

## Kincardine & Mearns Area Committee Report 22 January 2019

Reference No: APP/2018/2118

**Full Planning Permission for Erection of 27 Dwellings with Associated Access Road, SUDS and Open Space at Land Adjacent To Wester Balmanno Way, Marykirk, Laurencekirk, Aberdeenshire**

**Applicant:** Fotheringham Property Developments Ltd, Linton Road, Gourdon, DD10 0NH

**Agent:** John D. Crawford Ltd, 72 New Wynd, Montrose, DD10 8RF

Grid Ref: E:368428 N:765830

Ward No. and Name: W19 - Mearns

Application Type: Full Planning Permission

Representations 17

Consultations 10

Relevant Proposals Map Aberdeenshire Local Development Plan

Designations: Rural Housing Market Area

Complies with Yes

Development Plans:

Main Recommendation Delegated Grant



**NOT TO SCALE**

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## **1. Reason for Report**

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

## **2. Background and Proposal**

- 2.1 Full planning permission is sought for the erection of 27 dwellinghouses with associated access road, SUDS and open space at land adjacent to Wester Balmanno, Marykirk.
- 2.2 The application site is located within the settlement boundary of Marykirk. It comprises a roughly rectangular shaped area of gently sloping and cultivated farmland, extending to circa 1.99ha. The site is bounded to the north by further fields, to the east by the A937 public road and houses, a modern housing development to the south and three houses (West Park) to the west. The main east coast railway line passes close by to the site further to the west at an elevated level. Marykirk itself is a small village bisected by a main public road, and comprises a mix of housing of different sizes, styles and ages from traditional cottages, council houses to modern suburban dwellings. The application site is within the settlement boundary of Marykirk and is allocated in the Aberdeenshire Local Development Plan 2017 as site OP1 for a mixed use proposal of up to 30 dwellinghouses. Consent has previously been granted on this site for the erection of 30 dwellinghouses, under application reference APP/2013/0063.
- 2.3 It is proposed to erect 27 dwellinghouses on the site with access taken from the A937 public road to the east. The general layout of the site would be houses on either side of a shared road surface with the road then circling back around to adjoin the road in. The cul-de-sac would have the shared road surface and build outs for a traffic calming measure. Areas of landscaping are proposed throughout the development and a landscaping buffer to the north of the site. A SUDS pond and public open space would be located towards the west of the site.
- 2.4 A further area (0.5ha) of land is set aside for potential employment uses in the northeast area of the site. There are no current proposals for the allocated employment land but the applicant has indicated that this would be subject to a separate application.

- 2.5 The distribution of house types across the site has been amended to accommodate affordable housing requirements. Five house types are proposed. House type 1 are two storey terraced/semi-detached dwellinghouses with two or three bedrooms, and these are proposed on plots 11-13. House type 2 are two storey terraced/semi-detached dwellinghouses, either one or three bed, proposed on plots 16-19. House type 3 would be located in the west of the site on plots 20-23, and comprise of four semi-detached two storey properties with three bedrooms. House type 4 and 4A would be mirror images of one another and be detached two storey dwellings with four bedrooms. These house types would be located in the northwest corner of the application site and also either side of the access road from the east towards the centre of the development. The proposed finishing materials for the properties are white/grey K-rend, concrete roof tiles, anthracite grey UPVC windows and doors with black UPVC rainwater goods.

#### Planning history

- 2.6 There is an extant permission on the site for the erection of 30 dwellinghouses over 2 phases and 0.5Ha of employment land, with associated access road, SUDS and open space (APP/2013/0063) which was approved 19 September 2016.

#### Supporting information

- 2.7 The following information was submitted in support of the application:
- Design, Access and Supporting Statement (John D Crawford Ltd Architectural Services) – Document in support of the application, outlining the site, its history and relevant planning policies.
  - Drainage Impact Assessment (Ramsay & Chalmers Consulting Structural and Civil Engineers) – Assessment updated 05/11/2018 outlining the proposed drainage arrangements for the site.
  - Noise Impact Assessment (Acoustic Analysis) – As assessment was requested at pre-application stage due to the proximity to the train line and neighbouring road network. The report assesses the impact of noise and outlines mitigation measures.
  - Street Engineering Review (Ramsay & Chalmers Consulting Structural and Civil Engineers) – Document outlining the proposed street layout, landscaping, drainage details, swept paths and details regarding utilities.
  - Quality Audit (Ramsay and Chalmers Consulting Structural and Civil Engineers) – Document outlining the reasons for the proposed street layout, including an analysis of the development and transport links in the area.

## Variations

- 2.8 Revised site plan and house types 1 and 2, drawing nos. JDC 756-PL-002 A and JDC 756-PL-003 A. Revised house types were submitted due to requirements for Infrastructure Services (Housing) in relation to provision of affordable units.
- 2.9 A number of drainage and roads drawings have been updated throughout the process and following comments from internal consultees reviewing the Street Engineering Review.

