

ABERDEENSHIRE COUNCIL

GARIOCH AREA COMMITTEE

GORDON HOUSE, INVERURIE ON 13 NOVEMBER 2018

Present: Councillors F Hood (Chair), D Aitchison (for items 1 to 5 inclusive), N Baillie, L Berry, M Ewenson, M Ford, V Harper (for items 1 to 6 inclusive and part of 7), S :Leslie, D Lonchay, R McKail (for items 1 to 5 inclusive), G Reid, I Walker (for items 1 to 6 inclusive and part of 7) and J Whyte.

Apologies: Councillors A McKelvie and H Smith.

Officers: M-J Cardno (Garioch Area Manager), A Overton, (Senior Solicitor), E McDonald (Engineer), B Strachan (Senior Planner), K Clark (Principal Engineer), J Hewitt (Planner), P Finch (Strategic Transportation Manager), L Hogg (Parking Officer), A MacLeod (Housing Manager) and A Cumming (Area Committee Officer).

1. DECLARATIONS OF MEMBERS' INTERESTS

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

Item 4C – Councillor Leslie as he knows the parties involved with the application. Councillor Leslie left the Council Chamber whilst the item was discussed; and

Item 5 – Councillor Leslie as his old house (which he no longer owns) lies in the path of the line of one of the options. Councillor Leslie continued to take a full part in considering the item.

2. RESOLUTION

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.

2B. 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”.

Item No.

Paragraph No.

7

8

3. MINUTE OF MEETING OF 9 OCTOBER 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. PLANNING APPLICATION FOR CONSIDERATION

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

APP/2018/2175	Erection of electricity substation comprising platform area, control building, associated plant and infrastructure, ancillary facilities, access track and landscape works at land to the West of Wood of Middleton, Rothienorman, Inverurie, Aberdeenshire	Provided views to Formartine Area Committee
APP/2018/1509	Conversion of steading to form three dwellinghouses at Milton Farm, Kemnay	Delegated Grant
APP/2018/1393	Erection of dwellinghouse and garage and formation of access at site on Burryhillock Farm, adjacent to Mill of Barnes, Premnay	Defer for Site Visit
APP/2017/1399	Condition 1 (a) Phasing Scheme, (b) Scheme of strategic landscaping and open space provision, (d) Detailed specification for foot and cycle path connections, (e) surface water treatment, (f) Environmental Management Plan, (g) Waste management plan, (h) Public access plan, (i) Residential travel plan, (j) Cross sections adjacent to the existing culvert and Condition 2 (a) Layout and Siting, (b) External Appearance and Finishing Materials, (c) Visibility splays, (d) Landscapes; (e) Levels Survey of the Site and Cross Sections of Ground and Floor Levels, (e) Foul and Surface Water Disposal, (f) Design Statement; (g) Flood Risk Assessment; (h) Street Engineering Review (SER); (i) Tree Survey; (j) Bat Survey; (k) Foul and surface water; (l) Car Parking/Vehicle Turning Area; (m) Road Layouts, Footpaths and Cycleways, bus stops and shelters; (n) Cycle Parking provision of Planning Permission in Principle Reference APP/2016/2794 for residential development, primary education provision and associated infrastructure including roads and drainage: non compliance with Condition 3 (maximum no. of dwellinghouses and phasing) of Planning Permission in Principle Reference APP/2016/2794 Land to West of Hillbrae Way, Newmachar	Delegated Grant

5. A96 DUALLING – INITIAL ROUTE OPTIONS CONSULTATION

As detailed in section 1 of the minute, Councillor Leslie declared an interest, but continued to take a full part in considering the item.

A report by the Director of Infrastructure Services was circulated seeking views on the A96 dualling – initial route of options consultation.

The Strategic Transportation Manager gave the Committee a detailed update on progress that had been made, the route options contained within the consultation document and the reasons why removed options had been discounted.

