

Kincardine & Mearns Area Committee Report 29 October 2019

Reference No: APP/2019/1703

Full Planning Permission for Erection of 5 Dwellinghouses and Garages, Formation of Access at Land Adjacent to The Boat House at The Kriek, Mill of Uras, Stonehaven, Aberdeenshire, AB39 2TQ

Applicant: Elgrun Ltd, The Boathouse, Mill of Uras, Catterline, AB39 2TQ

Agent: Ryden LLP, 25 Albyn Place, Aberdeen, AB10 1YL

Grid Ref: E:386714 N:780195

Ward No. and Name: W18 - Stonehaven and Lower Deeside

Application Type: Full Planning Permission

Representations 12

Consultations 5

Relevant Proposals Map Aberdeenshire Local Development Plan

Designations: ALDP 2017 Allocated Site OP1 (5 Homes), Aberdeen Housing Market Area

Complies with

Development Plans: Yes

Main Recommendation Delegated Grant



NOT TO SCALE

Reproduced from Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright and database rights. Ordnance Survey Licence Number 0100020767.

1. Reason for Report

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1f of Part 2C Planning Delegations of the Scheme of Governance as there have been valid objections from six or more individuals or bodies with separate postal addresses or premises.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make.

2. Background and Proposal

- 2.1 Full planning permission is sought for the erection of 5 dwellinghouses on the Aberdeenshire Local Development Plan 2017 (ALDP) designated OP1 site at Mill of Uras. The site is within a small grouping of residential dwellings at Mill of Uras along the A92 coast road.
- 2.2 The land is identified as an allocated site in the ALDP known as Mill of Uras Paddock (OP1). Mill of Uras is a small grouping of predominately stone and slate built buildings, centring around the historical mill and farm. The grouping is divided by a public road running through it, the houses to the south of the site are predominately single storey and on lower ground, which are bordered to the south by the Catterline burn. The houses to the north of the public road are on high ground and are two storeys in nature. The OP1 site and is identified in the settlement statement as having issues with flooding and Infrastructure services (Flood Risk and Coast Protection) have been consulted.
- 2.3 The site extends to 0.6ha and is located to the west of the grouping of houses at Mill of Uras. It is bounded by post and wire fencing. There is existing hedging and mature trees to the east and south of the site, agricultural fields bound the site to the west which have a gentle slope towards the site (running west to east), to the north is a livery yard and riding school, to the east is residential properties, to the south is the public road with residential properties on lower lying land further to the south adjacent to the Catterline Burn. There is an existing core path to the south which leads to Catterline.
- 2.4 The proposal seeks permission to erect five two storey detached dwellinghouses within the site, with a mix of detached and integral garages, including one affordable unit (Plot 5). The dwellinghouses range from 3-5 bedroom properties and the plots range in size from Plot 1 (1484sqm) reducing in size to the rear plots between 1045sqm and 556sqm (Affordable Plot). They are arranged as follows; all the plots have principle elevations facing south, Plot 1 and 2 are set back from the public road to the south and Plot 3 - 5 are to the north of the site, with frontages facing and driveways onto the access road into the site. Plot 1 – 4 have T shaped footprints and the affordable unit in Plot 5 is rectangular. The contemporary dwellinghouses feature simple roof lines and roof lights and finishing materials are to include; wet dash render, natural slate tiles and corrugated roofing, larch timber

cladding, dry stone walls, aluclad windows and doors and galvanised steel rainwater goods.

