

ABERDEENSHIRE COUNCIL

KINCARDINE AND MEARNs AREA COMMITTEE ON 21 SEPTEMBER 2021

ALL ATTENDANCE BY SKYPE

- Present:** Councillors Wendy Agnew (Chair) (Items 8-14) , Ian Mollison (Vice-Chair), Alastair Bews, George Carr, Sarah Dickinson, Alison Evison, Provost Bill Howatson, Jeff Hutchison, Colin Pike, Dennis Robertson, Leigh Wilson
- Apology:** Councillor Sandy Wallace
- Officers:** Bruce Stewart (Area Manager, Kincardine and Mearns), Emma Storey (Area Committee Officer, Kincardine and Mearns), Martin Ingram (Senior Solicitor, Legal and People), Debbie Robertson (Project Officer Town Centres), Clarke Dalziel (Affordable Housing Officer), Craig Stewart (Team Leader Planning & Environment), Lee Watson (Principal Engineer Roads, Landscape), Cheryl Roberts (Environment Planner), Mhairi Mccowan (Risk & Resilience Manager), Gregor Spence (Senior Planner), Paul Whalley (Early Years Estate Manager), Maxine Booth (Quality Improvement Manager)
- In Attendance:** Michael Lorimer, Ryden Planning (Item 13C)

Councillor Agnew, Chair, having connection issues was unable to take part in the meeting and temporarily left. Councillor Mollison, Vice Chair, took the Chair for items 1-7.

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct and the following declarations were intimated:

Councillor Evison – Item 13B being a customer of one of the objector's however having applied the objective test concluded that it is so remote and insignificant that she would remain and take part.

Councillor Dickinson – Item 13C, explained that she had a connection by virtue of being a customer of the applicant's daughter's business and having applied the objective test had concluded that she would withdraw and not take part.

Councillor Carr – Item 13C being related to an objector and having applied the objective test had concluded that he would withdraw and not take part.

2. STATEMENT ON EQUALITIES

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

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

3. MINUTE OF MEETING OF KINCARDINE AND MEARN'S AREA COMMITTEE OF 31 AUGUST 2021

The Committee had before them and **approved** as a correct record the Minute of Meeting of the Committee of 31 August 2021.

4. STATEMENT OF OUTSTANDING BUSINESS

A report by the Director of Infrastructure Services had been circulated presenting the outstanding business for Kincardine and Mearns Area Committee as of 21 September 2021.

The Committee **noted** the updates provided for the items on the Statement of Outstanding Business and **agreed** to discharge item one, Motorhome Parking and to receive further updates on the Stonehaven Traffic Management Review as they progress.

5. TOWN CENTRE FIRST POLICY RENEWAL

A report by the Director of Infrastructure Services was circulated to Members presenting the Town Centre First Principle Policy which has reached its five year term and is due for renewal.

The Committee discussed the report and **agreed** to provide the following comments on the renewal of the Town Centre First Principle Policy as set out in Appendix 1 to the report to Infrastructure Services Committee on the 22 November 2021;

- 1) Committee suggested that Portlethen should appear on the list as a Town Centre,
- 2) Committee suggested a review of town centres with a view to look to include Laurencekirk within the list,
- 3) Committee requested consideration should be given to encourage and help businesses remain within the Town Centres, looking at Business rates and rents,

- 4) Committee invited Officers to visit Portlethen on a site visit to show the facilities it has to offer,
- 5) Committee recognises the need to change and to be flexible post Covid, to be ready as more people work from home and make different choices on using the Town Centres, and
- 6) Committee suggested that there needed to be more thought given to the purpose and benefit of having elected member Town Centre First Ambassadors as their role was not very clear.

6. STRATEGIC HOUSING INVESTMENT PLAN 2022-2027

A report by the Director of Infrastructure Services was circulated to Members seeking comments on the draft Strategic Housing Investment Plan 2022 – 2027 which is required to be submitted to Scottish Government.

The Committee **agreed** to provide the following comments to Communities Committee on the draft Strategic Housing Investment Plan 2022 – 2027 at Appendix 1 to the report;

- 1) Committee suggested that when considering housing floorplans these should all be configured where possible to provide full wheelchair access,
- 2) Committee suggested when moving forward to look at options to preventing residents falling into fuel poverty, and
- 3) Committee requested the split in figures be clarified between revenue raised through Second Homes and Empty Homes.