## **3. Representations**

- 3.1 A total of 17 valid representations (17 objection) have been received as defined in the Scheme of Delegation. This does not include multiple representations from the same household which equate to 20 letters in total. All issues raised have been considered. The letters raise the following material issues:
- Concerned about traffic impact on already busy road and impact on A90 junction;
  - Existing school cannot accommodate new families and limited facilities in the village;
  - Sewage system and water supply cannot cope with current capacity;
  - Existing surface water issues impact on development to the south of the site;
  - No pavements proposed in the scheme;
  - No employment opportunities meaning more travel;
  - Response from Education does not appear to make sense, schools at maximum capacity;
  - How will fibre broadband be provided and there is already issues with providing phone services;
  - Increased population will impact on surrounding area, affecting wildlife and ecosystem which could impact on tourism;
  - Flooding issues already experienced in Marykirk and Drainage Impact Assessment is not correct in statements;
  - Suggests PDE is required and evidence to show that Scottish Water has agreed development meets criteria of growth funding;
  - No demand for housing in Marykirk;
  - No indication what commercial development is proposed;
  - Lack of public transport;

## **4. Consultations**

### Internal

- 4.1 **Business Services (Developer Obligations)** has confirmed that contributions have been agreed towards: affordable housing; secondary education; healthcare; and, waste. The contributions would be secured via a Section 75 Legal Agreement.

- 4.2 **Education & Children's Services (Education)** has advised that this is an allocated site and is already accounted for in the school role forecasts. As such, this Service does not object to the application.
- 4.3 **Infrastructure Services (Archaeology)** has identified that the site lies within archaeology site NO66NE0162, an area of cropmarks indicating prehistoric settlement activity. Therefore, a condition relating to a programme of archaeological works is recommended to be attached to any consent granted.
- 4.4 **Infrastructure Services (Environmental Health)** has no objection to the proposal subject to a condition relating to the mitigation measures being carried out in accordance with the submitted Noise Impact Assessment.
- 4.5 **Infrastructure Services (Flood Risk and Coast Protection)** initially required confirmation on a number of matters, including: details about the existing overflow cut-off trench; where the cut-off trench drains to; who would be responsible for future maintenance; further details regarding post-development overland flows; confirmation how flows around Plot 23 would be directly away from the property.

Following further information submitted by the engineers and confirmation that the cut off ditch will be maintained by the developer, this Service was satisfied with the details submitted and has no further comment to make on this application.

- 4.6 **Infrastructure Services (Housing)** placed a holding objection on the application as an appropriate mix of affordable units was required. Following the submission of a revised site plan and alterations to house types, this Service is satisfied with the layout and integration of affordable housing units. The proposal is in accordance with the Local Development Plan's Affordable Housing Policy providing onsite contribution of 25%.
- 4.7 **Infrastructure Services (Roads Development)** initially objected to the application and requested the submission of a Stage 2 Quality Audit and further information regarding road layout, waste collections, overland flows, design speeds/traffic calming, street lighting and adoption strategy.

Following the submission of the requested information, the Service has no objection to the application, subject to condition relating to: gradient of driveways; garages being set back at least 6m from the footway; parking spaces being provided; visibility splays; revised SER/QA submission for any alterations; and, construction of bin uplift store areas.

- 4.8 **Infrastructure Services (Waste Management)** placed a holding objection on the application due to insufficient information being to comment further. Following receipt of further information, this Service has no objection to the proposal subject to the proposed layout being designed to the satisfaction of Infrastructure Services (Roads Development).

External

4.9 **Mearns Community Council** has commented on the application and note the following:

- The water main is subject to regular breakages and the sewage system was previously confirmed at being at capacity many years ago;
- They would like to know how education capacity will be catered for given there has been no increase in school accommodation;
- The A937 road routinely exceeds the speed limit and another road would increase risk on the road;
- There are no pavements proposed in the scheme which would be unacceptable;
- No public facilities or employment opportunities in Marykirk;
- Limited bus service;
- Site has been subject to flooding in the past.

4.10 **Scottish Water** has no objection to the proposal, however the applicant is advised that this does not confirm that the proposed development can currently be serviced. There is currently sufficient capacity in the Whitehillocks Water Treatment Works, however further investigations may be required once a formal application is submitted to Scottish Water. Unable to confirm capacity at Marykirk Waste Water Treatment Works, therefore a Pre-Development Enquiry (PDE) form should be submitted directly to Scottish Water for consideration.

## 5. **Relevant Planning Policies**

### 5.1 Scottish Planning Policy

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

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

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

## 5.2 Aberdeen City and Shire Strategic Development Plan 2014

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

## 5.3 Aberdeenshire Local Development Plan 2017

Policy P1: Layout, siting and design  
 Policy B1 Employment and business land  
 Policy H1 Housing land  
 Policy H2 Affordable housing  
 Policy P1 Layout, siting and design  
 Policy P2 Open space and access in new development  
 Policy HE1 Protecting historic buildings, sites and monuments  
 Policy C1 Using resources in buildings  
 Policy C4 Flooding  
 Policy RD1 Providing suitable services  
 Policy RD2 Developers' obligations

## 5.4 Other Material Considerations

None.

## 6. Discussion

6.1 The main issues to consider in the determination of this application are whether the proposal is acceptable in terms of principle, along with its layout, siting and design and any likely impacts on the character or amenity of the surrounding area. Other technical issues such as noise, access and drainage matters are also material in the determination.