- 2.5 The site features a proposed landscape strip outside the boundaries of the Plots located to the north and east of the site, to provide a wildlife corridor of approx. 425sqm of open space. The individual plots will be supplemented with native trees and hedging along the boundaries. A short section of stone dyke wall is proposed at the entrance to the site, on the south west boundary within Plot 2 and other boundary enclosures will be 1.2m post and wire fencing.
- 2.6 The proposed access will be taken from the existing public road to the south of the site which leads to the A92 to east. The access enters the development on the western border of the site ending in a hammer head/turning circle in front of Plot 5. Each plot will have its own turning area and driveway with parking provision, (Plots 1-4 - 3 spaces; Plot 5 – 2 spaces) and two visitor spaces are shown. Bin and refuse storage area will be catered for by a storage area positioned at the entrance of the site behind the stipulated visibility splays and stone dyke wall.
- 2.7 Drainage of the site will be catered for by foul soakaways within each plot discharging to a wastewater treatment plant to a proposed foul effluent soakaway, located with Plot 2. The surface water will be drained to a communal soakaway within Plot 1.
- 2.8 Supporting documents provided along with the application are:
- **Design Statement** -The report includes an appraisal of the site and includes the options considered with reference to policy. A design rationale and material palette is included;
 - **Planning Statement** - The report includes relevant policy consideration and the author's justification for the proposal;
 - **Drainage Assessment** (produced by Fairhurst) - Includes indicative drawings of location of soakaways and soakaway calculations. The report concludes that foul drainage can be catered for within each plot, draining to a wastewater treatment plant located at the rear of Plot 2. Surface water from roofs can drain to a communal surface water soakaway to rear of Plot 1. Surface water from the access road will drain to stone filled filter trenches also discharging via drains to rear of Plot 1. A surface water management strategy is to be carried out prior to construction of each Plot;
 - **Infiltration testing** - As a response to consultee comments from SEPA and the Councils Flood Risk and Protection Service;
 - **Conceptual Drainage Layout & Geotechnical Investigation**, (by Grampian Geotechnical (Scotland) Ltd, Percolation, Infiltration testing and trial pits were carried out;
 - **Landscape Maintenance Rev A** - Confirmation that a site factoring arrangement will be instigated;

- **Various correspondence with Agent** - Includes revisions to design and visibility splays to address planners and consultee comments. Justification in regards to shortfall in Open space. Agent confirms that the correct test results have been applied to each soakaway and have had confirmation from Fairhurst.

2.9 Revisions to plans have included, the introduction of feature stone gables on south facing elevations and minor alteration to fenestration on the design.

3. Representations

3.1 A total of 12 valid representations (12 objection) have been received as defined in the Scheme of Governance. This does not include multiple representations from the same household which equate to 14 letters in total. All issues raised have been considered. The letters raise the following material issues:

- Increase of traffic on single track road
- Incidents of accidents at junction of A92
- National Cycle route
- Impact on wildlife
- Drainage problems with site
- Risk of flooding the Catterline Burn
- Health and safety concerns as mains water runs through site, potential to contaminate domestic water supply
- Design of proposed houses
- Pressure on local school
- Emerging ALDP 2021, has removed OP1 site due to known road safety issues
- Noise disturbance

4. Consultations

Internal

4.1 **Business Services (Developer Obligations):** Contributions have been sought for Healthcare, affordable housing and recreation. Should the application be approved, the Planning Service would ensure payment was received before any consent was issued.

4.2 **Infrastructure Services (Flood Risk and Coast Protection):** Having reviewed the additional information, they are satisfied with the proposals, which is considered to have a neutral impact on the surrounding area and have no objection.

4.3 **Infrastructure Services (Contaminated Land):** Have no objection.

- 4.4 **Infrastructure Services (Roads Development):** Have no objection subject to conditions on access and turning areas, off street parking for 16 cars, formation of layby, visibility splays and refuse storage area.

External

- 4.5 **Scottish Water:** Have no objection, the development would be fed from Whitehillocks Water Treatment Works. Capacity will require to be assessed when the applicant submits an application directly to Scottish Water. Waste water will require private treatment.

