

## **ABERDEENSHIRE COUNCIL**

### **MARR AREA COMMITTEE**

#### **ONLINE MEETING, 23 NOVEMBER 2021**

- Present:** Councillors J Latham (Chair), P Argyle, G Blackett, R Bruce, E Durno, M Ingleby, G Petrie, and A Ross.
- Apologies:** Councillors P Gibb and R Withey.
- Officers:** J Clark, Area Manager (Marr); P McKay, Head of Roads and Infrastructure; N Mair, Senior Planner; L Kimmitt, Solicitor; and K Macleod, Area Committee Officer (Marr).
- In attendance:** C Westwood, Station Manager, Scottish Fire and Rescue Service.

#### **1. DECLARATION OF MEMBERS' INTERESTS**

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

Councillor Blackett declared an interest in Item 4 by virtue of knowing the applicant. She advised that she would leave the meeting and take no part in the item.

Councillor Blackett also declared an interest in Item 8 by virtue of being a directly elected board member of the Cairngorms National Park Authority. She advised that she would remain and participate in discussion but not in any decision making.

Councillors Argyle and Latham declared interests in Item 8 by virtue of being Council nominees to the Cairngorms National Park Authority Board however an exemption applied therefore they would remain and participate in the item.

Councillor Argyle declared an interest in Item 11 by virtue of the planning consultant being known to him through his role as a councillor but having applied the objective test he concluded the interest to be remote and insignificant therefore he would remain and participate in the item.

#### **2A. STATEMENT OF 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; and
- (2) where an Integrated Impact Assessment was provided, to consider its contents and take those into account when reaching a decision.

## **2B. CONFIDENTIAL INFORMATION**

The Committee **agreed** that, under Section 50A (2) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Item 4 of the business below on account of the likely disclosure of confidential information in breach of the obligation of confidence.

### **3. MINUTE OF MEETING OF MARR AREA COMMITTEE OF 2 NOVEMBER 2021**

The Committee had before them, and approved as a correct record, the Minute of Meeting of the Committee of 2 November 2021.

### **4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR RENEWAL OF SECOND HAND DEALER'S LICENCE**

There had been circulated a confidential report dated 5 November 2021, by the Director of Business Services, which sought consideration of an application for the renewal of a Second-Hand Dealer's Licence, in respect of which the Chief Constable had lodged a representation.

Having considered the materials before them, and having heard from the applicant and the representative of the Chief Constable, the Committee unanimously **agreed**:-

- (1) that there was sufficient evidence before the Committee to allow a determination to be made; and
- (2) to grant the renewal of the licence as applied for, subject to receipt of the certificate of compliance relating to the display of a site notice at the premises.

### **5. SCOTTISH FIRE AND RESCUE SERVICE - MARR AREA COMMITTEE PERFORMANCE REPORT FOR 1ST JULY – 30TH SEPTEMBER 2021**

There had been circulated a report by the Local Senior Officer, Scottish Fire and Rescue Service, and the Director of Business Services, which provided information on how the Scottish Fire and Rescue Service (SFRS) had performed locally in Marr against key SFRS priorities and the Marr Multi-Member Ward Plan during the period from 1 July to 30 September 2021.

The Station Manager provided the Committee with information on incidents in the Marr Area including deliberate fires, accidental dwelling fires, and non-fire emergencies. There followed a full discussion of Army and SFRS assistance to the Ambulance Service. The Station Manager also responded to Members' questions on

leaving appliances unattended, home fire safety visits and interlinked fire alarms, and the Christmas fire engine in Banchory.

The Committee **agreed**:-

- (1) to acknowledge the performance report relating to the period from 1 July to 30 September 2021; and
- (2) to acknowledge local operational matters arising together with key resource issues, as detailed within appendices to the report.

## **6. ABERDEENSHIRE COUNCIL EARLY LEARNING AND CHILDCARE ADMISSIONS POLICY**

Item deferred until 14 December 2021.

