

**ABERDEENSHIRE COUNCIL**

**GARIOCH AREA COMMITTEE**

**GORDON HOUSE, INVERURIE ON 19 JUNE 2018**

**Present:** Councillors F Hood (Chair), D Aitchison (for items 1 to 7E), N Baillie (for items 1 to 7E), L Berry, M Ewenson, M Ford, V Harper, S Leslie, D Lonchay, A McKelvie, G Reid, H Smith, I Walker and J Whyte.

**Apology:** Councillor R McKail.

**Officers:** M J Cardno (Garioch Area Manager), A Overton, (Senior Solicitor), K Clark (Principal Engineer), B Strachan (Senior Planner), M Watt (Planner), A Murphy (Senior Planner), C Menzies (Strategy Team Leader), C Stewart (Team Leader), A Griffiths (Head of Primary Education), G Drummond (Head Teacher), M Booth (Quality Improvement Manager), S Adams (Area Project Officer), D MacLennan (Team Leader), F Thomson (Project Officer), J Gahagan (Estates Manager), and A Cumming (Garioch Area Committee Officer).

**In Attendance:** CI M Main (Police Scotland).

The Chair indicated that a late item of business (A947 Member/Officer Working Group) had been accepted on to the agenda and would be taken after item 3 on the agenda.

**1. DECLARATIONS OF MEMBERS' INTERESTS**

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

Item 7D – Cllr Ford noted that although he had made numerous positive statements and comments about the provision of a railway station at Kintore, he had never made comment about planning issues and therefore would take part in the discussion.

**2. RESOLUTION - EQUALITIES**

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

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

**2B. EXEMPT ITEMS**

“That, under Sections 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for certain items

of business on account of the likely disclosure of exempt information of the classes described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act”.

Item No.	Paragraph No.
17	8
18	8 and 10
19	9

### 3. MINUTE OF MEETING OF 29 MAY 2018

In accordance with Standing Order 7.1.1 the Committee **agreed** that the minute was a correct record of proceedings and it was duly signed by the Councillor presiding over the meeting.

#### **URGENT ITEM OF BUSINESS A947 MEMBER/OFFICER WORKING GROUP – REQUEST FOR REPRESENTATIVES**

As previously indicated, the Chair accepted an urgent verbal item relating to the A947 Member/Officer Working Group on to the agenda.

The Area Manager explained that the Working Group was seeking two representatives from Garioch Area Committee to be part of this group along with 4 representatives from Formartine and 4 representatives from Banff and Buchan and appropriate officers.

The Committee agreed to nominate Councillors Hood and Reid as the Garioch representatives on this working group.

### 4. ABERDEENSHIRE PERFORMS - HOUSING

A report by the Director of Infrastructure Services was circulated presenting the exceptional performance information for the period January to March 2018.

The Committee **agreed** to:-

1. acknowledge the positive performance achieved January to March 2018 (Quarter 4), identified in Section 2.3 to the report and congratulate officers on this good performance;
2. note those measures where performance is below expectations January to March 2018 identified in Appendix 1;
3. note the update on work undertaken to alleviate Fuel Poverty detailed in Appendix 2; and
4. note the publication on Ward Pages of the complete January to March Performance Report along with a reporting rationale document for all indicators.

### 5. POLICE SCOTLAND – LOCAL AREA UPDATE

A report by the Director of Business Services was circulated detailing monitoring information for the Garioch Area and Multi-Member Wards.

The Chief Inspector gave the Committee detailed information about the trends and local policing initiatives that were being undertaken. Members sought clarification and further

information about motorcyclist initiatives, crimes of indecency and traffic issues. They welcomed the reduction in crime in some areas and thanked officers for their work in Garioch.

The Committee **agreed** to:-

1. note the monitoring information relative to the four Multi Member Wards which collectively for the Garioch component of Aberdeenshire South Local Command Area, an integral part of the North East Division; and
2. thank the police officers for the excellent work they are doing in Garioch.

## 6. CONGLASS, INVERURIE – INDICATIVE LAYOUT PLAN

A report by the Director of Infrastructure Services was circulated presenting the Conglass Indicative Layout Plan.

The Chair indicated that a request to speak had been received from CALA Homes. The Committee agreed to hear the speaker.

The Senior Planner explained that the report was provided as a result of the decision of the Committee to defer consideration of the planning application at Conglass to allow the provision of a masterplan to prevent against piecemeal development of the site and to secure provision of community open space. He confirmed that the document provided was not a masterplan that had been the subject of involvement of consultees or that had been through a consultation process with stakeholders, but that it was a plan for how the development could take place. He confirmed that it would be a material consideration in future planning applications for the site.

The Chair invited Ms Lynn Melvin, CALA Homes, to address the Committee. Ms Melvin explained that CALA welcomed the opportunity to work with the Council and Community Council in developing their plans. There were no questions and Ms Melvin returned to the public benches.

The Committee **agreed** the Conglass Indicative Layout Plan as the context for subsequent planning applications.