5. Relevant Planning Policies

5.1 Scottish Planning Policy

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

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

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

5.2 Aberdeen City and Shire Strategic Development Plan 2014

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

From the 29 March 2019, the Strategic Development Plan 2014 went beyond its five-year review period. In light of this, for proposals which are regionally or strategically significant, or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

5.3 Aberdeenshire Local Development Plan 2017

Policy P1: Layout, siting and design

Policy H1: Housing land

Policy H2: Affordable housing

Policy C1: Using resources in buildings

Policy C4: Flooding

Policy RD1: Providing suitable services

Policy RD2: Developers' obligations

5.4 Other Material Considerations

N/A

6. **Discussion**

- 6.1 The main issue for consideration in determining this application is whether the proposed development is acceptable in principle, its visual appearance and whether this would have any adverse impact on surrounding amenity. The policies of the Aberdeenshire Local Development Plan 2017 are the main consideration in this case together with an assessment of any material planning considerations.

Principle of Development

- 6.2 The land is identified as an allocated site in the ALDP known as Mill of Uras Paddock (OP1) and therefore Policy P1 Housing land within settlements is relevant. This policy supports housing development upon sites allocated for that purpose within the ALDP, subject to compliance with other relevant policies contained within the plan.
- 6.3 A number of representations have quoted the Draft Proposed ALDP 2021 Main Issues Report, specifically the Settlement statement for Mill of Uras. The proposed settlement statement acknowledges, *there are known road safety concerns at the A92 junction, it is preferred that this site is removed from the 2021 Plan*. However, the proposed ALDP 2021 plan is not yet adopted and is at the Draft 'Main Issues' stage, hence is not seen as a significant material consideration as it is at a premature stage in the process.

Therefore, as the proposed application is on the currently allocated OP1 site, it is considered under the above-mentioned policy and the proposal is clearly allocated for housing.

Layout, siting and design

- 6.4 Following pre application discussions, the proposed layout and access has been amended and shows 5 units with one affordable unit. The affordable housing requirement for this proposal would be 25% and the one detached property shown on the layout plan provided in Plot 5, would be in accordance with Policy H2 Affordable Housing and is acceptable. This is considered to be an appropriate scaled development in terms of housing numbers, as it does not result in overdevelopment of the site as the plot sizes are generous and each plot has adequate garden ground with associated off-street parking and driveways with turning areas. The houses are positioned in each plot to provide amenity space and ample separation distance from boundaries. Therefore overall, the layout and siting is considered appropriate in accordance with Policy P1 which seeks to ensure all new developments are appropriately designed and scaled and meet the six test of successful places.
- 6.5 Turning to design and scale, the two-storey proposed dwellinghouses have been carefully sited in the context of the site confines and its adjacent properties to the east, in terms of orientation and building line thus appropriately drawing upon the local context, and would not over dominate the existing built environment.
- 6.6 The materials proposed are a mix of contemporary and traditional finishes of a high quality suitable for the site, and a condition will be attached to any permission granted seeking material samples. The dwellinghouses, after discussions and amendments to plans, now incorporate stonework into south facing gables and small alterations to window position. The designs feature lean-to additions using horizontal timber which breaks up the massing and provides more traditional proportions to the development. The roof planes have been kept simple with the inclusion of rooflights instead of dormer windows. The proposal is in compliance with Policy P1 Layout, siting.
- 6.7 Overall, due to the position of the plots, set back from the road side, against a backdrop of stable buildings to the rear, the proposal is not considered to give rise to any adverse visual or landscape impacts, or any negative effects on the character of the surrounding area. It is an appropriate addition within an allocated site. Due to the siting within each plot, the proposal is not considered to give rise to significant adverse amenity impacts including overlooking or overshadowing. Appropriate boundary treatments are proposed to protect privacy between the proposed plots, and to the rear, and offer suitable landscaping at a domestic level.
- 6.8 Overall, the proposal is appropriately designed and scaled, respecting the local area and surrounding neighbours, and would meet the qualities of a

successful place in accordance with the aforementioned policies of the ALDP 2017.