### Principle of development

6.2 The site lies within the defined settlement boundary of Marykirk and is allocated for new development in the Aberdeenshire Local Development Plan 2017. Policy H1 Housing land states that development of housing on sites allocated for that purposes will be supported, subject to compliance with other policies. In general, the principle of the development on this allocated site can be considered acceptable. Furthermore, there is an extant permission on the

site for the erection of 30 dwellinghouses. Whist letters of representation have claimed that housing is not in demand in Marykirk, as an allocated site there is no planning reason to refuse the principle of the housing development on this site.

### Affordable housing

- 6.3 Policy H2 Affordable housing states that new housing of four or more houses must include 25% of the service plots for affordable housing. Infrastructure Services (Housing) set out the required units and the proposal was amended accordingly. The units would be secured via a Section 75 legal agreement. The proposal meets the requirements for affordable housing and as such, the proposal complies with Policy H2 Affordable housing.

### Layout, siting and design

- 6.4 Building on this allocated site would inevitably change the appearance of the area out with the physical settlement envelope. There is an existing residential development to the south of the application site, and the proposal would be seen as a logical extension to Marykirk into the existing countryside along the side of the A937 public road. The scale, massing, height and density are considered appropriate and would reflect the character of the surrounding area and the design and scale of the neighbouring modern development. The general layout is similar to the previous application APP/2013/0063, with the proposed road extending towards the west with it then looping around to create a green space in the centre and linking back around to the road in the development. Dwellinghouses would be located at either side of the road.
- 6.5 There is considered to be sufficient space within the development to ensure that there would not be a significant impact on the character or amenity of future residents. In addition, there is deemed adequate distance between dwellinghouses in the southern area of the site and the residential properties to the south which would ensure that there would not be a detrimental impact in terms of overlooking or overshadowing. The proposed dwellinghouses are of a similar scale to those recently built and are not considered overbearing. Overall, the proposal layout, siting and design of the development is considered acceptable.
- 6.6 The existing road and railway networks would have an impact on the proposed development, as identified in the submitted Noise Impact Assessment. However, appropriate mitigation measures have been outlined in the assessment to ensure that there would not be a detrimental impact on the amenity of future residents. Infrastructure Services (Environmental Health) has requested a condition to ensure that these measures are carried out.
- 6.7 The requirement for 120m<sup>2</sup> of public open space per home has been provided, as required by Policy P2 Open space and access in new development. There are designated open grassed areas, formal and informal areas with boundary/screen planting included in the overall open space

provided within the submitted layout, including open space around the SUDS basin to the southwest of the site.

- 6.8 An area (0.5Ha) to the northeast of the site has been earmarked for employment use and the applicant has indicated that it would be subject to a separate application. This is the same as previously proposed. The potential noise and visual impact from any development on this area would be assessed as part of a separate application. Subject to the future development of this area of land, the long term development of the site would comply in principle with Policy B1 Employment and business land.

#### Access and drainage

- 6.9 Policy RD1 Providing suitable services states that new development will be allowed where it provides adequate roads, waste management, water or waste facilities, connections and treatment as appropriate.
- 6.10 Turning to the matter of roads, Infrastructure Services (Roads Development) has considered the information submitted, including the Street Engineering Review (SER) and Quality Audit (QA) and has no objection to the proposal subject to conditions outlined above in Section 4 of this report. This Service has raised no concerns with the existing road to the east of the site or safety within the development, and consider the proposal to have met technical requirements.
- 6.11 In terms of drainage, matters relating to surface waters and flooding have been considered and Infrastructure Services (Flood Risk and Coast Protection) has raised no issues with the proposed development. Scottish Water were consulted and has no objection to the proposal. The submitted Drainage Impact Assessment outlines that Scottish Water has indicated that upgrades to the existing wastewater drainage system are due by 2023, and in the interim a temporary solution is proposed in the form of a private water treatment plant and discharging to a nearby watercourse. Following upgrades to the existing sewer network, the drainage will be altered to discharge to a new adoptable pumping station which will discharge to the sewer located at the A937 public road.

#### Other matters

- 6.12 Education & Children's Services (Education) has confirmed that the allocated site has been accounted for, and has no objection to the proposal. Although letters of representation state that the school is at capacity, this Service has confirmed that the allocated site is accounted, therefore this matter is considered to be addressed.
- 6.13 The site lies within the archaeology site NO66NE0162, an area of cropmarks indicating prehistoric activity. Infrastructure Services (Archaeology) has requested that a programme of archaeological works is undertaken prior to commencement of development due to the potential for previously unrecorded archaeology. The programmed of archaeological works requires the

developer to undertake a site investigation prior to the commencement of any works on site and this must be submitted for approval. A number of informatives are also requested to be added to any consent granted. The above condition ensures that appropriate mitigation is undertaken and therefore, the proposal is considered acceptable in terms of Policy HE1 Protecting historic buildings, sites and monuments.

- 6.14 The concerns raised in the letters of representation have been considered and are considered to have been addressed in the discussion of this report. Furthermore, with an extant permission (approved September 2016) on this site for the erection of 30 dwellinghouses, this application follows a similar layout, with the same broad principles across both proposals.