## 7. PLANNING APPLICATIONS FOR DETERMINATION

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

APP/2017/3188	Residential development and associated infrastructure at site at Conglass, Crawford Road, Inverurie	Refer to ISC
APP/2018/0140	Approval of matters specified in conditions 1 (a phasing, b levels, c strategic landscaping, d drainage connection, e public access plan, f travel plan), 3 (archaeological WSI), 5 (Camie's stone method statement), 13 (public transport accessibility) of planning permission in principle ref. APP/2015/3793 at land to west of Thainstone Business Park, Inverurie	Delegated Grant

APP/2018/0428	Erection of abattoir and meat production facility with associated roads, infrastructure and landscaping at Thainstone Business Park, Inverurie	Grant
APP/2018/0731	Formation of access and car park (serving proposed railway station) with associated landscaping and infrastructure at site adjacent to Northern Road, Kintore	Grant
APP/2018/0259	Erection of dwellinghouse at site to east of Newton Smiddy, Dunecht	Delegated Grant

## 8. INVERURIE INTEGRATED TRAVEL TOWN PROJECT

A report by the Director of Infrastructure Services was circulated to note the progress and consider the proposals and timescales for the Inverurie Integrated Travel Town Masterplan.

Members highlighted the need for the provision of a crossing at Burn Lane at the earliest possible opportunity. Members were largely supportive of the proposals, but some concerns were raised about the proposed costs. Members stressed the need to focus on the areas where cyclist were discouraged from travelling first to allow these to be more attractive for cycling.

The Committee **agreed**:-

1. to note the progress made to date to develop the Integrated Travel Town Masterplan for Inverurie;
2. to note the proposals and timescales as set out in the Integrated Travel Town document for Inverurie and approve the delivery of the proposals included within the plan;
3. to request that consideration be given to bringing the Burn Lane project and Blackhall Roundabout project in to year 1 (the Burn Lane project being the highest priority);
4. that direct access from Inverurie/Kintore to Kemnay should be explored in order that Kintore pupils can cycle to Kemnay Academy; and
5. that the projects on routes where people are most discouraged to cycle should be considered first.

## 9. ABERDEENSHIRE COUNCIL OUTDOOR ACCESS STRATEGY 2018-2021

A report by the Director of Infrastructure Services was circulated seeking comments on the Aberdeenshire Council Outdoor Access Strategy 2018-2021.

The Committee **agreed** to note the aims and key priorities of the Outdoor Access Strategy 2018-2021 and associated Team Action Plan and suggest that further consideration be given to the numbering of these aims within the strategy to take into account the relative importance and primary purpose through to the means of delivery.

## 10. SCOTTISH WATER CONSULTATION – ‘SHAPING THE FUTURE’

A report by the Director of Infrastructure Services was circulated to consider and provide comments on the Scottish Water Consultation – ‘Shaping the Future.’

The Committee **agreed** to:-

1. forward the following comments to Infrastructure Services Committee:-
  - a) clear responsibility for the maintenance of SUDS schemes needs to be established;
  - b) the process for changing from a private to public water supply needs to be simplified;
  - c) it should be standard to have rainwater collection and reuse in all new developments; and
  - d) better communication, in particular with developers, is required; and
2. request that the Area Manager invite Scottish Water and relevant Council Officers to a private session with Garioch Area Committee to discuss how they are going to supply water and deal with waste water in the future and to link this to the LDP.

## 11. LOCAL REVIEW BODY DECISION NOTICES

### A. BIRKHILL, FOWLERSHILL, DYCE

A Local Review Body decision notice was circulated detailing the appeal decision relating to the removal of condition 1 from planning permission in principle APP/2017/2671 at Birkhill, Fowlershill, Dyce.

The Committee **agreed** to note the decision of the Local Review Body to dismiss the appeal and refuse to remove condition 1 from planning permission in principle APP/2017/2671 at Birkhill, Fowlershill, Dyce.

### B. BOGHEAD FARMHOUSE, KINTORE

A Local Review Body decision notice was circulated detailing the appeal decision relating to erection of temporary building (retrospective) at Boghead Farmhouse, Kintore.

The Committee **agreed** to note the decision of the Local Review Body to refuse the erection of temporary building (retrospective) at Boghead Farmhouse, Kintore.

## 12. NORTHERN ALLIANCE REGIONAL IMPROVEMENT PLAN: CONSULTATION

A report by the Director of Education and Children’s Services was circulated to consider the Northern Alliance Regional Improvement Plan: Consultation.

Members noted that the Alliance was a collaborative body and responsibility for Education remained within the Council.

The Committee **agreed** to:-

1. note the draft plan for the Northern Alliance;

2. support and welcome the collaborative working taking place through the Northern Alliance. and
- 3.. note that the final version of the plan will be reported to Education and Children's Committee on 30 August 2018

### **13. EDUCATION SCOTLAND INSPECTION - ST ANDREW'S SCHOOL, INVERURIE**

A report by the Director of Education and Children's Services was circulated presenting the outcome of the Education Scotland Inspection for St Andrew's School, Inverurie

The Head Teacher gave the Committee an overview of the inspection activities at the school. She indicated that staff and pupils were now looking forward to the move to the new premises.

The Committee **agreed** to:

1. note the outcome of the inspection;
2. endorse the Service's efforts in support of its school in the Education Scotland Inspection process and in the raising of standards of attainment and achievement in all aspects of school life;
3. congratulate the staff and pupils on the good report and wish them well in the transition to their new premises; and
4. further reports on Education Scotland school inspections being presented in due course.