7. ABERDEENSHIRE COUNCIL OUTDOOR ACCESS STRATEGY 2018-21 REVIEW AND OUTDOOR ACCESS STRATEGY 2021-24

A report by the Director of Infrastructure Services was circulated to Members making the Committee aware of the work of the Environment Team through the Outdoor Access Strategy Review 2018-21 and seeking comments on the Outdoor Access Strategy 2021-24.

Members recognised the work done by the Environment Team in the period of the last strategy and throughout the pandemic when paths were utilised more.

The Committee **agreed** to:

- 1) Acknowledge and commend the work of the Environment Team over the 2018-21 period in relation to non-motorised public access, as outlined in the Outdoor Access Strategy Review 2018-21 (Appendix 1 to the report), and
- 2) Provide the following comments on the proposed key priorities, aims and objectives of the Environment Team in relation to non-motorised public

access, as shown in the Draft Outdoor Access Strategy 2021-24 (Appendix 2 to the report);

- a) Committee suggested a key aspect moving forward is the need to build further relationships with Community groups and Heritage groups,
- b) Committee suggested the need to make paths accessible and particularly suitable for people living with dementia or any other issues, signposted better to get the best experience, and
- c) Committee requested the need to promote the information we know on the paths networks further, including accessibility of paths and to also include external websites ensuring all information is accessibility to all.

8. DRAFT LOCAL FLOOD RISK MANAGEMENT STRATEGIES AND PLAN FOR THE NORTH EAST LOCAL PLAN DISTRICT

A report by the Director of Infrastructure Services had been circulated to raise awareness and to encourage participation in the public consultation process for the prioritisation of Flood Risk Management actions in the North East Local Plan District Cycle 2 (2022-2028).

The Committee **agreed** to:

- 1) Note the nationally prioritised flood risk management actions as set out in Appendix 1 to the report, and
- 2) Provide the following comments to the Heads of Roads, Landscape and Waste Services;
 - a) Committee suggested the need to maintain key waterways to prevent flooding and suggest that maintenance should be a key part of the Strategy moving forward, and
 - b) Committee suggested the completion signage regarding Stonehaven Flood Works be updated.

9. ABERDEENSHIRE COUNCIL BUILT HERITAGE STRATEGY 2018-21 REVIEW AND BUILT HERITAGE STRATEGY 2021-24

A report by the Director of Infrastructure Services was circulated to Members asking the Committee to acknowledge the work of the Environment Team through the Built Heritage Strategy 2018-21 and seeking comments on the Built Heritage Strategy 2021-24.

The Committee **agreed** to;

- 1) Acknowledge the work of the Environment Team over the 2018-21 period to conserve, manage, enhance and promote Aberdeenshire's built heritage as outlined in the Built Heritage Strategy Review 2018-2021 (Appendix 1 to the report),

- 2) Note the successful online open doors events, and
- 3) Provide the following comment on the proposed key priorities, aims and objectives of the Environment Team to conserve, manage, enhance and promote Aberdeenshire's built heritage as outlined in the Built Heritage Strategy 2021-24 (Appendix 2 to the report),
 - a. The Committee suggested that we should always strive to provide accessibility for all.

10. AREA COMMITTEE BUDGET

A report was circulated from the Director of Infrastructure Services as one application had been submitted for funding from the Kincardine and Mearns Area Committee Budget, from Mearns Coastal Heritage Trail.

The Committee heard from the Chair of the group in support of the application who outlined the work of the group and then discussed the next steps.

The Committee discussed the application and **agreed** to approve the grant from the Area Committee Budget to Mearns Coastal Heritage Trail (MERCHAT) for £8,000.00.

11. AREA PERFORMANCE FRAMEWORK

A report by the Director of Infrastructure Services was circulated to Members asking the Committee to acknowledge the Area Performance Framework, agree the Area Performance Indicators and the schedule of performance reporting.