### Conclusion

- 6.15 Overall, the principle of the development has been established through allocation of the site in the Aberdeenshire Local Development Plan 2017 and the Planning Service are satisfied that technical matters have been addressed. Subject to conclusion of an appropriate Section 75 legal agreement, the proposal complies with the relevant policies of the Aberdeenshire Local Development Plan 2017 and is recommended for approval.

## **7. Area Implications**

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

## **8. Implications and Risk**

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

## **9. Sustainability Implications**

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

## 10. Departures, Notifications and Referrals

### 10.1 Strategic Development Plan Departures

None

### 10.2 Local Development Plan Departures

None

10.3 The application is not a Departure from the Local Development Plan or Strategic Development Plan and no departure procedures apply.

10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.

10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

## 11. Recommendation

### 11.1 **That authority to GRANT be delegated to the Head of Planning and Building Standards subject to:-**

- (i) **The payment of planning gain contributions in full or the completion of a suitable Section 75 legal agreement; and**
- (ii) **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 120 metres in a northerly direction and 59 metres in a southerly direction along the channel line of the public road has been provided from a point 2.4 metres measured at right angles from the junction access with the A937 public road 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. 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 occupied 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.

03. The external building fabric of dwellings on the development hereby approved shall be constructed following the minimum sound reduction index (SRI) building envelope specification detailed in Table 8 of "Noise Impact Assessment Proposed Residential Development, Marykirk, dated 20/06/2018".

The windows installed in the development hereby approved shall be installed with the glazing type specification for each facade detailed in Table 10 of "Noise Impact Assessment Proposed Residential Development, Marykirk, dated 20/06/2018".

The development shall not be brought into use unless the external fabric of the building installed in the development comply with this standard. Once provided the external fabric of the building shall thereafter be permanently retained in accordance with this standard.

Reason: To ensure the implementation of a satisfactory means of noise attenuation in the interests of the residential amenities of the occupiers of the proposed development.

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) The location of new trees, shrubs, hedges, grassed areas and water features;
- b) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- c) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;

- d) A programme for the implementation, completion and subsequent management of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

05. No dwellinghouse hereby approved shall be occupied unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans and the Drainage Impact Assessment by Ramsay and Chalmers dated 05/11/18. 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.

06. No 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 the Local Development Plan Policy C1 regarding the aim, where feasible, of achieving a Gold sustainability label under section 7 of the building standards technical handbook.

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 local development plan policy C1 regarding, among other things, carbon-dioxide emissions.

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.

08. No dwellinghouse hereby approved shall be occupied unless its driveway and parking spaces have been provided and surfaced in accordance with the details shown on the approved plans. The maximum gradient of the first 5m of driveways/parking spaces must not exceed 1 in 20 and driveways must be fully paved. Parking spaces shall be provided within the site, in accordance with drawing no. 130 G 'Road Layout Plan'. Proposed garages must be set back at least 6m from the rear of the footway. 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.

09. Prior to approval of any alterations/amendment to development layout which may impact on street layout or function (including alterations to house types, driveway arrangements, parking allocation and distribution, boundary treatments or indeed any direct street layout amendments) are proposed a SER/QA review submission will be required. Where said review submission deems it necessary the original SER/QA documents will need to be updated accordingly.
10. No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store areas have been submitted to and approved in writing by the planning authority. The areas shall be constructed behind any visibility splay and shall be designed so as to be accessible for refuse bin uplift and to prevent empty bins from being wind-blown. No dwellinghouse shall be occupied unless the refuse bin uplift store areas have been provided and surfaced in accordance with the approved details. Once provided, the refuse bin uplift store areas shall thereafter be permanently retained as such.

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

## 11.2 Reason for Decision

The proposal complies with the relevant policies of the Aberdeenshire Local Development Plan 2017, in particular Policy B1 Employment and business land, Policy H1 Housing land and Policy H2 Affordable housing. The proposed development will integrate satisfactorily into the area and does not significantly reduce the amenity of nearby residential properties. The nature of the development does not erode the character or amenity of the area in terms of over or under development and the density of the proposed development is compatible with the existing settlement and technical matters have been addressed. As such, the proposal accords with all relevant policies of the Aberdeenshire Local Development Plan 2017.

**Stephen Archer**  
**Director of Infrastructure Services**  
**Author of Report: Jenny Ash**  
**Report Date: 21 December 2018**

**For noting:-**

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

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

# Comments for Planning Application APP/2018/2118

## Application Summary

Application Number: APP/2018/2118

Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Kenneth Williams

Address: 39 Denstrath Road, Edzell Woods, Aberdeenshire DD9 7XF

## Comment Details

Commenter Type: Community Council

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Mearns Community Council

APP/2018/2118

Erection of 27 Dwellinghouses in Marykirk

Mearns Community Council wishes to comment on the above planning application.

Whilst the Community Council accepts the need for new housing, it should be built where there is a suitable infrastructure.

The water main, which is old and made from cement / asbestos, is subject to regular breakages. It is already frequently unable to supply sufficient pressure to the northern end of the village.

The sewerage system was confirmed as being past its capacity many years ago. It is understood that the main pipe is only four inches in diameter and is the original one installed to serve the village, when there were far fewer houses.

When a previous application was lodged to build 30 houses on this site (APP/2013/0063) the Education department commented that a development of this size would be likely to provide an additional 12 primary age pupils.