Open space provision

- 6.9 A landscape strip is proposed outside the confines of the individual Plots on the northern and eastern boundaries of the site, to aid with screening and provides 425sqm of open space. This landscape strip will be bounded by a 1.2m high post and wire fence. Whilst this would be considered a shortfall of the open space that is required to meet with Policy P2 Open space and access in new development, it would provide a landscape buffer to the development and green/wildlife corridor connecting to the core path at the public road. The site is at the western end of Mill of Uras with easy access to the surrounding countryside and with generous plot sizes for amenity and on balance the small shortfall in open space is acceptable in this instance. The green corridor is to be planted with meadow mix of wildflowers and grasses and maintenance of communal areas will be by a site factor.

Access and Servicing

- 6.10 Road issues and road safety have been identified by the majority of representations to the application site. The public road is a single-track road and is used by all modes of transportation; large farm machinery, horse boxes, cars and is also a bus route for school children. The single access road does not currently have a bus stop or laybys and is considered by the local community as unsafe. It is however apparent that the level of development proposed (5 dwellings) is a modest increase on the use of the public junction with the A92 and local road network surrounding the site. Infrastructure Services (Roads Development) have been consulted on the proposal and after revisions to the plans have no objection to the development subject to conditions and the provision of a layby on the public road beside the entrance access to the site. No concerns in relation to the capacity of the wider road network have been raised by Infrastructure services (Roads Development).
- 6.11 In terms of servicing, the proposed development intends to connect to the public water supply and drainage network, and Scottish Water have confirmed there is sufficient capacity for this. On this basis, the application is considered to comply with Policy RD1 Provision suitable services.

Drainage

- 6.12 Representations to the development have highlighted that there is a known instance of flooding and surface water on the site and adjacent to it. Consequently, Infrastructure Services (Flood Risk and Coast Protection) requested that Infiltration testing of the site is carried out to supplement the Drainage Impact Assessment (by Fairhurst). The findings have been reviewed, as have the comments from the representations and Infrastructure Services (Flood Risk and Coast Protection) have now removed their holding objection and consider that the development proposed would have a neutral impact on the surrounding area in relation to Policy C4 Flooding. The Planning Service is satisfied the proposed surface water soakaways and foul water soakaways are adequate for the site and comply with Policy RD1: Providing suitable services.
- 6.13 A condition will be attached to any permission granted seeking details of energy efficiency in order to comply with Policy C1 Using resources in Buildings.
- 6.14 Business Services (Developer Obligations) have agreed developer contributions for affordable housing, healthcare and recreation whilst contributions towards education have not been sought in this instance. Should the application be approved; the Planning Service would ensure payment was received through a Section 75 Legal Agreement before any consent was issued. This will ensure compliance with Policy RD2 Developer obligations and Policy H2 Affordable Housing.

Representations

- 6.15 In other matters of concern, a representation is concerned that further development of the agricultural field beside the OP1 site may be proposed. In answer to this future scenario arising, the rest of the agricultural field does not currently benefit from a site allocation for housing and would therefore be considered under different policies of the ALDP 2017.
- 6.16 Another issue of concern is the potential for noise emanating from the site. Any development site during the construction phase is likely to cause a certain amount of disruption however, this should be short lived and confined to working hours.
- 6.17 With regards to congestion around the site on the public road during construction, it would be the responsibility of the developer or his contractor to ensure that construction vehicles are parked clear of the public road during the building works. Any disruption which may occur would be short term and if programmed properly can be at times when there is less traffic on the road. There is no doubt that as with all developments there would be a disruptive element at some time but generally it is of a short duration. There is no objection from Infrastructure Services (Roads Development) and they have not requested the submission of a construction management statement.

- 6.18 It is not considered that any noise emitted from the proposed development either during construction or after would cause health impacts on the animals at the nearby livery yard. The site is an allocated site for residential purposes. All other matters have been discussed above.

Conclusion

- 6.19 In conclusion, the proposal is considered to be an appropriate housing development located on a site allocated for housing use. The proposal is appropriately designed and scaled and would have no adverse impacts on the surrounding character or amenity, nor upon the local landscape in compliance with Policy P1 Layout, siting and design. Furthermore, all technical matters have been resolved in compliance with the relevant policies of the Aberdeenshire Local Development Plan 2017, and it is therefore recommended for approval.