## **7. BALLATER FLOOD RISK AND OPTIONS FOR MINOR IMPROVEMENT STUDY**

There had been circulated a report dated 3 November 2021, by the Director of Environment and Infrastructure Services, which asked the Committee to consider discussions held locally regarding the flood risk to Ballater and options regarding commissioning additional flood study work to assess the benefits of undertaking minor works.

The Head of Roads and Infrastructure advised that the Committee were being asked to consider additional flood study work to update understanding of the current flood risk, particularly after flood events in February and October. Four options were set out in the report and the officers' recommendation was to progress Option 1 for additional flood study work, and, if the study concluded that the situation had deteriorated, to trigger Option 2 to look at a range of options to increase flood resilience particularly for higher frequency events.

The Committee then heard from Richard Frimston and John Bannerman of Ballater and Crathie Community Council and its Flooding Issues Group. They referred to the damage from Storm Frank; gratefulness for repair of the village bund; and the high water event in February, with another stretch of the bund washing away, the course of the Dee changing, and the community feeling at risk. They advised that they fully supported Option 1 and asked for three elements of clarification: (1) that the matters listed at 4.9 of the report be looked at in Option 1; (2) that the Flood Issues Group be included during the study to improve ability to communicate with residents and enhance ownership of the final results; and (3) that any in-river works identified would be carried out between May and October 2022.

The Committee welcomed the report and **agreed**:-

- (1) to acknowledge the additional flood study options described in paragraph 4.11 to the report;
- (2) to the officer recommendation (Option 1) for additional flood study work as per paragraph 4.12 of the report;

- (3) to delegate authority to the Head of Roads and Infrastructure to take forward the issues raised at 4.9 of the report as part of Option 1;
- (4) that subject to the findings of Option 1, Option 2 could be triggered;
- (5) that there would be appropriate stakeholder engagement throughout with the Ballater Flood Issues Group;
- (6) to approve the item on the Supplementary Procurement Work Plan (Appendix 1 to the report) and note that this item would be added to the Infrastructure Services Directorate Procurement Plan for 2021/22, that was approved by the Committee on 30 March 2021; and
- (7) not to reserve the approval of the Procurement Approval Form (PAF) and to acknowledge that the relevant Chief Officer has the delegated authority to approve the Procurement Approval Form and also to award the final contract for the item on the Supplementary Procurement Plan.

## **8. CAIRNGORMS NATIONAL PARK PARTNERSHIP PLAN**

There had been circulated a report dated 4 November 2021, by the Director of Environment and Infrastructure Services, which sought consideration of a draft Council response to the Cairngorms National Park Authority in relation to the Cairngorms National Park Partnership Plan (CNPPP).

The Area Manager (Marr) introduced the report and advised that the Plan was centred around the themes of nature, people, and place.

Following discussion, the Committee **agreed**:-

- (1) to acknowledge the draft consultation response in Appendix 1 of the report;
- (2) to note Members' comments regarding the need for affordable housing, and a stronger emphasis on the important role of estates in the rural economy, particularly in relation to the response at A5; and
- (3) to delegate authority to the Director of Environment and Infrastructure Services to submit the final consultation response to the Cairngorms National Park Authority (CNPA).

## **9. AREA COMMITTEE BUDGET - SMALL GRANT APPLICATIONS**

There had been circulated a report dated 4 November 2021, by the Director of Environment and Infrastructure Services, which sought consideration of applications for Area Committee Budget funding from the North East Scotland Preservation Trust and Huntly Development Trust.

The Committee **agreed**:-

- (1) to approve an award of up to £1,000 to North East Scotland Preservation Trust towards the cost of a valuation of the Huntly Hotel in The Square, Huntly; and
- (2) to approve an award of up to £2,000 to Huntly Development Trust towards the cost of a scoping exercise for setting up a “Remakery” for repairing and repurposing damaged or broken items.

#### **10. ABERDEENSHIRE CHARITIES TRUST (ACT2) APPLICATION**

There had been circulated a report dated 5 November 2021, by the Director of Environment and Infrastructure Services, which sought consideration of an application from Huntly Development Trust for funding from ACT2 (Ward 14: any of the purposes of ACT2) towards the cost of consultancy services to scope and undertake essential groundwork in the establishment of a proposed Huntly Remakery.