The Committee **agreed** to;

- 1) The schedule of performance reporting as set out in paragraph 4.7 in the report, and
- 2) The Area Performance Indicators in Appendix 1 to the report and provided the following comments;
 - a) Committee suggested the need to work with partners and that this be reflected under the Business Services indicators,
 - b) Committee requested the number of indicators that had no targets should be amended to reflect a target, and
 - c) Committee raised questions over some of the targets in relationship to the abandonment of calls/customer service targets.

12. CONSULTATION ON THE DRAFT RISK MANAGEMENT POLICY

A report issued by the Director of Business Services was circulated to Members with the draft Risk Management Policy.

The Committee **considered** and **discussed** the draft Risk Management Policy, set out in the Appendix to the report.

13. APPLICATIONS FOR DETERMINATION

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

Reference Number	Address
(A) APP/2021/0228	Full Planning Permission for Erection of Dwellinghouse at Plot 2, Land East of Cedar Avenue, Durris
(B) APP/2021/1201	Conservation Area Consent for Substantial Demolition Works to Existing Building (Part Retrospective) at Old Brotherton Mill, New Road, Johnshaven
(C) APP/2021/1377	Full Planning Permission for Erection of 5 Dwellinghouses and Garages and Formation of Access without Compliance with Condition 8 (Drainage) of Planning Permission Reference APP/2019/1703 at Land Adjacent to The Boat House at The Kriek, Mill of Uras

14. STONEHAVEN PRIMARY SCHOOL PROVISION

A report was issued by the Director of Education and Children's Services providing an update on work that had been undertaken to date, by Officers, to assess and evaluate proposals to relocate Dunnottar School and Carronhill School to new build provision.

Officers from Education outlined the report and the two options contained within and welcomed any questions. Members raised queries regarding the potential sites that had been identified, the suitability of the preferred site, raised questions regarding could Dunnottar School be refurbished, the inclusion of Mackie Academy within the Campus model and stressed the need for further engagement and consultation.

The Committee **agreed** to

1. Acknowledge the work being progressed on the replacement of Dunnottar Primary,
2. Acknowledge the second option identified which proposes the inclusion of a replacement Carronhill School as part of any project, and

3. Provided the following comments;
- a) The Committee supported the second option within the report,
 - b) The Committee suggested the need to clarify why Mackie Academy is not being considered within the proposals as part of the Campus model,
 - c) The Committee suggested further explanation as to why a campus model is required,
 - d) The Committee suggested reassurances would be required to parents from both schools to enable children to feel comfortable within the larger campus model,
 - e) The Committee welcomed schools retaining their own separate identifies and highlighted the need to communicate this further within the community,
 - f) The Committee suggested the need to explain to the wider community the benefit of a campus approach,
 - g) The Committee suggested the need for open and transparent communications with all, including engagement and further consultations,
 - h) The Committee suggested the need for consideration of car parking at Mackie Academy and the traffic issues associated with any development, and
 - i) The Committee suggested caution when considering the size of the land required, to ensure any site is large enough to accommodate a campus.

**KINCARDINE AND MEARN'S AREA COMMITTEE, 21 SEPTEMBER 2021
APPENDIX A**

PLANNING APPLICATIONS FOR DETERMINATION

(A) Reference No: APP/2021/0228

Full Planning Permission for Erection of Dwellinghouse at Plot 2, Land East of Cedar Avenue, Durris

Applicant: Ms Katy Sutherland, Easter Ardoe Steading, Ardoe, Aberdeen, AB12 5XT

Agent: Brown & Brown Architects, Nocht Studio, Cummerton, Strathdon, Aberdeenshire, AB36 8UP

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

The Senior Planner outlined the report and advised the wider site had consent for the development of three houses, one was nearing completion on Plot 3 and approval of this application would allow the development of Plot 2. Given the on-going concerns of residents due to surface water flows and flooding, a new drainage

report had been commissioned and proposals made to mitigate any potential impacts. Tree loss would be minimised and new planting would reinforce the woodland setting and wildlife corridors. The proposal was for a high quality contemporary property which will enhance the area and be an energy efficient building with high quality materials. The proposal complied with Policy R2 Housing and employment development elsewhere in the countryside, Policy P1 Layout, siting and design, Policy PR1 Protecting important resources, Policy C1 Using resources in buildings, Policy C4 Flooding and Policy RD1 Providing suitable services and was recommended for approval.