Members sought clarification as to whether traffic modelling had taken into account the new AWPR. The Strategic Transportation Manager explained that the modelling would be updated in 6 months' time and that Aberdeenshire Council would be involved in this.

Members welcomed the removal of the option that was closest to Bennachie. Members recognised that there was a significant amount of data and information that would have informed the route options that they would not be party to, which made identifying a preferred route difficult, but highlighted the importance of the provision of infrastructure for active travel during the development. They also pointed out that the pink option would, in effect, cut a community in half.

Some concerns were raised about the feasibility of crossing the river and the impact of the floodplain around Kintore, but it was also pointed out that this route would improve the connectivity to the north and alleviate some of the pressure on the A947.

Some Members highlighted the need to keep disruption to a minimum and considered that a route as close as possible to the current route would achieve this.

Councillor Berry, seconded by Councillor McKail, moved that the route should be as close as possible to the current route of the A96 as this would be the least disruptive option.

As an amendment, Councillor Aitchison, seconded by Councillor Baillie, moved that the route should be sited to the North East of Inverurie which would take pressure of the A947 and improve the route to the North of Aberdeenshire

For the motion (7) Councillors Hood, Berry, Ewenson, Ford, Leslie, Lonchay and McKail

For the amendment (4) Councillors Aitchison, Baillie, Harper and Reid

Councillors Walker and Whyte declined to vote.

Therefore the motion was carried and the Committee **agreed** to:-

1. provide the comment to Infrastructure Services Committee that the route should be as close as possible to the current route of the A96 as this would be the least disruptive option.
2. note the progress that has been made to date on the A96 Aberdeen to Inverness dualling project; and
3. provide the further comments on route options for the Eastern Section of the A96 Dualling, for consideration at Infrastructure Services Committee on 29 November 2018:-
 - a) it should be noted that the pink section cuts a community in half in its current location (Whiteford and Durno);

- b) need to ensure that, whatever option is progressed, that Aberdeenshire Council lobby Transport Scotland to fund the provision of the necessary supporting infrastructure for active travel.

6. CROSS CITY CONNECTIONS CONSULTATION

A report by the Director of Infrastructure Services was circulated presenting the options set out in the Cross City Connections Consultation and seeking comments to Infrastructure Services Committee.

Members questioned the reasoning behind the proposals given that they would need to be provided by commercial operators. They questioned whether there was a need or desire to have a bus link between Westhill and Dyce station, but pointed out that option A1 would be the most likely to be used.

The Committee **agreed** to welcome the possibility of further public transport provision, but commented that in order for this to be provided it would be likely to require Aberdeen City Council to subsidise the routes.

7. ABERDEENSHIRE COUNCIL'S STRATEGIC CYCLE ROUTES – KINTORE TO BLACKBURN AND INVERURIE TO OLDMELDRUM

As previously indicated the Committee agreed to take the following item with the press and public excluded on the grounds that the discussion and option appraisal may involve commercial and financial information.

A report by the Director of Infrastructure Services was circulated to Members to consider the options for cycle routes Kintore to Blackburn and Inverurie to Oldmeldrum.

The Committee considered all of the routes carefully and discussed the potential usage both for commuting and leisure activities. They highlighted the potential wider ranging usage and attractiveness of option 3A and considered it to be a better option. However, the Committee was keen to see a route progressed and indicated that if this option were to be outwith budget, it would welcome the opportunity to reconsider the options.

The Committee **agreed**:

1. to note the options for cycle route delivery contained within the 'Evaluation and Feasibility Assessment Inverurie to Blackburn A96 Cycle Route' report; and
2. to approve the progression of the study to a detailed design of a preferred option for a shared use path linking Kintore to Blackburn.
3. that option 3A be progressed as the preferred option on the grounds that it is a more attractive route for leisure cycling and although it is a longer route for commuting, it would take cyclists away from the noise, lights and pollution on the A96. However, the Committee noted that this option was likely to be more costly, and requested that if this option caused such a significant budgetary constraint that it would jeopardise the project, that it be reported back to Committee for further consideration.