The Committee **agreed** to approve an award of up to £2,000 (Ward 14: any of the purpose of ACT2) to Huntly Development Trust.

#### **11. PLANNING APPLICATIONS FOR DETERMINATION**

The following planning applications were considered along with any representations received and were dealt with as recorded in Appendix A to this minute.

<b>Reference No</b>	<b>Address</b>
(A) APP/2021/0917	Full Planning Permission for Erection of Boundary Fence and Gates (Retrospective), Change of Use and Conversion, Alterations and Formation of External Stairs of Mill to Class 9 (Dwellinghouse) at Former Strathdon Fish Farm, Mill of Newe, Strathdon
(B) APP/2021/1823	Full Planning Permission for Erection of Dwellinghouse and Garage at Land to North of Coldrach Lodge, Chapel Brae, Braemar
(C) APP/2021/2274	Full Planning Permission for Erection of Dwellinghouse (Change of House Type and Plot Layout to Planning Permission Reference APP/2019/2193) at Plot 1, Site North of Balfour Cottage, Willowbank, Bridge of Alford, Alford

**Councillor presiding over meeting**

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**Print Name**

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**Signature**

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**Date**

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## APPENDIX A

### PLANNING APPLICATIONS

**(A) Reference No: APP/2021/0917**

**Full Planning Permission for Erection of Boundary Fence and Gates (Retrospective), Change of Use and Conversion, Alterations and Formation of External Stairs of Mill to Class 9 (Dwellinghouse) at Former Strathdon Fish Farm, Mill of Newe, Strathdon, Aberdeenshire, AB36 8TG**

**Applicant: Mr D Knight, C/o Agent**  
**Agent: Gerry Robb Architectural Design Services, Bridgend, Bridgeview Road, Aboyne, Aberdeenshire, AB34 5HB**

There had been circulated a report dated 5 November 2021, by the Director of Environment and Infrastructure Services, which sought consideration of an application for full planning permission for the proposed change of use, and conversion, alterations, and formation of external stairs, of a former mill to Class 9 (Dwellinghouse) at the former Strathdon Fish Farm, as well as retrospective permission for the erection of a boundary fence and gates. The application was recommended for refusal but had been referred to the Committee by Ward Members.

The Senior Planner outlined the proposals and advised that flooding was the key issue – while there were positive aspects of the proposal that complied with policy, the flood risk was the fundamental failing of the application. Reference was made to strong concerns from the Council's Flood team and SEPA: identified mitigations being unacceptable; residential accommodation not being acceptable in areas of medium to high flood risk; a comparable application at Prony Steading which had been refused by Scottish Ministers; and there being no material planning consideration which would outweigh risk to life. The application was recommended for refusal as it was contrary to Scottish Planning Policy and Policy 10.2 of the Cairngorms National Park Local Development Plan.

The Committee were informed that a request to speak had been received and heard from Pippa Robertson, Aurora Planning, on behalf of the applicant. She asked the Committee to approve the application and referred to officers supporting the proposals other than the technical requirements on flooding; significant benefits in terms of preserving a listed building; Prony Steading being at a significantly higher flood risk; the flood risk assessment submitted showing the risk of flooding being relatively low and the maximum depth of potential flood water being very minor; and mitigations including the ground floor level being raised, an early detection alarm, sleeping accommodation on upper floors, and a separate means of escape at first floor level to higher ground. She concluded that the benefits significantly outweighed any concerns related to flood risk.

During discussion, Members considered the extent of the flood risk and commented on there not being recent historic records of flooding at the site, flooding at a depth of 300mm not imperilling life, and Policy 10.2 recognising exceptional cases. The benefits of the proposal were also discussed with reference made to rescuing the prominent building which was deteriorating and had been empty for some time.

The Committee **agreed** to grant full planning permission on the grounds that, on balance, weighing the extent of the flood risk, which was considered to be minor with no threat to life and no recent records of flooding on the site, with the benefits of redeveloping the prominent empty building, the proposal was considered to be an exceptional case in terms of Policy 10.2 of the Cairngorms National Park Local Development Plan and complied with all other policies of the LDP.