The Committee discussed the application and **agreed** to grant full planning permission subject to the following conditions:-

01. No works in connection with the development hereby approved shall commence unless details of the proposed means of enclosure to be erected on the boundaries of the site have been submitted to and approved in writing by the planning authority. The boundary treatments should be post and wire fencing and/or native hedging.

Reason: In the interests of the visual amenities of the wooded area

02. The dwellinghouse hereby approved shall not be erected unless an Energy Statement applicable to that dwellinghouse has been submitted to and approved in writing by the planning authority. The Energy Statement shall include the following items:
 - a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development.
 - b) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with 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.

03. No works in connection with the development hereby approved shall commence unless the tree protection measures have been implemented in full accordance with the approved tree protection plan. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the planning authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

Reason: In order to ensure adequate protection for the trees on the site during the construction of development, and in the interests of the visual amenity of the area.

04. All tree planting proposals shall be carried out in full accordance with the approved planting scheme (Struan Dalgleish Arboriculture September 2021) in the first planting season following completion of the dwellinghouse. 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 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.

05. No works to implement the development hereby approved shall take place unless the proposed temporary surface water drainage system has been installed in full accordance with the drainage report (S.A McGregor dated 9th August 2021)

Thereafter foul and surface water drainage systems shall be provided in accordance with the approved plans and the above drainage report and shall be permanently retained thereafter in accordance with the approved scheme.

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

06. No works in connection with the development hereby approved shall commence unless details/the specification and colour of all the materials/roof/wall/windows/doors/garage door 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.

07. The dwellinghouse hereby approved shall not be occupied unless its turning and parking area for three cars has been provided and surfaced in accordance with the details shown on the approved plans. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the driveway to an adequate standard in the interests of road safety.

Reason for Decision

The planning authority considers that the application is for a development that is in accordance with the Aberdeenshire Local Development Plan 2017. The proposed development is for an energy efficient dwellinghouse, using high quality design and materials. Tree loss has been minimised and additional planting will reinforce the woodland setting and wildlife corridors. Foul and surface water drainage can be dealt with on-site without adverse impacts and access can be achieved to current standards. The proposal complies with Policy R2 Housing and employment development elsewhere in the countryside, Policy P1 Layout, siting and design, Policy PR1 Protecting important resources, Policy C1 Using resources in buildings, Policy C4 Flooding and Policy RD1 Providing suitable services.

(B) Reference No: APP/2021/1201

Conservation Area Consent for Substantial Demolition Works to Existing Building at Old Brotherton Mill, New Road, Johnshaven, Aberdeenshire

Applicant: Barr Demolition, Old Station Buildings, Station Road Drumlithie, AB39 3YT

Agent: A B Roger & Young Ltd, 9 Macgregor Street, Brechin DD9 6AB

A report by the Director of Infrastructure Services was circulated advising Members that the Committee was able to take a decision on this item in terms of the Scheme of Governance as there have been valid objections from six or more individuals or bodies with separate postal addresses or premises.

The Senior Planner introduced the report and advised that Conservation area consent is sought to demolish a proportion of the former mill which had been the subject of collapse, as well as an area directly to the south, alongside the boundary with Castle Street. As a result of the proposals, the main building would see the roofs (slated and profiled sheeting) removed, with the gables reduced to eaves level, thereby retaining the walls of the original parts of the building. To the west of the site, the parts of the extended mill would be retained, with demolition stopping at the existing separating wall.

The Committee discussed the application and had concerns regarding the history and heritage of the Mill building being lost and had reservation that once demolition commenced it may be difficult to retain any of the building.

The Committee **agreed** to grant Conservation Area Consent subject to the following conditions:-

01. No works, including demolition or removal of materials in connection with the conservation area consent hereby granted shall commence unless a method statement for the safe removal, reclamation and appropriate re-use of salvageable slate, stone or other traditional materials accruing from the proposed works, has been submitted to and approved in writing by the Planning Authority. Thereafter, the works shall be carried out in complete accordance with the approved method statement.

Reason: To ensure the safe removal, reclamation and appropriate re-use of original traditional building fabric in the interests of the character and appearance of the built environment.