### **14. PROGRESS UPDATE - SCHOOLS IN GARIOCH**

A report by the Director of Education and Children's Services was circulated to update Members of progress made regarding school rolls and capacity in Garioch.

Members discussed capacity changes and the condition and use of temporary accommodation,

The Committee **agreed** to note the report and welcome the progress made in relation to school rolls in Garioch.

### **15. STATEMENT OF OUTSTANDING BUSINESS**

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

The Committee **agreed** to:-

1. note the items of outstanding business as at June 2018; and
2. discharge the items relating to school roll forecasts and member promoted issue.

**16. CIVIC GOVERNMENT (SCOTLAND) ACT 1982  
APPLICATION FOR GRANT OF TEMPORARY PUBLIC ENTERTAINMENT LICENCE –  
REQUEST FOR EXTENSION OF OPERATING HOURS FOR FUNFAIR AT ECHT  
SHOWGROUND, ECHT**

A report by the Director of Business Services for circulated seeking approval for an extension to the hours of operation of the funfair at Echt Show.

Some concerns about the extended hours were raised by Local Members given the issues that took place the previous year. It was suggested that restriction of hours on the evening of the marquee would be sensible as a precaution. However, it was noted that measures had been put in place to deal with some of the issues and Members pointed out that the extension had been approved for a number of years without any trouble and there was no evidence that the previous year's issues would be repeated.

Councillor Walker, seconded by Councillor Whyte, moved that a licence should only be granted for the following operating hours on the recommendation of the Police:-

Friday 13 July 2019	1800hrs – 2330hrs
Saturday 14 July 2017	1000hrs – 2200hrs

As an amendment, Councillor Ford, seconded by Councillor Leslie, moved that the licence should be granted for the following operating hours:-

Friday 13 July 2019	1800hrs – 2330hrs
Saturday 14 July 2017	1000hrs – 0030hrs

The Committee voted:-

- |                   |     |                                                                           |
|-------------------|-----|---------------------------------------------------------------------------|
| For the motion    | (4) | Councillors Berry, Ewenson, Walker and Whyte.                             |
| For the amendment | (8) | Councillors Hood, Ford, Harper, Leslie, Lonchay, McKelvie, Reid and Smith |

Councillors Aitchison and Baillie were absent from the division.

Therefore the amendment was carried and the Committee **agreed** to grant the extension of the hours of operation for the funfair as follows:-

Friday 13 July 2019	1800hrs – 2330hrs
Saturday 14 July 2017	1000hrs – 0030hrs

**17. SUPPLEMENTARY INFRASTRUCTURE SERVICES DIRECTORATE WORK PLAN**

A report by the Director of Infrastructure Services was circulated to consider the Supplementary Infrastructure Services Directorate Work Plan.

The Committee **agreed** to

1. note the Supplementary Infrastructure Services Directorate Work Plan as detailed in Appendix 1 to the report;
2. approve the item on the Work Plan identified as falling within the remit of the Committee;

3. approve the Business Case in Appendix 3 and the progression of the project to procurement stage, on the basis that the contract will be funded by Developer Obligations; and
4. note that should the Business Case be approved and funding application successful, then the authority to award the contract is delegated to Head of Roads, Landscape Services and Waste.

### **18. KINGSEAT BUSINESS CASE AND PROCUREMENT APPROVAL**

A report by the Director of Infrastructure Services was circulated to consider the Kingseat Business Case and Procurement Approval.

Members welcomed the progress made and urged officers to undertake the works as soon as possible.

1. note the Infrastructure Services Directorate Supplementary Procurement Work Plan as detailed in Appendix 5 to the report;
2. approve the item on the Supplementary Work Plan and note that this item will be added to the Directorate Work Plan that was approved by this Committee on 13 March 2018;
3. approve the Business Cases relating to the formation of the community park area and installation of play equipment at Kingseat; and
4. note that the Head of Planning and Building Standards has the delegated power to award the final contracts.

### **19. DISPOSAL OF VACANT PROPERTY**

A report by the Director of Business Services was circulated to consider the disposal of vacant property.

The Committee **agreed** to note and welcome the work being undertaken regarding disposal of vacant properties in Aberdeenshire.

**Councillor Presiding over meeting**

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**Print Name**

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**Signature**

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**Date**



**GARIOCH AREA COMMITTEE**

**19 JUNE 2018**

**APPENDIX A**

**PLANNING APPLICATIONS FOR DETERMINATION**

**A. Reference No: APP/2017/3188**

**Full Planning Permission for residential development and associated infrastructure at site at Conglass, Crawford Road, Inverurie**

**Applicant: CALA Management Ltd**  
**Agent: CALA Homes (North) Ltd**

The Chair indicated that there was a request to speak from the applicant. The Committee agreed to hear from parties in the applications.

The Senior Planner explained that the application was a major development that was a departure from the Local Development Plan (LDP). He confirmed that as such any approval would require to be referred to Infrastructure Services Committee for final approval.