The school capacity was 47 and the then current roll was 40. Given these figures, it was unlikely that Marykirk school would be able to accommodate the extra numbers.

The roll is now 44, yet the Education department has commented that the increase from this new application has been "factored in". Given that there has been no increase in the school

accommodation we would like to know how this increase will be catered for.

Access to the site is shown at a point on the A937 where a recent survey has shown that traffic routinely exceeds the speed limit. Another further access road would be necessary for the proposed business site, the danger presented to the public is unacceptable. This is a point where schoolchildren would have to cross the road.

The plans indicate that there will be no pavements in the scheme. This means that pedestrians of all capabilities (and wheelchair users) will have to go in the road and negotiate the buildouts shown, in the path of vehicular traffic. This again is a totally unacceptable situation.

Marykirk has one hotel, a village hall and a park. There are no other public facilities. Additionally, there are no employment opportunities in the village, residents having to travel elsewhere to find work. This necessitates the use of a car, as the 'bus service is very limited, with none on Sundays.

It has been pointed out that this site has been subject to flooding in the past.

On one occasion it was necessary to dig an emergency ditch to prevent water from running downhill into the houses in Wester Balmanno Way.

It is hoped that these points will be taken into consideration when assessing this application.

Thanks and Regards

Ken Williams on behalf of Mearns Community Council

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Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mrs S Brown

Address: Lutherbank House Auchenblae Laurencekirk

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Although I don't live in Marykirk I frequently drive through the village. Given the speed at which traffic drives through the 30mph zone, the number of bends in the road and 4 roads already bringing traffic onto the road in a very short stretch it's ridiculous to allow a potential 50+ vehicles to add to the mix.

I understand that this land is allocated for housing and employment but feel that a hold has to be put on any development until such time as the ongoing problems with speeding in the village is put right.

Children are having to cross this very busy road with no dedicated crossing point - is this a safe route to school?

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## Application Summary

Application Number: APP/2018/2118

Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Ms Emma Webster

Address: 18 Wester Balmanno Way Marykirk

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this proposal due to the following reasons:

The village has enough problems with traffic, the junction at the A90 is lethal and various promises have been made to make it safer, nothing has been done.

Numerous complaints have been made to the Police about traffic speeding through the village, no traffic calming measures have been introduced and further traffic entering and exiting the village will make the roads more dangerous.

The plans show the entry to the site, this is badly placed and again unsafe given the volume of speeding cars entering the village.

The water pressure in the village is poor, the current system will not cope with additional building.

The school is full and will not cope with additional children.

There is no mains gas so families have to pay for expensive rates for bottles.

There are no facilities in the village, ie a local shop again despite promises this would be built.

# Comments for Planning Application APP/2018/2118

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Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Darren Webster

Address: 18 Wester Balmanno Way Marykirk

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Currently the water and sewerage system struggle with the amount of homes currently in marykirk. The junction into the A90 is at the very least dangerous and has regular queues of traffic with substantial tail backs. The additional houses will only add to this congestion. The current primary school is at full capacity and there are no amenities currently located in marykirk so therefore the added road congestion will only get worse as you need to travel for all provisions. Only a fool would pass this application.

# Comments for Planning Application APP/2018/2118

## Application Summary

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Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mrs Alison Thomson

Address: 25 Napier place Marykirk Laurencekirk

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I feel there is a problem with access and the number of junctions onto the A937 and the increased traffic when the junction is upgraded too in a very short distance. I would also have concerns regarding the school provision at primary and secondary schools not having adequate space for number of kids that would've added to the school rolls

# Comments for Planning Application APP/2018/2118

## Application Summary

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Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Donald Stewart

Address: 19 napier place Marykirk

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I do not feel that the village infrastructure can sustain the development at this time. The school is close to capacity at present and existing projected enrolment will cause issues if there are more pupils due to the development. Traffic issues are already causing a problem in this area and an exit directly opposite the entrance to the village hall will only add to the problems already being experienced on this stretch.

Services within the village are already experiencing issues as expressed in the other objections regarding the water and sewage issues but residents are also experiencing problems with the broadband and telephone services to the village due to the lack of investment and distance to the exchange at Blackwater bridge area. This can only degrade with greater demand, indeed BT have in the past indicated that the network was to capacity and there were no plans to upgrade the system. With greater demand and no upgrade how can this allow for a service that meets the needs of the residents or indeed meets the stated requirements of the promised national network speeds?

A commercial development has been indicated but there is no indication of the nature or purpose of the development. A light industrial purpose would not be in keeping with the rural/residential nature of the location and a commercial shop or store would be limited in the size or nature, requiring additional services and infrastructure including to the road network increasing turning traffic to the area, causing an additional hazard. A restaurant or coffee shop would have a similar effect as well as placing an additional strain on the aforementioned water and sewage system. Further mention must be made of the lack of public transport meaning that all activities will have to be carried out by the use of the residents vehicles thus once more increasing traffic through the village.

Whilst I am not against development there has to be suitable improvements and upgrades to the built environment to allow for any schemes to be successfully integrated into the village and thus I must object to this proposal

# Comments for Planning Application APP/2018/2118

## Application Summary

Application Number: APP/2018/2118

Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mrs Áine Stewart

Address: 19 Napier Place Marykirk

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I 100% agree with the objections that have already been clearly made above.