8. HOUSING MANAGEMENT POLICY

A report by the Director of Infrastructure Services was circulated presenting the draft Housing Management Policy and seeking comments on the policy.

The Committee expressed some initial concerns about the proposals and the potential for this to mean that Councillors would not be as involved in the policy development of the matters sitting under this overarching policy than they had been in the past. The Housing Manager confirmed that this was not the case and that the proposal was not a change in policy, but rather a move to consolidate and produce a single policy which would be reviewed systematically involving Councillors. He pointed out that 2 policies would not fall within the overarching policy and these were Housing Allocation Policy and Housing Renewal Area Policy.

It was pointed out that it would be useful to have a robust database of what facilities were available and where with respect to housing appropriate for disabled residents. The Housing Manager explained that Paragraphs 3.28 and 3.29 made reference to this, but that Officers would look to strengthen the wording of this.

Members asked for further information regarding the agreed criteria for housing and how these were set. The Housing Manager indicated that he would provide the information to the Committee as soon as possible.

Members expressed concern about homelessness and the importance of working with partners to keep on top of this. They indicated a wish to a briefing note on this issue.

The Committee **agreed** to:

1. note the attached (draft) policy in relation to Housing Management;
2. note the assurance from the Service that there would be no change to the involvement of Councillors and Committee in formulating the detail of the policies that sit under the Housing Management Policy; and
- 3 request that a briefing note be provided on homelessness in Garioch.

9. STATEMENT OF OUTSTANDING BUSINESS

A report by the Director of Education and Children's Services was circulated presenting the items of outstanding business for the Garioch Area Committee as at November 2018.

The Committee **agreed** to note the items of outstanding business as at November 2018.

10. KINGSEAT MEMBER OFFICER WORKING GOUP – MINUTE OF MEETING ON 25 SEPTEMBER 2018

The Committee **agreed** to note the minute of the Kingseat Member Officer Working Group.

Councillor Presiding over meeting

Print Name

Signature

Date

GARIOCH AREA COMMITTEE

13 NOVEMBER 2018

APPENDIX A

PLANNING APPLICATIONS FOR DETERMINATION

A. Reference No: APP/2018/2175

Full Planning Permission for erection of electricity substation comprising platform area, control building, associated plant and infrastructure, ancillary facilities, access track and landscape works at land to the west of Wood of Middleton, Rothienorman, Inverurie, Aberdeenshire

Applicant: Scottish Hydro Electric Transmission Plc
Agent: None

The Planner confirmed that the application was a national development to increase transmission capacity to cope with the increase in electricity generation from renewable sources. He confirmed that the application site lay in Formartine, but that as it was only 200 metres from the boundary with Garioch, the views of Garioch Area Committee were being sought for consideration by Formartine Area Committee. He confirmed that the application related only to the substation and that powerlines would be dealt with separately by the Scottish Government. He explained that the previously approved proposals had been amended to rotate the mechanical element of the substation by 90 degrees and that this amendment would allow for further future expansion if required.

The Planner explained that he had received a late request from SEPA to be consulted on the application regarding groundwater and that this had been done, but that no response had yet been received. He explained that any comments from Garioch Area Committee would be noted as having been submitted before the SEPA consultation response, and any comments addressed in the report to Full Council.

Members noted that the application was simply a variation to what had been previously approved, but highlighted some concerns about the SUDs basin, the impact on the Black Burn and the impact of construction traffic if it were not to be accessing the site from the west.