He explained that the site was part of the OP1 site as defined in the LDP, but that it also included an area of land that was not within the settlement boundary. He indicated that the topography and gradient of the site had been instrumental in the reconfiguring of the site as the revised area was more deliverable. He confirmed that a total of 57 houses were proposed, 20 of which were within the settlement boundary and that the development would see the provision of 40% open space. He indicated that 25% affordable housing was proposed and the provision of a playpark was conditioned for delivery before the completion of the 28<sup>th</sup> house. The Senior Planner explained that extra parking was being provided on site as some of the garages did not meet the required size to be considered as a parking space.

The Chair invited Ms Lynn Melvin, on behalf of CALA Homes, to address the Committee. Ms Melvin explained the reasoning behind the proposals and stressed that her company had worked to provide a high quality development.

Members sought clarification as to the reasoning for the size of the houses, the size of the garages, the SUDS and landscape maintenance arrangements and parking arrangements. Ms Melvin confirmed that the 4/5 bedroomed homes were being provided as this is what the market required, the garages, although marginally smaller than Aberdeenshire Council requirements, could accommodate a car. She confirmed that the landscaping would be maintained by a factor and they would be looking for the SUDS to be adopted by Scottish Water. She confirmed that adequate parking was being provided within the development as the garages would be able to accommodate a car even though they were not being counted as a parking space. There were no further questions and Ms Melvin returned to the public benches.

The Committee **agreed:-**

1. that the reason for departing from the Aberdeenshire Local Development Plan 2017 is that the proposed development will allow a further area for residential development within Inverurie, providing choice within the market. The delivery of 14 further affordable homes is to be welcomed. The scheme has demonstrated a number of positive layout and design aspects that overcome the recognised limitations of the site.

The Planning Service is satisfied that the repositioning of the allocated site will provide an improved layout and access arrangements as well as facilitating a possible second phase of development in due course.

2. that the application be referred to the Infrastructure Services Committee for determination and confirm its support for the application by agreeing that authority to grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to:
  - (a) a satisfactory consultation response from Infrastructure Services (Contaminated Land) with regard to the carrying out of the required investigation works as detailed in the submitted Phase 1 Environmental Desktop Study;
  - (b) any conditions arising from the above;
  - (c) conclusion and registration of a S75 legal agreement; and
  - (d) the following conditions:-
    1. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.
    2. 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.
    3. 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. The Construction Method Statement shall include:

- how pollution will be prevented and controlled for any activities within 10m of a watercourse;
- details of all temporary measures proposed to deal with surface water run off during construction works and prior to the implementation of the agreed Sustainable Urban Drainage System; and
- the location of temporary settling lagoons, silt levels in discharges and temporary equipment stores.

All construction works on the site shall be carried out in accordance with the approved construction method statement.

Reason: In order to prevent potential pollution of the water environment and to protect the associated natural heritage interests of these watercourses.

4. Prior to commencement of development a Street Engineering Review (SER) and Stage 2 Quality Audit (QA) must be submitted (includes RSA, DDA, visual and NMU audit components) for approval by the Planning Service in consultation with Roads Development. QA must include designers audit responses and identify any potential conflicts between component audits together with proposed solution or balanced view ultimately proposed to address audit conflicts in the QA conclusion section.

Reason: In the interests of road safety.

5. No residential dwelling shall be occupied unless all roads, footpaths, parking and turning areas serving that dwelling have been completed to the level of bottoming and bitmac base course, including the access bellmouth and all turning heads to the current Aberdeenshire Council Road Construction Standards. Once provided, all roads, footpaths, parking and turning areas shall thereafter be permanently retained as such. Adequate visibility shall be provided at each approved new access, road junction and along roads. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays. Any amendments to the agreed path widths or surfacing materials shall be subject to the written agreement of the Planning Authority in consultation with the Infrastructure Service (Roads Development).

Reason: To ensure the provision of means of access, turning space and visibility and parking to an adequate standard in the interests of road safety.

6. That within 6 months of the occupation of the penultimate residential unit in this development, all roads, footpaths, parking and turning areas within and serving that phase of the development shall be completed to their final specification to the adoptable standards of Aberdeenshire Council. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

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

7. No dwellinghouse hereby approved shall be occupied unless a comprehensive Residential Travel Pack that sets out proposals for reducing the dependency of residents on the private car shall be submitted to and approved in writing by the Planning Authority. A copy of the Residential Travel Pack shall be provided for every new tenant and purchasers of the dwellinghouses.

Reason: In the interests of encouraging a more sustainable means of travel to and from the proposed development.

8. Prior to the construction of any dwellinghouse, the following details must be submitted to and approved in writing by the Planning Authority:
  - (a) details of the children's play equipment including surfacing materials of the play areas;
  - (b) a detailed scheme for the implementation of the said equipment and surfacing; and
  - (c) details of the long term management of the play equipment and surfacing.

The equipment and areas shall be implemented on site and maintained thereafter in complete accordance with the approved details and in any event shall be fully implemented prior to completion of the 28th dwellinghouse on the site.

Reason: In the interests of the ensuring the timeous provision of suitable play equipment in the areas of open space in the interests of the amenity of the area.

9. The tree management proposals shall be carried out in complete accordance with the approved scheme as contained in the Tree Survey Report, Arboriculture Impact Plan & Tree Protection Plan – Treelogic - 18 December 2017.