02. No works, including demolition or removal of materials in connection with the conservation area consent hereby granted shall commence unless a method statement for the propping/stabilisation of the retained walls, and intended measures for winter wallhead protection for the proposed works, has been submitted to and approved in writing by the Planning Authority. Thereafter, the works shall be carried out in complete accordance with the approved method statement.

Reason: To ensure the appropriate stabilisation measures are implemented so as to best retain the remaining original traditional building fabric in the short term, and in the interests of the character and appearance of the built environment.

03. No demolition or any other works in connection with the development hereby approved shall commence unless a photographic survey of the existing buildings and structures on the application site has been submitted to and approved in writing by the planning authority. All external and internal elevations of the buildings and structures together with the setting of the buildings and structures and any unusual features of the existing buildings and structures shall be photographed. The photographic viewpoints must be clearly annotated on a plan to accompany the survey. The photographs and plan 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 Monuments Record for Scotland and in the local Sites and Monuments Record.

04. No works in connection with the development hereby approved shall commence unless a tree protection plan has been submitted to and approved in writing by the planning authority. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- a) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);
- b) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction);
- c) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas;
- d) An arboricultural impact assessment which evaluates the direct and indirect impacts of the proposed development on the trees to be retained and proposed mitigation;
- e) An arboricultural method statement to demonstrate that operations can be carried out with minimal risk of adverse impact on trees to be retained;

- f) A method statement for any works proposed within the root protection areas of the trees shown to be retained.

No works in connection with the development hereby approved shall commence unless the tree protection measures have been implemented in full in accordance with the approved tree protection plan. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the planning authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

Reason: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

Reason for Decision

The planning authority considers that the application is for a development that is in accordance with the Aberdeenshire Local Development Plan 2017. The existing disused mill buildings have been the subject of partial collapse, and their partial demolition in this instance is necessitated in the interest of public safety. The extent of works sought is the maximum permissible at this time in order to endeavour to save as much of the historic fabric which is of some significant architectural and historical merit thereby aiming to preserve as much of the character of the conservation area as possible. The proposal is therefore in accordance with HE2 Protecting historic and cultural areas.

(C) Reference No: APP/2021/1377

Full Planning Permission for Erection of 5 Dwellinghouses and Garages and Formation of Access without Compliance with Condition 8 (Drainage) of Planning Permission Reference APP/2019/1703 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, Stonehaven, AB39 2TQ

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

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

Councillors Dickinson and Carr as previously intimated in the Declaration of Interests left the meeting at this time.

The Chair advised that a request to speak had been received, Members agreed to hear from Michael Lorimer, representative from Ryden Planning.

The Senior Planner introduced the report and advised Members that the application had been submitted as the approved drainage condition attached to the previously approved planning permission APP/2019/1703 cannot be achieved on site and an alternative arrangement has been submitted. It was proposed to install individual treatment plants in each plot to fully treat sewage before it is then discharged to a redesigned communal soakaway in Plot 2. The design of the proposed foul water soakaway had been revised to increase its capacity, thereby reducing the need for communal maintenance and repair. The Senior Planner advised that the proposed infrastructure can be installed at the site without a significant adverse impact on the wider area.

Michael Lorimer, representing Elgrun Ltd spoke on behalf of the applicant in support of the application and welcomed any questions.

The Committee discussed and **agreed** to grant full planning permission subject to the following conditions: -

01. The foul and surface water drainage systems shall be constructed and operational prior to the occupancy of the first dwellinghouse. The revised drainage arrangement shall be in accordance with Drawing No 210201-000-CAM-DR-C-001Rev B and the associated Drainage Assessment by Cameron + Ross (May 2021). The foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved maintenance scheme on an annual basis.

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

02. 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.

03. 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.

04. 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.

05. 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 and 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.

06. 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.

07. 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.

08. 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.

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.

Reason for Decision

The proposal to vary Condition 8 (Drainage) of APP/2019/1703 is considered to comply with the requirements of Policy RD1 Protecting important resources of the Aberdeenshire Local Development Plan 2017 and is acceptable in terms of Section 42 of the Town and Country Planning (Scotland) Act 1997.