The Committee **agreed** to recommend to Formartine Area Committee, the officer recommendation to grant Full Planning Permission noting that the consultation response from SEPA is still outstanding, subject to:-

- a) its consideration of the following comments:-
 - 1. the applicant should work to ensure that the SUDS basin is adequately banded to minimise the likelihood of flooding of neighbouring properties;
 - 2. clarification should be sought that the Black Burn can accommodate the water from the SUDS basin; and
 - 3. the applicant should ensure that main construction traffic accesses the site from the west.
- b) the following conditions:-
 - 1) **Landscaping Scheme**

That no works in connection with the development hereby approved shall take place 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:

- (i) Existing and proposed finished ground levels relative to a fixed datum point;
- (ii) The location of new trees, shrubs, hedges, grassed areas and water features;
- (iii) A schedule of plants to comprise species, plant sizes and proposed numbers and density;
- (iv) A programme for the completion and subsequent maintenance of the proposed landscaping

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed in line with the phasing as set out within the approved scheme or such other date as may be agreed in writing with the Planning Authority. 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.

Reason: To ensure the implementation 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.

2) Access

That no other development in connection with the permission hereby approved shall take place and the access hereby approved shall not be brought into use unless constructed in accordance with the following specification:

- (i) The maximum gradient of the first 10m of the new access (as measured from the edge of the public road) shall not exceed 1 in 20.
- (ii) The first 10m of the new access (as measured from the edge of the public road) shall be fully paved.
- (iii) Visibility Splays measuring 2.4m by 90.0m shall be formed on either side of the junction of the vehicular access with the public road.

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.

3) Parking

Prior to the occupancy or operation of the development, off-street parking for 6 cars, surfaced in hard standing materials shall be provided within the site.

Reason: In the interests of road safety, through ensuring the development provides adequate off-street parking.

4) CEMP

No works in connection with the development hereby approved (including demolition, ground works and vegetation clearance) 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:

- (i) Risk assessment of potentially damaging construction activities;
- (ii) Identification of biodiversity protection zones;
- (iii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- (iv) The location and timing of sensitive works to avoid harm to biodiversity features;
- (v) The times during construction when specialist ecologists need to be present on site to oversee works;
- (vi) Responsible persons and lines of communication;
- (vii) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- (viii) Use of protective fences, exclusion barriers and warning signs.
- (ix) A Construction Noise and Vibration Management Plan

The CEMP must address the mitigation details contained within Appendix 3.1 'Schedule of Mitigation' of the Environmental Appraisal, dated September 2018.

In the event that the CEMP references other SHE Transmission documents, including (but not limited to) General Environmental Management Plans (GEMPs) or Species Protection Plans (SPPs), these plans must be also be submitted to Aberdeenshire Council for agreement as part of the wider CEMP.

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 biodiversity of the environment.

5) Private Water Supply Monitoring

No works in connection with the development hereby approved (including demolition, ground works and vegetation clearance) shall commence unless a scheme detailing Private Water Supply Protection has been submitted to and approved in writing by the Planning Authority.

The scheme must contain details of monitoring works to be undertaken for the private water supplies identified within Appendix 6.1 'Private Water Supply Risk Assessment' of the Environmental Appraisal, dated September 2018 as requiring ongoing monitoring.

For the avoidance of doubt the identified Private Water Supplies are:

- PW1: 'Smithy Croft'
- PW2: 'Kinnivie'
- PW3: 'Westfield'

The monitoring works must include:

- a) A timescale for pre-construction monitoring
- b) A timescale for post-construction monitoring
- c) Details of the scope of monitoring (frequency, quantity, quality)

These references relate to the following drawing: 'Site Investigation and Cross Section Locations', Drawing No:PWS.1, Dated August 2018, which is contained within Appendix 6.1 'Private Water Supply Risk Assessment' of the Environmental Appraisal, dated September 2018

Thereafter, the development shall be carried out in accordance with the agreed monitoring scheme.

Reason: In the interests of protecting the amenity of nearby properties and in order to ensure the continuation of an appropriate water supply.

6) Noise Assessment

No works in connection with the development hereby approved (including demolition, ground works and vegetation clearance) shall commence unless a revised Noise Assessment has been carried out as outlined in section 7.2.2 of Appendix 3.2 'Noise Impact Assessment', dated August 2018 of Environmental Appraisal, dated September 2018 and submitted to and agreed by the Planning Authority.