Reason: In order to preserve the character and visual amenity of the area.

10. 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.

11. No dwellinghouse hereby approved shall be occupied unless the proposed surface water drainage system has been provided in accordance with the approved plans and the Drainage Impact Assessment report by Cameron & Ross – November 2017. The 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.

12. The proposed surface water drainage systems shall be carried out in accordance with the approved plans and no dwellinghouse shall be occupied unless its approved drainage system has been completed and certified as such by a qualified drainage engineer to the satisfaction of the Planning Authority.

Reason: To ensure that adequate surface water drainage facilities are provided in the interest of the amenity of the area.

13. The development hereby approved shall connect to the public foul sewer and public water supply and no dwellinghouse shall be occupied unless both the aforementioned connections are fully operational and accord with the requirements of Scottish Water.

Reason: To ensure that adequate water supply and foul drainage facilities are provided to serve the development in the interest of the amenity of the area.

14. Details of the materials and colour finish of all boundary enclosures shall be submitted to and approved in writing by the Planning Authority. The agreed boundary enclosures shall thereafter be implemented on site in accordance with the submitted details. No dwellinghouse hereby approved shall be occupied unless all of its associated means of enclosure has been provided in accordance with the approved plans to the satisfaction of the Planning Authority. Any variations to the boundary enclosures hereby approved shall be submitted to and approved in writing by the Planning Authority.

Reason: In the interests of the residential amenities of the occupiers of the dwellinghouses and the visual amenity of the area.

15. Prior to the occupation of any dwelling, full details of all the materials for roofs, walls, windows, doors, garage doors and rainwater goods to be used in the external finish for the approved development shall be 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.

16. 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 the Council's Supplementary Planning Guidance on Carbon Neutrality in New Developments.

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 the Council's Supplementary Planning Guidance - Carbon Neutrality in New Developments.

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

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

18. Prior to the occupation of any dwelling the existing access track on the western boundary of the site shall be closed off and locked gates installed in accordance with the details shown on the approved plan – Ref: 5295-05F. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending, revoking or re-enacting that Order, the existing access shall not subsequently be reopened and no new access, other than that approved under this planning permission, shall be formed, laid out or constructed under the terms of Class 8 of Schedule 1 to that Order without an express grant of planning permission from the planning authority.

Reason: In the interests of road safety.

**B. Reference No: APP/2018/0140**

**Approval of Matters Specified in Conditions 1 (a) phasing, (b) levels, (c) strategic landscaping, (d) drainage connection, (e) public access plan, (f) travel plan, 3 (archaeological WSI), 5 (Camie's Stone Method Statement), 13 (public transport accessibility) of Planning Permission in Principle Ref. APP/2015/3793 at land to the West of Thainstone Business Park, Inverurie, AB51 5NT**

**Applicant: Thainstone LLP**  
**Agent: Halliday Fraser Munro Planning**

The Chair indicated that requests to speak had been received for the application. The Committee agreed to hear from parties on the application.

The Planner confirmed that the application had previously been reported to Committee when the Committee agreed to defer consideration in order to seek further negotiations regarding a number of matters.

He confirmed that the Archaeology Service had confirmed agreement for the revised siting of the stone. He indicated that further information had been provided regarding the species of trees to be planted and the revised proposals showed the landscaping to the south increased to 12 metres, an additional 6 metres. He confirmed that the landscaping would also include hedging and that each individual site would also have its own landscaping. He confirmed that two blocks of mature trees on the site were to be protected.

He indicated that the phasing was planned to deliver the abattoir, but pointed out that the revised landscaping would alleviate some of the concerns about the phasing. He said that the transportation team had acknowledged that, given the distance between Inverurie and the site the numbers using any footbridge across the A96 would be low and it would be a substantial investment, so there was some concern about this being requested at this stage. However, he indicated that agreements had been reached to route the shuttle bus to the Kintore Station when it became operational. He confirmed that the travel plan would be review annually, when the usage of the shuttle bus would be considered.

Members sought clarification as to works required to upgrade the roundabouts on the A96. The Principal Engineer explained that there was a requirement to widen the arms at the Thainstone roundabout and further enhancements to Port Elphinstone roundabout additional to works required from other developments at Uryside and Westgate.

The Char invited Grant Rogerson, ANM Group and Mr Scott Leitch, the applicant's agent to address the Committee. Mr Rogerson gave the Committee information about the company and its plans for the site. Mr Leitch stressed the importance of the development as a regional employment hub and pointed out that all of the consultees were satisfied with the proposals.

There were no questions and Mr Rogerson and Leitch returned to the public benches. The Chair invited Dr Paul Davison to address the Committee. Dr Davison detailed his concerns relating to landscaping and the impact on the environment. He questioned whether trees were going to be retained. Dr Davison highlighted the lack of an Environmental Impact Assessment (EIA).

Members sought clarification from the Planning Service that the retention of the mature trees on site was conditioned. The Planner explained that the revised landscaping plans identified two blocks of trees (to the north and east of the site) and that these would be protected under condition 6. Members sought clarification about the lack of an EIA. The planner confirmed that this would usually be requested at the Planning Permission in Principle stage and would not be sought at a later stage unless there was new information that indicated it would be required. There were no further questions and Dr Davison returned to the public benches.

