noise monitoring to be obtained.

Members of the Committee voted: -

For the motion (3)	Councillors Davidson, Forsyth, Thomson
For the amendment (7)	Councillors Adam, Duncan, Gifford, Johnston, Kloppert, Stirling, Taylor

Therefore, the amendment was carried and the Committee **agreed** to defer consideration of the application to allow noise monitoring to be obtained.

6D. Reference No: APP/2017/1045

Planning Permission in Principle for Residential Development of 220 Units with Open Space and Associated Infrastructure at OP2 Site, Land South of Chapelwell, Balmedie South, Balmedie, Aberdeen

Applicant: Castlehill Housing Association and Aberdeenshire Council

Agent: NORR Consultants Limited

There had been circulated a report dated 22 August, 2018, by the Director of Infrastructure Services which sought the Planning Permission in Principle for the development of 220 houses and associated infrastructure on the OP2 allocation to the south of Balmedie. The site is allocated was the Local Development Plan 2017 (LDP) for 150 homes.

The Planner reported on the detail of the application. This application was for permission in principle only, as such there are no details of the style, or layout of the properties. The Members were informed that permission for the development would be granted in principle only and subsequent approval was required for matters specified in conditions in accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to allow a for a reasonable period of time to plan and implement the development.

The Planner then responded to questions in relation to the number of access points to the development; consultation with local residents; capacity of local school; the number of affordable houses. The Members were informed that two points of access would be sufficient for such a big development; the Castlehill Housing Association as the developer were promoting the site as providing a 50% affordable housing contribution; the Education Service has been consulted on the planning application: public consultation has been carried out as part of the application process; the application was a Departure from the valid Local Development Plan and had been advertised as such.

The Members were asked to agree that the application be referred to the infrastructure Services Committee for determination and confirm their support for the application by agreeing that Authority to GRANT be delegated to the Head of Planning and Building Standards.

The motion was from Councillor Johnston, seconded by Councillor Gifford to refer the application to Infrastructure Services Committee with a recommendation to defer the application for the provision of a masterplan.

As an amendment, Councillor Stirling, seconded by Councillor Davidson, moved to refer the application to Infrastructure Services Committee with a recommendation to agree that authority to grant be delegated to the Head of Planning and Building Standards and that Matters Specified in Conditions (MSC) applications be brought back to the Committee for final determination.

Members of the Committee voted:-

for the motion (7) Councillors Adam, Forsyth, Gifford, Johnston, Kloppert,
Taylor and Thomson

for the amendment (4) Councillors Davidson, Duncan, Owen and Stirling

Therefore, the motion was carried and the Committee **agreed** to refer the application to Infrastructure Services Committee with a recommendation to defer the application for the provision of a masterplan.

Councillor Stirling requested that her dissent from the decision be recorded.

6E. Reference No: APP/2018/0436

Full Planning Permission for Upgrade of Access, Formation of Bund, and Change of Use from Agricultural Land Use Storage & Distribution Yard (Use Class 6) (Part Retrospective) at Shiels Quarry, Whitecairns, Aberdeenshire, AB23 8UL

Applicant: Mr Michael Christie
Agent: Matthew W Merchant

There had been circulated a report dated 31 July, 2018, by the Director of Infrastructure Services, which sought consideration of an application for full planning permission for the upgrade of an access, formation of a bund and the extension of Use Class 6 (Storage & Distribution). The applicant had advised that the existing site was an industrial brownfield site dating from the 1950's and had been previously used as a lay down area serving firstly a landfill site then a scrap recycling facility.

The Senior Planner introduced the application which was recommended for approval. During discussion, the members asked whether the extension was appropriate given its location and surroundings; made comments about visibility and sought clarification on the current access route. Members requested the addition of a condition on maintenance of the visibility splays.

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

1. The development shall be served in accordance with the approved drawings and the following details:

- (a) The maximum gradient of the first 5m of the access must not exceed 1 in 20.
- (b) Prior to occupancy of development, first 5m of the access (measured from edge of road or back of footway) to be fully paved.
- (c) Prior to occupancy of development, off-street parking for 4 cars, surfaced in hard standing materials must be provided within the site.
- (d) Prior to occupancy of development, a passing place measuring 15.0m x 2.5m with 5m splays to be formed at location shown on drawing number 1560-013 Rev B. Construction shall be to a standard appropriate to the location & must be agreed in advance with Roads Maintenance team.
- (e) Prior to commencement of development, Visibility Splays, measuring 2.4m by 120m to be formed on either side of the junction of the vehicular access with the public road. The visibility splays so formed shall thereafter be kept free of all permanent obstructions above adjacent carriageway level.