**(B) Reference No: APP/2021/1823**

**Full Planning Permission for Erection of Dwellinghouse and Garage at Land to North of Coldrach Lodge, Chapel Brae, Braemar**

**Applicant: Mr Martin Bruce, Quarry Studios, Crathie, Ballater, AB35 5UL**  
**Agent: Moxon Architects Ltd, Ardoch, Crathie, Ballater, AB35 5UL**

There had been circulated a report dated 1 November 2021, by the Director of Environment and Infrastructure Services, which sought consideration of an application for full planning permission for the erection of a dwellinghouse and garage. The application had been referred to the Committee due to the level of representations.

The Senior Planner outlined the proposals and advised that the site formed part of allocated site H4 in the Cairngorms National Park Local Development Plan (CNP LDP) which was allocated for up to six dwellings. The Senior Planner spoke on the key issues around the use of a large portion of the allocated site for one large single dwelling. Issues raised in representations were also addressed. Looking at the allocations in Braemar holistically and considering that the proposal on the plot would leave land to deliver up to three further units, on balance, the principle of the single house could be supported. The design was good, and the proposal was fine in terms of technical requirements; therefore, a delegated grant of approval was recommended.

The Committee were advised that a request to speak had been received. Elaine Farquharson-Black of Brodies addressed the Committee on behalf of the applicant. Reference was made to there being no objections from statutory consultees and CNPA not calling in the application; allocation in the LDP placing a legal presumption in favour of housing on the site; the number of units for an allocation being indicative with the actual number determined at application stage accounting for relevant constraints and design policies; the landowner having only proposed three to five houses for allocation on a larger site; the developable area being much smaller taking into account all constraints and requirements; other sites coming forward in

Braemar; and the bespoke design adding to the character of the area, variety of housing in the village, and supporting services in the community.

During discussion Members commented on the challenges around housing need in Braemar and the need for smaller houses and affordable housing. Some Members indicated that the proposals did not meet local needs and the settlement objectives for Braemar set out in the CNP LDP. Reference was also made to Braemar Community Council's concerns about reducing the capacity for development where available land was already restricted. Other Members acknowledged the challenges of housing need in Braemar but highlighted the planners' advice that the application met the relevant planning policies.

Councillor Blackett, seconded by Councillor Ross, moved that the application be refused on the grounds that it failed to meet the requirements for the settlement as outlined in the Community Information section of the Cairngorms National Park Local Development Plan and the criteria of Policy 1: New Housing Development, 1.1 Housing delivery in settlements.

As an amendment Councillor Argyle, seconded by Councillor Petrie, moved that the application be approved in accordance with the report recommendations.

Members of the Committee voted as follows:-

- |                   |     |   |
|-------------------|-----|---|
| for the motion    | (2) | Councillors Blackett and Ross.                                |
| for the amendment | (6) | Councillors Latham, Argyle, Bruce, Durno, Ingleby and Petrie. |

Therefore the amendment was carried and the Committee **agreed**:-

- (1) that authority to grant full planning permission be delegated to the Head of Planning and Economy subject to the conclusion of developer obligations and the following conditions:
  01. 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 3 Design and placemaking Part 3.3 Sustainable design of the Cairngorms Local Development Plan 2021

02. No works in connection with the development hereby approved shall commence unless a detailed site-specific construction method statement and related site plan has been submitted to and approved in writing by the planning authority to protect the River Dee SAC during construction works. The construction method statement shall include details of the means of preventing release of silt into adjacent watercourses. All construction works on the site shall be carried out in strict accordance with the approved construction method statement.

Reason: In the interests of protecting the biodiversity of the environment and the River Dee SAC

03. No works in connection with the development hereby approved shall commence unless the tree protection measures detailed in the Astell Associates report dated 30th July 2021 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.

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

Details of the scheme shall include:

- (a) Existing landscape features and vegetation to be retained;
- (b) Protection measures for the landscape features to be retained;
- (c) Existing and proposed finished levels;
- (d) The location of new trees and hedges, which shall be native species;
- (e) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- (f) The location, design and materials of all hard landscaping works including walls, fences and gates;

- (g) An indication of existing trees, shrubs and hedges to be removed;
- (h) 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.