Members welcomed the improvements to the proposals that had resulted from the deferral in particular the improved landscaping and the extension to the route of the shuttle bus to include Kintore Station. They accepted and understood the reasoning for other matters not being able to be changed.

The Committee **agreed** that authority to grant the matters specified in conditions be delegated to the Head of Planning and Building Standards subject to:

- (a) a satisfactory consultation response from Archaeology with regard to the carrying out of the required mitigation works as detailed in the submitted Written Scheme of Investigation;
- (b) any conditions arising from the above; and
- (c) the following conditions:-

1. No development shall commence, in any phase of development, until a site specific Construction and Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority.

Reason: In order to minimise the impacts of construction works on the environment.

2. No premises within the application site shall be brought into use unless the measures stated in the Fairhurst Technical Note dated 24 May 2018 are fully implemented. For the avoidance of doubt, this requires compliance with the site wide travel plan measures and subsidiary travel plan measures outlined, including for each end user so submit a Travel Plan for its site. Each Travel Plan shall encourage more sustainable means of travel and shall include mode share targets. It shall identify measures to be implemented, the system of management monitoring review, reporting and duration of the incorporated measures designed to encourage modes other than the private car.

Reason: In the interests of encouraging a more sustainable means of travel to and from the proposed development.

#### Reason for Decision

The Planning Service is satisfied that the proposal is compliant with all elements of the relevant specified conditions and in accordance with the policies contained within the Aberdeenshire Local Development Plan 2017 and is therefore recommended for approval.

#### **C. Reference No: APP/2018/0428**

**Full Planning Permission for erection of abattoir and meat production facility with associated roads, infrastructure and landscaping at Thainstone Business Park, Inverurie, Aberdeenshire, AB51 5GT**

**Applicant: Scotbeef Inverurie Limited**  
**Agent: Nimmo & Partners LLP**

The Chair indicated that requests to speak had been received on the application. The Committee agreed to hear from parties on the application was for the erection of an abattoir and roads infrastructure on a site within the Thainstone Business Park. She explained that access would be off the main distributor road. She confirmed that the Planning Service was content with the layout, siting and design and that Environmental Health had considered the noise, odour and lighting and was content with the proposals subject to conditions. She said that the impact on the landscape was considered acceptable and the impact had been further reduced by the improved landscaping,

Other legislation that covered noise and odour.



The Chair invited David Nimmo, Architect, to address the Committee. Mr Nimmo explained the process undertaken to develop the proposals and the importance of the location of the site to the proposed use. There were no questions and Mr Nimmo returned to the public benches.

The Chair invited Dr Paul Davison to address the Committee. Dr Davison highlighted the move to single species slaughter and the impact that would have on the smaller farmers. He expressed concerns about the distributor road and questioned how the clean and dirty operations were going to be kept separate. Members pointed out that most of the issues raised were not material planning considerations. There were no questions and Dr Davison returned to the public benches.

The Senior Planner confirmed that the species to be slaughtered was not a material planning consideration, but pointed out that the company's sister operation at Bridge of Allan would be servicing other livestock.

Members noted the representations that had been made, but considered that the layout, siting and design was acceptable and pointed out that the colour of the building would help it be disguised. They highlighted the importance of the food and drink sector to the north east and welcomed the facility remaining there.

The Committee **agreed** to grant Full Planning Permission subject to the following conditions:-

1. No works in connection with the development hereby approved shall commence unless a noise mitigation scheme has been submitted to and approved in writing by the planning authority in consultation with Environmental Health. The scheme shall set out the appropriate measures to be implemented to reduce noise emissions from the chiller units to acceptable levels. The development shall not become operational unless the mitigation measures outlined in the approved noise mitigation scheme have been implemented in full and retained in perpetuity.

Reason: To ensure that noise from the development does not result in undue loss of amenity for surrounding properties.

2. The development hereby approved shall be carried out in strict accordance with the recommendations outlines in the approved Ecological Impact Assessment (Northern Ecological Services) dated 22 May 2018.

Reason: In the interests of protecting the biodiversity of the environment.

3. No works in connection with the development hereby approved that would involve the creation of trenches or culverts or the presence of pipes shall commence unless measures to protect badgers from being trapped in open excavations, pipes or culverts have been submitted to and approved in writing by the planning authority. The measures shall include:

- (a) open trenches or pits shall incorporate sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
- (b) all open pipework (stored or laid) being blanked off at the end of each working day and
- (c) any access holes or entrances into machinery that are accessible to badgers should be suitably blocked when the machinery is not in use; and
- (d) escape ramps, trenches and pipework must be checked at the beginning of each day for potential entrapments, any subsequent events involving a trapped

badger should be referred to the Scottish Society for the Prevention of Cruelty to animals (SSPCA).

The development shall be carried out in complete accordance with the approved badger protection measures.

Reason: In the interest of safeguarding the habitat of a protected species.