Should the revised assessment identify an adverse impact, mitigation measures must be identified and submitted to the Planning Authority for agreement. Thereafter the development must be completed and operated in accordance with said scheme.

Reason: In the interests of the amenity of the surrounding area.

7) Drainage

Prior to the operation of the development, the drainage scheme as approved must be delivered.

The approved drainage scheme is considered to comprise:

- (i) The drainage scheme outlined within Appendix 6.2 'Flood Risk and Drainage Assessment', dated August 2018 of the Environmental Appraisal, dated September 2018; and
- (ii) 'SWMP Overview', Drawing no. FRDA-3, Rev R1, dated June 2018 – as contained within Appendix 6.2 'Flood Risk and Drainage Assessment', dated August 2018 of the Environmental Appraisal, dated September 2018;

Thereafter the drainage scheme shall be retained in perpetuity.

Reason: In the interests of ensuring the development site is adequately drained and does not have a negative impact upon water management.

Reason for Decision

The proposal and mitigation measures set out and contained therein are considered to be acceptable in terms of the relevant Policies contained within the Aberdeenshire Local

Development Plan 2017. The proposal is consistent with the Development Plan's aim of reducing carbon emissions and adapting to climate change. It also contributes to the Scottish Government's National Planning Framework's aim to move Scotland towards creating a low carbon place.

B. Reference No: APP/2018/1509

Full Planning Permission for the conversion of steading to form three dwellinghouses at Milton Farm, Kemnay, Aberdeenshire, AB51 5LJ

Applicant: R & B Joinery (Grampian) Ltd
Agent: Norman P. Lawie Limited

The Senior Planner explained that the application was considered a departure from the Local Development Plan as although it was for conversion of a steading to form 3 dwellings, planning permission already existed for 3 other dwellinghouses on the same site. He explained that as this would result in a total of six dwellinghouses it would be outwith the small-scale definition of the policy. However, he explained that this was considered an appropriate departure as it would result in the retention of the most prominent part of the steading and the design and materials for the development were sympathetic to the original structure. It would also improve the setting of the listed building next door. He indicated that a further condition would be required to require the retention the wall along the entrance to the site.

Members noted the finished floor levels were higher to prevent the property flooding and welcomed the development which was considered to improve the entrance to Kemnay.

The Committee **agreed** that:-

1. the reason for departing from the Aberdeenshire Local Development Plan 2017 is that the proposed combined development of six dwellinghouses within this single farm complex exceeds the definition of small-scale development as found in Policy R2 of the Local Development Plan 2017. The justification put forward by the applicant that the planning history and capacity of the site along with the importance of the site as a gateway to Kemnay means there is merit in supporting the application in this instance. The completed development will also improve the setting of the C Listed Milton Farmhouse.
2. authority to grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to:-
 - a) satisfactory conclusion of the legal agreement; and
 - b) the following conditions:
 1. Prior to the commencement of development, a lay-by measuring 8.0m by 2.5m with 45 degree splays to be formed on frontage of the site and the proposed vehicular access to be taken via this. Construction shall be to a standard appropriate to the location and must be agreed in advance with Roads Development.

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

2. No development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use for the proposed development unless visibility of 160 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 approved 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 that exceed 1m in height 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.

3. No works in connection with the development hereby approved shall commence unless the details, specification and colour of the timber linings and garage door for the approved development have been submitted to and approved in writing by the planning authority. The development shall not be occupied unless the external finish has been applied in accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

4. 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) species, specification and location of all trees and hedging;
- b) details of the granite wall at House 1 and House 3;
- c) screening for the House 3 oil tank; and
- d) 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.

5. No dwellinghouse hereby approved shall be occupied unless it has been erected in accordance with the approved finished floor levels.

Reason: To ensure that there is no increased risk of flooding as a result of the development.

6. No dwellinghouse hereby approved shall be occupied unless a bin store area has been constructed (behind any visibility splay) so as to be accessible for bin uplift and shall be sure enough to prevent empty bins from being wind blown. Details must be submitted to Roads Development for approval in advance. 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.