7. Area Implications

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

8. Implications and Risk

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

9. Sustainability Implications

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

10. Departures, Notifications and Referrals

10.1 Strategic Development Plan Departures

None

10.2 Local Development Plan Departures

None

- 10.3 The application is not a Departure from the Local Development Plan or Strategic Development Plan and no departure procedures apply.
- 10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.
- 10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

11. Recommendation

11.1 That authority to GRANT be delegated to the Head of Planning and Environment Service subject to:-

- i. The satisfactory conclusion of a Section 75 Legal Agreement to address the required Developer Obligations;**
- ii. The following conditions;**

01. No works in connection with the development hereby approved shall commence unless;

- a detailed site-specific construction method statement and site plan for surface water arising from construction is submitted for approval in writing by the planning authority, thereafter all surface water treatment on the site shall be carried out in strict accordance with the approved method statement.
- A Surface water management strategy to be submitted for approval by the Planning Authority, for each Plot.

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

02. No works in connection with the development hereby approved shall commence unless samples and colour of all the materials to be used in the external finish 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.

03. No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store areas have been submitted to and approved in writing by the planning authority. The areas 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. No dwellinghouse shall be occupied unless the refuse bin uplift store areas have been provided and surfaced in accordance with the approved details. Once provided, the refuse bin uplift store areas shall thereafter be permanently retained as such.

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

04. Prior to commencement of development, a lay-by is to be formed on frontage of the site & the proposed vehicular access to be taken via this (as shown on drawing number P-02 rev D). Construction shall be to a standard appropriate to the location & must be agreed in advance with 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.

05. No development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility of 90m 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 new access (as shown on drawing number P-02 rev D), in accordance with the Council's Standards for Road Construction Consent and Adoption. The visibility splays once formed, the visibility splays shall be permanently retained thereafter, and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason: To enable drivers of vehicles using the access to have a clear view of other road users and pedestrians in the interests of road safety.

06. 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.

07. The dwellinghouses hereby approved shall not be occupied unless:
- The vehicular access, driveways and off street parking areas (16 in total) hereby approved shall be provided and surfaced in accordance with the details shown on the approved plans.
 - The first five metres of the driveways measured from the back of the footway or edge of road shall be fully paved and shall have a maximum gradient not exceeding 1:20. 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.
 - a suitable vehicle turning area, as shown on Drawing number P-02 Rev D 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.

Once provided, the access, driveways, parking areas and turning area shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the access, driveways, parking areas and turning area to an adequate standard; to prevent the carriage of loose driveway material on to the public road and to ensure the retention of adequate off-street parking facilities, all in the interests of road safety.

08. The dwellinghouses hereby approved shall not be occupied unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans [Drawing No 133445/2000] and Drainage Assessment carried out by Fairhurst (July 2019). 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.

10. All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme Drawing No P-11 Revision E and Landscape Maintenance Strategy (AKA Kenyon Architects Ltd). 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.

11.2 Reason for Decision

The proposed development is on an allocated site and is appropriately designed and scaled, and would have no adverse impacts on the surrounding character or amenity of the neighbouring residents in compliance with Policy H1: Housing Land, Policy P1 Layout, siting and design, Policy C4 Flooding, Policy RD1 Provision suitable services and Policy RD2 Developer Obligations of the Aberdeenshire Local Development Plan 2017.

Stephen Archer
Director of Infrastructure Services
Author of Report: Ann Grant
Report Date: 8 October 2019

For noting:-

Part 2C (Planning Delegations) states at Section C.3.2b for Local Development, that following consultation with the Chair and Vice-Chair of the determining Committee, the Head of Planning and Environment Service can refuse planning applications for which Section 75 Agreements are not completed or Developer Obligations are not paid within four months from the date of the Committee at which the application is determined. Local Ward Members shall be notified of any such refusal.

Please note that this power may be exercised in respect of the application which is the subject of this report if the application is approved by the Committee.”