4. No works in connection with the development hereby approved shall commence unless a Lighting Design Strategy for Biodiversity for the site, as a whole, has been submitted to and approved in writing by the planning authority. The strategy shall:
- (a) identify the areas or features on the site that are particularly sensitive for badgers and identify the aspects of the development that would be likely to cause disturbance in or around the breeding sites and resting places of badgers or along important routes used to access key areas of their territory; and
  - (b) show how and where all the proposed external lighting will be installed and demonstrate (through the provision of appropriate lighting contour plans and technical specifications) that those areas to be lit will not disturb or prevent the above species using their territory or gaining access to their breeding sites, resting places and foraging areas.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy, and no other external lighting shall be installed without prior express consent from the planning authority.

Reason: In the interests of protecting and enhancing the biodiversity of the environment.

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

6. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) addendum (following on from the original WSI submitted for APP/2015/3793) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

7. 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 59 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 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.

8. No works in connection with the development hereby approved shall commence unless the vehicular and pedestrian accesses and all parking and turning areas have been provided and surfaced in accordance with the approved details. Each access shall be constructed to the Council's Standards for Road Construction Consent and Adoption and shall:

- a) have entry radii of 10.7 metres;
- b) have a minimum width of 6 metres;
- c) be surfaced in bituminous macadam or asphalt for the first 15 metres from the road; d) not exceed 1:20 gradient for the first 10 metres from the edge of the public road;
- d) be internally drained and formed in such a way to prevent any flow of surface water either onto or from the public road.

Once provided, all accesses, parking and turning areas shall thereafter be permanently retained as such.

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

9. Prior to the occupation of any of the consented development, the proposed alterations to Thainstone Roundabout, generally as illustrated in Fairhurst's Drawing No.

105574/SK7004, approved under APP/2015/3793 shall be completed to the satisfaction of the planning authority, after consultation with Transport Scotland TRBO.

Reason: In order to deliver mitigation on the Trunk Road network.

10. Prior to the occupation of any of the consented development, the proposed alterations to Port Elphinstone Roundabout, generally as illustrated in Fairhurst's Drawing No. 105574/SK7007, approved under APP/2015/3793 shall be completed to the satisfaction of the planning authority, after consultation with Transport Scotland TRBO.

Reason: In order to deliver mitigation on the Trunk Road network.

11. Prior to any works commencing on site a Formal Minute of Agreement for the proposed alterations to Port Elphinstone Roundabout shall be obtained from Transport Scotland. Details of this a Formal Minute of Agreement shall be submitted to the planning authority.

Reason: In order to ensure the delivery of mitigation on the Trunk Road network.

12. No part of the development shall be occupied until a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the planning authority, after consultation with Transport Scotland, as the Trunk Roads Authority. The Travel Plan shall include details already outlined in the Business Park Framework Travel Plan and shuttle bus service approved under APP/2018/0410. In particular this Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan.

Reason: In the interests of encouraging a more sustainable means of travel to and from the proposed development.

13. No development shall commence until a site specific Construction and Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the planning authority in consultation with SEPA. The CEMP shall include details of the potential pollution prevention, environmental management and waste management issues related to construction of the proposed development. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority.

Reason: In order to minimise the impacts of construction works on the environment.

14. 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.

15. Waste water from the proposed development, including any vehicle wash bays which may be located on the site, shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means 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.

16. No development hereby approved shall be brought into use unless the proposed surface water drainage system has been provided in accordance with the approved plans and the Drainage Strategy Report Revision A, Struer, dated 22 May 2018. The 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.

17. No individual building hereby approved shall be erected unless an Energy Statement applicable to that building 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.

#### Reason for Decision

The proposed development is considered to comply with all relevant policies of the Aberdeenshire Local Development plan 2017 and is therefore considered acceptable.

#### **D. Reference No: APP/2018/0731**

**Full Planning Permission for formation of access and car park (serving proposed Railway Station) with associated landscaping and infrastructure at site adjacent to Northern Road, Kintore, Aberdeenshire, AB51 0YF**

**Applicant: Aberdeenshire Council**  
**Agent: WSP**

As detailed in item 1 of the minute, Councillor Ford noted that although he had made numerous positive statements and comments about the provision of a railway station at Kintore, he had never made comment about planning issues and therefore would take part in the discussion.

The Committee **agreed** to grant Full Planning Permission subject to the following conditions:-

- (1) No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written

scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

- (2) No works in connection with the development hereby approved (including ground works and vegetation clearance) shall commence unless a detailed site-specific construction environmental management plan (CEMP) has been submitted to and approved in writing by the planning authority. The CEMP shall include measures for minimising the impact of noise levels, dust emissions and ground vibration during the construction phase of the development. Thereafter, all works carried out during the construction period shall be undertaken strictly in accordance with the approved CEMP.

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

- (3) No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a detailed check of the site for active birds' nests has been undertaken and written confirmation has been submitted to the planning authority that no birds will be harmed and that there are appropriate measures in place to protect nesting bird interest on the site. The check shall be undertaken no later than 14 days before the commencement of the development and no site clearance or other works in connection with the development hereby approved shall commence unless the written confirmation and protection measures have been submitted to and approved in writing by the planning authority. The development shall be carried out in accordance with the approved protection measures.

Reason: In the interest of safeguarding the habitat of local bird species.

- (4) Prior to the felling of Tree 944 as identified in the Tree Survey, a further inspection must be made for bats. Details of this inspection shall be submitted to the planning authority to review.

Reason: In the interest of ensuring no impact on the habitat of a protected species.