7. The maximum gradient of the first 10m of the access shall not exceed 1:20 gradient and the first 10m (measured from the edge of the public road) must be fully paved.

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

8. No dwellinghouse hereby approved shall be occupied unless off-street parking for three cars (9 across entire site) surfaced in hardstanding materials has been provided within the site.

Reason: To ensure the timely completion of sufficient parking for each dwellinghouse.

9. Prior to occupation of any of the dwellinghouses hereby approved, a footway linking from the existing termination point on the north side of the B993 at the settlement boundary, connecting to the proposed site is required.

Reason: To enable easy access for pedestrians to the services and facilities in Kemnay.

10. 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 Drainage Report by S.A. McGregor dated 12 October 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.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending, revoking or re-enacting that Order no means of enclosure, other than that shown on the approved plans, shall be erected on the site under the terms of Class 3E of Schedule 1 to that Order without the express grant of planning permission from the planning authority.

Reason: In the interests of the character and appearance of the development.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending, revoking or re-enacting that Order no development as part of this application shall be erected below the level of 77.68m AOD as

indicated on the approved plans under the terms of Class 1A, 1B, 1C, 2A, 3A, 3B or 3D of Schedule 1 to that Order without the express grant of planning permission from the planning authority.

Reason: In order to minimise the impact from or impediment to floodwater in the event of a flood situation.

C. Reference No: APP/2018/1393

Full Planning Permission for erection of dwellinghouse and garage and formation of access at site on Burryhillock Farm, adjacent to Mill of Barnes, Premnay, Inch, Aberdeenshire

Applicant: Mr Mark McKain
Agent: Strutt And Parker

As indicated within section 1 of the minute, Councillor Leslie declared an interest and left the Council Chamber whilst the application was considered.

The Senior Planner explained that the application was considered under the cluster policy as it was in the vicinity of 7 other properties and no expansion of this had been approved within the last two Plan periods. He explained that there was a presumption against development on prime agricultural land, but that tests had been undertaken to establish that only part of the original site was of higher quality. The Planning Service had indicated to the agent that the size of the site should be reduced to avoid any prime agricultural land. He confirmed that the design was acceptable with high quality materials.

Councillor Harper, seconded by Councillor Aitchison, moved that consideration of the application be deferred in order that a site visit be undertaken to allow Councillors the opportunity to view the access arrangements and road layout.

As an amendment, Councillor Ford, seconded by Councillor Berry, moved that the Committee should not undertake a site visit and should proceed to determination of the application.

For the motion (6) Councillors Hood, Aitchison, Baillie, Harper, Lonchay and Reid

For the amendment (6) Councillors Berry, Ewenson, Ford, McKail, Walker and Whyte

As there was an equality of votes the Chair exercised his casting vote in favour of the motion and it was declared that the Committee **agreed** to defer consideration of the application for a site visit in order that Councillors can see the access arrangements and road layout.

The Committee further **agreed** to hear from parties who have requested to speak at the meeting following the site visit.

D. Reference No: APP/2017/1399

Approval of Matters Specified in Conditions for condition 1 (a) Phasing Scheme, (b) Scheme of strategic landscaping and open space provision, (d) Detailed specification for foot and cycle path connections, (e) surface water treatment, (f) Environmental Management Plan, (g) waste management plan, (h) public access plan, (i) residential travel plan, (j) cross sections adjacent to the existing culvert and Condition 2 (a) Layout

and Siting, (b) External Appearance and Finishing Materials, (c) Visibility splays, (d) Landscapes; (e) Levels Survey of the Site and Cross Sections of Ground and Floor Levels, (e) Foul and Surface Water Disposal, (f) Design Statement; (g) Flood Risk Assessment; (h) Street Engineering Review (SER); (i) tree Survey; (j) Bat Survey; (k) foul and surface water; (l) Car Parking/Vehicle Turning Area; (m) Road Layouts, Footpaths and Cycleways bus stops and shelters; (n) Cycle Parking provision of Planning Permission in Principle Reference APP/2016/2794 for Residential Development, Primary Education Provision and Associated Infrastructure including Roads and Drainage: Non Compliance with Condition 3 (Maximum No. of Dwellinghouses and Phasing) of Planning Permission in Principle Reference APP/2016/2794 at Land to West of Hillbrae Way, Newmachar, Aberdeen