Very concerned about traffic already racing through the village.

# Comments for Planning Application APP/2018/2118

## Application Summary

Application Number: APP/2018/2118

Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mrs Hashina Sherriff

Address: 16weter balmanno way Marykirk Aberdeenshire

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: No consideration taken for infrastructure, Scottish water, school capacity.

The plan in at the moment doesn't make sense and disregards many issues already in the village.

The speeding and traffic in the village is already an issue

# Comments for Planning Application APP/2018/2118

## Application Summary

Application Number: APP/2018/2118

Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Craig Sherriff

Address: 16 wester balmanno way Marykirk Aberdeenshire

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

I wish to object to the proposed development adjacent to Wester Balmanno Way, Marykirk. I cannot understand why Aberdeenshire Council would consider building houses where there are already a issues to the water and sewerage system. Scottish water have previously said they would have to expand to accommdate any more houses but this does seem to have been taken in account on the plans.

Marykirk also suffers from from the volume of traffic through the village and speeding that occurs, an issue that has been raised many times with MP and the local police who are still looking into making the area safer for both the elderly and younger members of the community. We have no pedestrian crossing and in some places no pavement.

The existing Marykirk Primary School has a potential maximum number of pupils of 47, and I am informed it is currently educating 44 children so assuming there will be some families buying these new houses where are the intentions to build a bigger school and where would this occur or even notification of this increase in the plans or to the school itself.

It's seems more prudent for thr council to address the issues that we have in the village before considering building on an area that will cause further problems.

There is also the lack of is a shop or regular buses available.while there seems to be a plan for a shop in the village again this seems to be an after thought and not quite viable.

There a several houses in the village already which have been for sale for many months and the appetite for living in Marykirk does not seem to be there which begs the question as to why would the build go ahead to cause all these strains on the infrastructure, safety and supplies if there is no demand.

# Comments for Planning Application APP/2018/2118

## Application Summary

Application Number: APP/2018/2118

Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Craig Sandeman

Address: 14 Napier Place Marykirk

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Road Safety.

The scheme recognises the major issue with Marykirk's road infrastructure - speed. 120m visibility line says it all. A village like Marykirk should have an expectation of measures to bring speeds down to 20mph but at the moment we are experiencing speeds between 30-50 through the village. No further development should be allowed without a carefully considered and fully funded speed control system be implemented. A single speed notification sign is simply not good enough.

Flooding.

The drainage assessment shows that a 30 year return period storm is retained on site. This is not satisfactory. The flooding sustained by Marykirk should be fully considered. The statement that 200 year storm flood waters will not affect local infrastructure and impede emergency vehicles is not correct and is not the essence of sustainable urban drainage design. The drainage assessment addresses Sewers for Scotland criteria not SuDS flooding criteria. The railway under bridge adjacent to the site floods and is blocked by surface water. The Montrose road floods and is blocked by the North Esk. The Laurencekirk road floods and is blocked by surface water. A drainage assessment in such a sensitive area should capture this information and report and fully assess implications of the development. No development should be allowed without careful consideration of Marykirk's repeated flooding and the ongoing implications of practically all access to the village being impassable almost on a yearly basis.

Foul Drainage.

The drainage assessment states that the developer has satisfied criteria to secure growth funding of the Scottish Water waste water treatment works and will be in place by 2023. The letter from Scottish Water does not state that. It suggests that a PDE is required. The developer should provide evidence that the five criteria are met and that growth funding is in place. 2023 in Scottish Water funding cycles is imminent, it is more likely to be 2028 and how can the connection from a temporary private waste water treatment plant be guaranteed at that timescale?

# Comments for Planning Application APP/2018/2118

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Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Christopher Rushbridge

Address: North Esk House Marykirk Laurncekirk

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Drawings show access onto the A937 road, where a recent traffic survey shows that vehicles are routinely travelling in excess of the speed limit. There is an area set aside for employment land, which will require an access to the A937 even nearer to the northern entry to the village. Both are unacceptable for reasons of safety.

When Wester Balmanno was planned, there was provision for access to this site from Wester Balmanno Way.

Many years ago we were told that the sewage treatment works was past its capacity. This will only add to the problem. Scottish Water will no doubt give their standard reply that everything will be OK.

A letter from the Education department regarding a previous application for this site (APP/2013/0063) stated that a development of 30 houses could be expected to produce approximately 12 pupils of primary school age and it was likely that Marykirk primary school would be unable to accommodate the children from that proposed development.

The school capacity is 47 and the present roll is 44. What has changed to make this application acceptable?

Drawings of the site show no pavements in the scheme. Presumably pedestrians of all ages and ability are expected to walk in the road. This is totally unacceptable.

It has been stated many times before that the very limited infrastructure in the village will not support further large development. There are no employment opportunities locally, meaning that people will have to travel to their place of work. Public transport is very limited, with no bus service on Sundays.

# Comments for Planning Application APP/2018/2118

## Application Summary

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Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Gary Milne

Address: 3 Wester Balmanno Way Marykirk Laurencekirk

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Concerned about the impact on traffic on what is already an extremely busy road.