05. No works in connection with the development hereby approved shall commence unless a scheme for the protection of the Public Path adjacent to the site has been submitted to and approved in writing by the planning authority. The scheme shall include details of the means of retaining public access whilst protecting the root protection area of the mature larch tree next to the site boundary

The protection works shall be carried out in accordance with the approved scheme.

Reason: In order to ensure the Public Path is not obstructed by the development.

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 doors/rainwater goods 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. 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 45 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 new driveway in accordance with the Council's Standards for Road Construction Consent and Adoption.

The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated outwith the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

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

08. The dwellinghouse hereby approved shall not be occupied unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans and the drainage report by S.A McGregor dated 4th August 2021. 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 dwellinghouse hereby approved shall not be occupied unless its lay-by driveway, turning and parking area 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 to prevent the carriage of loose driveway material on to the public road in the interests of road safety

- (2) the reason for decision as follows:-

The planning authority considers that the application is for a development that is in accordance with the Cairngorms National Park Local Development Plan 2021. The proposal is for a high-quality design contributing to the character and landscape quality of this part of the settlement on an allocated site. It takes account of tree protection, public access and technical matters.

- (C) Reference No: APP/2021/2274**

**Full Planning Permission for Erection of Dwellinghouse (Change of House Type and Plot Layout to Planning Permission Reference APP/2019/2193) at Plot 1, Site North of Balfour Cottage, Willowbank, Bridge of Alford, Alford, Aberdeenshire**

**Applicant: Mr Steven & Mrs Alison Geldart**  
**Agent: 338 Building Design, 19 Davidson Crescent, Alford, AB33 8TP**

There had been circulated a report by the Director of Environment and Infrastructure Services which sought consideration of an application for full planning permission for the erection of a dwellinghouse (change of house type and plot layout to Planning Permission Reference APP/2019/2193). The application was being reported to the Committee as it was a departure from the Development Plan and was recommended for approval.

The Senior Planner outlined the proposal and advised that the development didn't comply with policy because the organic growth capacity of the settlement had been reached but the development was a change of design to an already counted dwelling. The scale, design and materials were all acceptable and the application was recommended for approval.

The Committee **agreed**:-

(1) to grant full planning permission subject to the following conditions:-

01. 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 57 metres in a north easterly direction and 43 metres in a south westerly direction 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 in accordance with the Council's Standards for Road Construction Consent and Adoption. The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated outwith the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

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

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. All soft and hard landscaping proposals shall be undertaken prior to occupation 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.

04. The dwellinghouse hereby approved shall not be occupied unless the proposed foul and surface water drainage system has been provided in accordance with the approved plans and the (Ground Assessment and Drainage Proposal Report by S.A.McGregor dated 25/10/2021). The foul and surface water drainage system 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.

05. The dwellinghouse hereby approved shall be brought into use unless its turning and parking areas have been provided and surfaced in accordance with the details shown on the approved plans. Once provided, the turning and parking area shall thereafter be permanently retained as such.

Reason: To ensure the timely completion and retention of the on-site facilities to an adequate standard in the interests of road safety.

06. The development hereby approved shall not be occupied unless the public footpath is constructed in accordance with the Council's Standards for Road Construction Consent and Adoption has been provided in its entirety as shown on the approved plans. Once provided, the footpath shall thereafter be permanently retained as such.

Reason: To ensure safe access for pedestrians to the existing footpath network.

07. 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.

- (2) the reason for the decision as follows:-

The principle of development is long established on this site, with this dwelling proposing an alternative design to a previously consented dwelling which formed organic growth, and is therefore not a new dwelling and can be accepted as a departure from Policy R2 Housing and employment development in the countryside.

The proposed layout, siting and design of this dwelling is appropriate and compatible with the surrounding area, whilst the site can be suitably accessed and serviced, all in accordance with Policy P1: Layout, siting and design and subject to conditions Policy RD1: Providing suitable services and Policy C1: Using resources in buildings of the Aberdeenshire Local Development Plan 2017