- (5) No works in connection with the development hereby approved (including ground works and vegetation clearance) shall commence unless the recommendations within section 5.2 of the Ecology Report that relate to badgers have been undertaken in their entirety.

Reason: In the interest of ensuring no impact on the habitat of a protected species.

- (6) No works in connection with the development hereby approved that would involve the creation of trenches or culverts or the presence of pipes shall commence unless measures to protect badgers from being trapped in open excavations, pipes or culverts have been submitted to and approved in writing by the planning authority. The measures shall include:

- (a) open trenches or pits shall incorporate sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
- (b) all open pipework (stored or laid) being blanked off at the end of each working day, and
- (c) any access holes or entrances into machinery that are accessible to badgers should be suitably blocked when the machinery is not in use; and
- (d) escape ramps, trenches and pipework must be checked at the beginning of each day for potential entrapments, any subsequent events involving a trapped badger should be referred to the Scottish Society for the Prevention of Cruelty to animals (SSPCA).

The development shall be carried out in complete accordance with the approved badger protection measures.

Reason: In the interest of safeguarding the habitat of a protected species.

- (7) No works in connection with the development hereby approved shall commence unless the tree protection measures contained within the Tree Condition Survey (Appendix J) and illustrated on approved drawing 70039672/LA/001 (C) dated March 2018 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.

- (8) 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.

- (9) Prior to commencement of development, Visibility Splays, measuring 2.4m by 59m to be formed on either side of the junction of the vehicular access with the public road. The visibility splays so formed shall thereafter be kept free of all permanent obstructions above adjacent carriageway level.

Reason: 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.

- (10) Prior to the opening of car park hereby approved, off-street parking for 168 cars surfaced in hard standing materials must be provided within the site. In addition, the

electric charging stations, motorcycle parking and bicycle parking provision must also be available for use by the public.

Reason: To ensure the full range of facilities are available upon opening.

- (11) The development hereby approved shall not be brought into use unless a 3 metre wide public footpath designed and constructed in accordance with the Council's Standards for Road Construction Consent and Adoption has been provided in its entirety from the Bridgealehouse Burn to the site entrance on the east side of Northern Road 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.

- (12) That prior to the car park opening to the public, a scheme for the following shall be submitted for the consideration of the planning authority:
- a means of monitoring parking during peak hours on the U242C and B987 (Northern Road) for a three month period after opening; and
  - a car park monitoring scheme within the site culminating in an annual report.

The scope of these studies shall be agreed in writing with the planning authority prior to work being undertaken and thereafter shall be undertaken in accordance with the agreed scheme to the satisfaction of the planning authority.

Reason: To monitor any emerging issues with parking management within the application site and the local road network.

- (13) The car park hereby approved shall not be brought into use unless the proposed surface water drainage systems have been provided in accordance with the approved plans and the Flood Risk Assessment and Drainage Design Report (Appendix E) prepared by WSP and dated January 2018. The 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.

- (14) No works in connection with the development hereby approved shall commence unless the specification and colour of all the finishing materials to be used in the surfacing, paving and kerbing of the approved development have been submitted to and approved in writing by the planning authority. The development shall not be brought into use unless the external finishes have 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.

#### Reason for Decision

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



**E. Reference No: APP/2018/0259**

**Planning Permission in Principle for erection of dwellinghouse at site to the east of Newton Smiddy, Dunecht, Westhill**

**Applicant: Mr Ray Gardiner**  
**Agent: Alison Purvis**

The Chair indicated at a request to speak had been received. The Committee agreed to hear from parties on the application.

The Planner explained that the application was for a new house in the countryside that was being sought for an essential worker. He explained that whilst the Planning Service was sympathetic to the proposals, it was considered that the scale of the operation at this stage was not considered to be to a level that would justify a house in the countryside. He explained that there was only 2 hectares of land in the ownership of the applicant and the labour requirement information provided by the Scottish Agricultural College only amounted to 0.76 labour units when non-essential activities were removed.

Members sought clarification about custom and practice for tying houses to business operations. The Planner confirmed that the location of the proposals would provide a degree of link to the business, but it was not current practice to seek an agreement tying the house to the business. Members explored further the information regarding the labour units and how this was calculated.

The Chair invited Ray Gardiner, the applicant, and Hugh Thomson, his vet, to address the Committee. Mr Gardiner gave the Committee more background to his enterprise and the reasons why a house was required. Mr Thomson gave the Committee detail about the intensive nature of the agricultural activities and highlighted the key differences in intensity of activity that was related to pedigree cattle breeding, which he indicated had not been considered in the labour requirement report.

Members explored further with the speakers the exact nature of the activities, the amount of livestock, the working hours and future development plans. Thereafter, the speakers returned to the public benches.

Members considered all of the information that had been provided and took into account the specific nature of the business that was being undertaken by the application. They were mindful of the evolution of the business and the fact that it was still at an early stage, but considered that the size of the operation and the intensive nature of the activities established that an essential worker was required on site.

The Committee **agreed** that authority to grant Planning Permission in Principle be delegated to the Head of Planning and Building Standards subject to appropriate delegated matters and conditions on the grounds that the development complies with all three criterion of Policy R2 Housing and employment development elsewhere in the countryside.