Would also prefer if the houses were further back from the existing houses on Wester Balmanno Way when there is plenty of space to do so.

# Comments for Planning Application APP/2018/2118

## Application Summary

Application Number: APP/2018/2118

Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mrs Lesley McNamee

Address: 14 Wester Balmanno Way Marykirk Aberdeenshire

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to the above mentioned application due to the following issues. As a resident of Marykirk, there are many areas of concern with the addition of another development. My biggest concern is regarding the safety of the road. I am one of many parents who has to cross the road to get to the Primary school. Due to the lack of adherence to the 30 miles per hour speed limit, most days i find myself 'running' across the road, and have had a couple of very near misses. There is not one place where we are able to clearly see both north and southbound. I also take my younger child with me, as do many of us. We have already voiced our concerns and i feel that the addition of more houses would only add to the traffic issue. The Primary school is already at near full capacity. Therefore, i have to question where would a large increase in children be expected to go? Another real concern for the village is the waste disposal which is already problematic and struggles to function effectively. I feel strongly that these issued should be investigated, before any decisions for further development within Marykirk are taken.

# Comments for Planning Application APP/2018/2118

## Application Summary

Application Number: APP/2018/2118

Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Kevin McGregor

Address: 4 Wester Balmanno Way Marykirk

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Marykirk is as you are aware a small country village with very limited facilities namely being the hotel/public house and the school . It is in my considered opinion that the village is already at a maximum capacity of occupancy ... our primary school is not of a size that would be able to accomodate a whole new street of families . Our sewage system is not fit to cope with the current volume of waste that is created let alone having to deal with anymore . Our village being situated next to a spate river is already on an annual basis having to cope with flooding albeit the majority of the flooding damage is caused at the opposite end of the village however the houses in our street which are adjacent to this proposed development already face issues with surface water running off the proposed land and on occasions some have been breached due to excessive run off .. this is namely due to the gradient of the land which is proposed for developing .. an issue which would only worsen in my opinion should the land be developed. The A937 which joins our village to Montrose and to the A90 junction at Laurencekirk is already a popular rat run with commuters who prefer to join at the A90 and whilst the A937 is a main road it is a dangerous one .. there have already been a number of serious injuries and sadly fatalities over the years . On aproaching Marykirk from the Laurencekirk side there is a double blind bend which would be rather close to any possible access road for this proposal and may i add that even entering the junction at Wester Balmanno Way can be challenging due to the lack of vision and also the speed at which motorists fly through our village .. you may or may not be aware that our community is already seeking both the police and councils help in addressing this potentially deadly issue and i mention it here because i feel that further vehicles being added to the villages populis can only add to the potential danger that our residents already face. I would also like the council to consider the fact that there have been proposed developments on other boundaries of our village which have been declined in the past. Whilst i have no problem with adequate modern housing being established in rural areas i feel the need to ask the question does Marykirk need any more population and with the fact that facilities are severely limited in the village would further

development cause strain on the current services which are available ... in my opinion the answer is simply the village is under strain already so yes current services would be stretched. Bases on these reasons i state my objection to this application and ask that you carefully consider any relevant issues which would arise from expanding the village further without first investing in infrastructure for the village first

# Comments for Planning Application APP/2018/2118

## Application Summary

Application Number: APP/2018/2118

Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mrs Dawn Malan

Address: Old post office Marykirk Laurencekirk

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The village does not have the facilities nor road network to support this proposed expansion. As stated in my fellow villagers comments, the sewage works can not sustain anymore houses and the road has been deemed such a speeding hazard and unsafe route that the local MP has arranged speed monitoring by the local police and council in an attempt to prevent further accidents whilst a permanent solution is sought. Further traffic will increase the risk further. Finally, the local school is near capacity and would struggle to accommodate further children, who would also have to cross the dangerous main road through the village, once again an accident waiting to happen.

# Comments for Planning Application APP/2018/2118

## Application Summary

Application Number: APP/2018/2118

Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Peter Lidster

Address: 2Napier Place Marykirk Laurencekirk

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Being a resident of Marykirk I am objecting to the proposed development opposite Balamano Way.,because of the following reasons.

- 1 Access to the site on a blind bend on the A937 is ludicrous because of the volume,speed and size of vehicles travelling through the village.
2. The extra numbers of children and parents crossing the A937 ,without any form of road crossing.
- 3.The size of the school has reached its limit without a possible demand from owners/parents in the new development.
4. The extra volume of vehicles to the new build would be unacceptable,with over Fifty extra car movements daily onto the A937.
- 5.The present services to the village are way below the expected levels of satisfaction,ie Sewerage, Water,Electric, Broadband and Phone, apart from the fact there is no gas to the village which will mean greater numbers of heating oil tankers transporting oil to the village, which themselves present hazards.
- 6.Lack of amenities in the village ie retail shops mean that all residents will have to travel East or West to shopping areas, crossing over the A90.

# Comments for Planning Application APP/2018/2118

## Application Summary

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Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Stephen Greenhill

Address: 24 Wester Balmanno away Marykirk

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Education - mearns academy and Marykirk PS are forecast to exceed 100% capacity and additional housing will put strain on both facilities further. Plus addition cost of transport of pupils to Mearns.