Reason: In the interests of road safety.

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

Details of the scheme shall include:

- (a) Existing landscape features and vegetation to be retained;
- (b) Protection measures for the landscape features to be retained;

- (c) Existing and proposed finished levels;
- (d) The location of new trees, shrubs;
- (e) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- (f) The location, design and materials of all hard landscaping works including walls, fences and gates.

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.

The Committee **agreed** the reason for departing from the Local Development Plan.

The proposal is considered to be a departure from the Local Development Plan because it does not qualify as 'small scale' employment development as the site measures over 1 hectare. However, due to the fact that the proposal would make use of redundant brownfield land, it is considered that the proposal is an acceptable departure to Policy R2 Housing and employment development elsewhere in the countryside.

6F. Reference No: APP/2018/1491

Full Planning Permission for Conversion of Steading to 3 Dwellinghouses at Overton Farm, Berefold, Ellon, Aberdeenshire, AB41 8EL

Applicant: George Chalmers Ltd (In Liquidation)
Agent: Lippe Architects + Planners

There had been circulated a report dated 13 August, 2018, by the Director of Infrastructure Services which was sought the sub-division and conversion of an existing steading to form three dwellinghouses at Overton Farm, Berefold, Ellon. In addition, the applicant proposed to demolish an existing agricultural shed to the rear of the site in order to facilitate the proposal.

The Senior Planner introduced the application which was recommended for approval. During discussion, the members commented on road safety issues and increasing number of vehicles on the roads; made comments about visibility and sought clarification on the current route. It was also noted that there is an error in the wording of condition 4 which should be amended to include the requirement for a passing place.

Following discussion, the Committee **agreed** to **grant** Full Planning Permission, subject to the following conditions and the amendment of condition 4:-

1. No individual dwellinghouse hereby approved shall be erected unless an Energy Statement applicable to that dwellinghouse has been submitted to and approved in writing by the Planning Authority. The Energy Statement shall include the following items:

- a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
- b) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with 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.

2. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to 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.

3. No dwellinghouse hereby approved shall be occupied unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans and the Ground Assessment and Drainage Recommendation Report by S.A McGregor dated 12 June 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.

4. The development shall be served in accordance with the approved drawings and the following details:

- a) The gradient shall not exceed 1:20 over the first 5 metres.
- b) Prior to occupancy of development, the first 5m of access (measured from edge of road or back of footway) shall be fully paved.
- c) Prior to occupancy of development, off-street parking for a minimum of 7 cars, surfaced in hard standing materials must be provided within the site.
- d) Prior to occupancy of the development, 7 Parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the Council's Car Parking Standards.

- e) Prior to commencement of development, a lay-by measuring 8.0m x 2.5m with 45° splays shall be formed on frontage of the site & the proposed vehicular access to be taken via this. Construction shall be to a standard appropriate to the location & must be agreed in advance with Roads Development.
- f) Prior to commencement of development, Visibility Splays, measuring 2.4m by 90m shall be formed on either side of the junction of the vehicular access with the public road. The visibility splays so formed shall thereafter be kept free of all permanent obstructions above adjacent carriageway level.
- g) Prior to occupancy of development a refuse bin uplift store area shall be constructed (behind any visibility splay) so as to be accessible for bin uplift & shall be secure enough to prevent empty bins from being wind blown. Details must be submitted to Roads Development for approval.
- h) Prior to occupancy of development a suitable vehicle turning area, measuring not less than 7.6m x 7.6m, 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.

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

5. No works in connection with the development hereby approved shall commence unless a Level 1 archaeological standing building survey of the extant buildings and structures on the application site has been undertaken and has been submitted to and approved in writing by the Planning Authority. The standing building survey shall not be undertaken unless its scope has been approved in writing by the Planning Authority. The survey must be in a digital format and must be clearly marked with the planning reference number.

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

Reason for Decision

The development complies with Policy R2 Housing and employment development elsewhere in the countryside, Policy P1 Layout siting and design, Policy RD1 Providing suitable services contained and other relevant policies in the Aberdeenshire Local Development Plan 2017 in that three dwellinghouses are deemed small scale development which would involve the refurbishment or replacement, on the same site, of an existing house or disused building.