Applicant: Stewart Milne Homes
Agent: NORR

The Senior Planner explained that the application focussed on the detail of a previously approved planning Permission in Principle and approved Masterplan. The application was for 340 dwellings and he confirmed that it included possible future education provision and land for a distributor road. He confirmed that the open space would include a linear park, including play equipment, and SUDS pond and half of the identified education area and the land identified for the distributor road. He confirmed that 85 affordable units would be provided and the trigger points for their delivery were detailed in paragraph 6.17 of the report.

The Senior Planner explained that parking provision had been met using sections of visitor parking across the site and that flooding was considered acceptable against a 1:200 episode. He confirmed that there would be a range of housing sizes and types on site. He said that a further condition would be required for the provision of traffic calming on Hillbrae Way.

Members expressed concerns about the increase in traffic and the impact on the junction where traffic would join the A947. The Principal Engineer explained that a Transport Assessment had been undertaken for the original application, which had been updated following the additional housing and this had concluded that there was capacity at this junction. Members welcomed the paths and links to Newmachar across the burn that could be used for cycling and walking. They expressed some concern about the pedestrian traffic across Hillbrae Way and highlighted the need for this to be considered alongside traffic calming.

Councillors expressed concerns about the lack of clarity regarding the number of houses being developed in each of the phases and the delivery of the playpark provision. They indicated that they would like a condition attached to ensure that phases were completed in their entirety before the developer was allowed to progress the next phase, in particular to ensure the early provision of the play park before the commencement of Phase 2.

The Committee **agreed** that authority to grant Matters Specified in Conditions be delegated to the Head of Planning and Building Standards subject to:-

- a) a condition seeking traffic calming on Hillbrae Way;
- b) a condition or amended wording of a current condition to ensure that each phase of the development is completed in its entirety before the developer is allowed to commence on the next phase of development; and
- c) the following conditions:-
 1. No individual phase of the development as detailed on approved drawing A1-00-12 'Phasing Plan' will commence until the following details have been submitted and approved by the local authority.

- Roofing Materials of all dwellings within particular phase
- Exterior Render of all dwellings within particular phase

The details thereafter approved shall be implemented in full unless otherwise agreed in writing with the Planning Authority

Reason: In order to regular the exterior appearance of the dwellings approved in order to achieve an element of consistency whilst the development is built.

2. The play areas shown within the linear park on plan no. 223.28.15 by DWA Landscape Architects Ltd dated October 2018 shall be fully installed and available for use prior to the completion of the final plot located between plot 256 and plot 280 (whichever is completed last) within Phase One according to the phasing Plan reference A1-00-12.

Reason: In order to secure appropriate recreational facilities within the development in a timely manner.

3. The proposed 'South' footbridge as annotated on drawing number 99774/1014 C connecting Phase One with the pathway to the north of the cemetery shall be fully installed and available for use prior to the completion of the final plot located between plot 256 and plot 280 (whichever is completed last) within Phase One according to the phasing Plan reference A1-00-12.

Reason: In order to secure appropriate pedestrian access for the users of the development in a timely manner.

4. The proposed 'North' footbridge as annotated on drawing number 99774/1014 C connecting Phase Two with Mamelulah Road shall be fully installed and available for use prior to the completion of Plot 340 within Phase Two according to the phasing Plan reference A1-00-12.

Reason: In order to secure appropriate pedestrian access for the users of the development in a timely manner.

Reason for Decision

The proposed development accords with the development plan and there are no material considerations which indicate that permission should be refused