Roads - there are ongoing issues with traffic and speeding in the village. Additional housing will contribute to this.

The roads serving the village B974 and A937 have been repaired in summer 2018 and are further damaged since due to high traffic volume and agricultural traffic.

A junction onto the A937 near the current layout (hill and bends) poses a risk to motorists.

Utilities - demands on water treatment and sewage are near capacity and additional homes will stress these.

The broadband exchange are unable to take new fibre connection and is at capacity. Addition homes will impact current users bandwidth

Industry - fishing and shooting provide jobs and income in the area. Increased population will increase footfall on there riverside, affecting wildlife and the ecosystem which may impact on the businesses that rely on the fishing and wildlife balance.

Quality of the community - there is a large dog fouling issue in the village and increased population will contribute to this

Amenities - demand for services such as nurseries and childminders is at capacity, so increasing the population will further stress this for current residents.

Stress will also be placed on the small GP and dentist surgery.

# Comments for Planning Application APP/2018/2118

## Application Summary

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Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Charles Gordon

Address: The Beeches 25 Kirktonhill Rd Marykirk

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Not only is this Application NOT supported by the available local infrastructure, which is struggling to meet the needs of the existing village, but it proposes an area for "Potential Employment Use", which presumably would entail the construction of industrial premises.

These will, in turn, require access to the A937, which cannot be through the estate due to the layout and density of houses, and the danger to young children playing on the development.

Thus there will be not one, as now, but THREE accesses onto the A937 within the - neither observed nor enforced - 30 mile per hour limit, AND all of them within an overall distance of 60 meters, AND with a bus stop in the middle!

The Application as submitted, has not been properly thought through, and is therefore incompetent, dangerous and damaging to the existing environment.

I wish to object in the strongest possible terms.

Yours,

Charles Gordon.

# Comments for Planning Application APP/2018/2118

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Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr David Dunkley

Address: 27 Napier Place Marykirk Marykirk, Laurencekirk

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the proposed development APP/2018/2118 adjacent to Wester Balmanno Way, Marykirk. I can understand the need for housing, especially affordable housing, but I cannot understand why Aberdeenshire Council would consider the erection of houses, affordable or not, in a location where there is already a water supply that often struggles to serve the existing community, and a sewerage system that struggles to serve the existing community.

When one adds in that there is already a danger to the residents of Marykirk from the volume of traffic through the village, often greatly exceeding the speed limit, why would it be sensible to introduce more cars through yet another road entering the A937 at the point where vehicles already accelerate as they leave the village?

If 27 new houses are to be built, it is reasonable to assume that some or all of them will be homes for children. Quite apart from the danger already indicated from the traffic through the village, it is difficult to see how or where appropriate provision for education of primary school age children will be provided. The existing Marykirk Primary School has a potential maximum number of pupils of 47, with a current roll of 44. Education and Children's Services has commented that "This is an allocated site and already accounted for in the school roll forecasts." Presumably, the forecast assumes that children from the new houses, and any born into families in existing houses in the village, will be equal to or fewer than the number of children moving on from Primary to Secondary Education. Is this reasonable?

It may be worth mentioning to anyone wishing to build houses or move into the village that Marykirk has no shop and the bus service has been considerably reduced in recent times.

Given the road safety, potable water, waste disposal (and possible public health issues related to

these factors) as well as the likely lack of capacity in the Primary School, this proposed development seems to have been ill thought-out, and should not be allowed to proceed.

# Comments for Planning Application APP/2018/2118

## Application Summary

Application Number: APP/2018/2118

Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Graeme Docherty

Address: 8 Wester Balmanno Way Marykirk

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: In relation to this application I would like to object in the strongest possible means, all the reasons succinctly put by my neighbors I agree with 100%. Unless there is serious and far reaching proposals to alleviate our concerns then my opinion will not be changed.

# Comments for Planning Application APP/2018/2118

## Application Summary

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Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mrs Claire Docherty

Address: 8 Wester Balmanno Way Marykirk

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Extremely concerned about the already stretched sewage and drainage facilities of the village. During heavy and prolonged rain, water runs of the fields into the back of Wester Balmanno Way flooding the gardens. Having more houses, which will result in more traffic into the village which already has issues with speeding will be extremely dangerous, especially for the children who have to cross the road for school etc. Village school is extremely small and couldn't accommodate a higher intake due to this development.

# Comments for Planning Application APP/2018/2118

## Application Summary

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Address: Land Adjacent To Wester Balmanno Way Marykirk Laurencekirk Aberdeenshire

Proposal: Erection of 27 Dwellinghouses with Associated Access Road, SUDS and Open Space

Case Officer: Jenny Ash

## Customer Details

Name: Mr Bill Buchan

Address: 6 Kirktonhill Holdings Marykirk

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Marykirk has a serious traffic problem - even Police Scotland cant stop cars speeding through the village.

Sticking another 30 houses on a bad corner is not going to improve matters.

If the developer were to make far more effort in terms of providing a safe exit road from this development, I would withdraw my objection.

Secondarily, there is a planning directive where any development over a certain number of houses should be provided with fibre broadband. Does this development qualify? And if so, how are the council planning department planning on enforcing this (given how they've failed to enforce this before).

---\* Bill