

**ABERDEENSHIRE COUNCIL**

**GARIOCH AREA COMMITTEE**

**GORDON HOUSE, INVERURIE, 11 NOVEMBER 2008**

**Present:** Councillors M Kitts-Hayes (Chair), A Allan, H Al-Kowarri, R Cowling, M Cullen, N Cullinane, M Ford, A Grant, F Hood, S Lonchay, R McKail, M Raeburn, G Saluja and B Stuart.

**Officers:** Ian Fowell (Garioch Area Manager), Gordon Davidson (Head of Law and Administration), Lesley Aitken (Garioch Area Planning Officer), Ian Rendall (Local Roads Manager), Rod Stone (Head of Lifelong Learning and Leisure), Anne Simpson (Community Learning Manager), Tim Stephen (Sport and Leisure Manager), Alison Hogge (Policy Planner), Andrew Carruthers (Policy and Environment Manager), Alan Davidson (Planner), Kevin Duguid (Housing Manager), Ritchie Johnson (Head of Strategic Development (Housing and Community Care), Marion Mackay (Principal Officer DRT, Fares & Ticketing), Ian Thomson (Principal Officer (Client Transport)) Mick Gordon (Quality Development Support Officer) and Alison Cumming (Area Committee Officer).

**1. APOLOGIES**

All Councillors were present.

**2. DECLARATIONS OF MEMBERS' INTERESTS**

In terms of Standing Order 2(4) the following pecuniary interest was declared:-

Item 8J - Councillor Hood as the applicant. Councillor Hood left the Chamber whilst the item was determined.

In terms of Standing Order 2(5) the following non-pecuniary interests were declared:-

Item 7B - Councillor Cowling as he is known to a number of the objectors;  
Councillor Stuart as he is known to one of the objectors;

Item 8G - Councillor Grant as a friend of an objector to the application. Councillor Grant felt that her interest was clear and substantial and left the Council Chamber whilst the application was determined.

Item 8I - Councillor Allan as the applicant used to work at her place of employment;  
Councillor Raeburn as he knows one of the objectors who addressed the Committee. Councillor Raeburn felt that his interest was clear and substantial and left the Council Chamber whilst the item was determined;

Item 8J Councillors Ford and Cullinane as fellow ward members of the applicant. The Councillors felt that their interest was clear and substantial and left the Council Chamber whilst the item was determined.

**3. MINUTE OF MEETING OF 7 OCTOBER 2008**

The Minute of Meeting of 7 October 2008 was approved as a correct record of proceedings.

**4. INTIMATION OF PUBLIC QUESTION TIME**

No public questions were intimated.

## 5. PERFORMANCE INDICATORS – EDUCATION, LEARNING & LEISURE AND CHIEF EXECUTIVE – APRIL – JUNE 2008

A report by the Garioch Area Manager was circulated to Members presenting the Education, Learning & Leisure and Chief Executive Performance Indicators for the Garioch Area for April - June 2008.

The Committee **agreed** to note the content of the report.

## 6. SECURING CONTINUOUS IMPROVEMENT IN THE COMMUNITY LEARNING AND DEVELOPMENT SERVICE IN ABERDEENSHIRE

A report by the Head of Lifelong Learning and Leisure was circulated to Members to address the findings of the Scrutiny and Audit Committee's investigation of Community Learning and Development (CLD) and key points for action recommended by Her Majesty's Inspectorate of Education (HMIe) and Audit Scotland in its Best Value Review of the Council.

The Committee welcomed the report and the move towards more engagement with communities. They asked questions about the staffing situation and how the Service was tackling recruitment and retention issues. They were assured that this was being approached in a number of ways, but that developing and investing in current staffing was proving to be successful and helping to address the problems.

The Committee **agreed** to:-

1. highlight concerns about issues with recruitment and retention of staff; and
2. express keen interest in seeing the plan delivered and receiving a report back detailing the outcomes.

## 7. REPORT OF SITE VISITS

With reference to the Minute of Meeting of the Committee of 7 October 2008 (Items 8B, 8D) and 16 September 2008 (Item 6A), and following site visits which took place on Tuesday, 11 November 2008, the Committee considered the reports by the Head of Development Management and Building Standards on the following applications and **agreed** to dispose of them as detailed in **Appendix A** to this Minute.

Reference	Application	Decision
A. APP/2008/1005	Erection of dwellinghouse at 8 Kirkhill View, Blackburn	Delegated Grant
B. APP/2008/1864	Alterations and extension to dwellinghouse and erection of garage at 3 Bydand Gardens, Inverurie	Refuse
C. APP/2008/0397	Construction of new retail space and alterations to existing collonade and car park with associated site works at Westhill Shopping Centre, Old Skene Road, Westhill	Delegated Grant

## 8. PLANNING APPLICATIONS FOR DETERMINATION

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

Item	Reference	Application	Decision
A	APP/2008/2339	Erection of offices and workshop (amendment to site boundary to north and alteration to location of car parking) incorporating change of use of agricultural land to form landscaping and relocation of viewing shed at Area B, Midmill South, Kintore, Inverurie	Delegated Grant
B	APP/2008/2343	Erection of offices and warehouses incorporating new footpath to north, cycleway and change of use of agricultural land to form landscaped area at Areas C & D, Midmill South, Kintore, Inverurie	Delegated Grant
C	APP/2008/2634	Erection of 3 dwellinghouses (change of house types incorporating external steps and regrading to rear gardens) at Plots 9-11, Bogbeth Road Development, Kemnay, Inverurie	Defer for Site Visit
D	APP/2008/0638	Extension to food store at Co-op Foodstore, Main Road, Blackburn	Defer for Site Visit
E	APP/2008/1480	Creation of new amenity area and change of use of existing amenity area to private garden ground at site at corner of Gean Drive & Willowgrove Drive, Blackburn	Refuse
F	APP/2008/2880	Erection of wind turbine at Tesco Store, Harlaw Road, Inverurie	Defer for Further Info.
G	APP/2008/2881	Erection of dwellinghouse and garage at land at Buchanstone, Oyne, Insch	Defer for Site Visit
H	APP/2008/2840	Erection of boundary wall and shed at Roslyn Cottage, 19 High Street, Kemnay	Refuse
I	APP/2008/0932	Change of use of building (part public house and part private residence) to residential and extension to dwellinghouse Midmar Inn, Midmar Inverurie	Refuse
J	APP/2008/0235	Erection of 5 flats at Crossroads Filling Station, Oldmeldrum Road, Newmachar	Delegated Grant

## 9. PROPOSED BROAD AREAS OF SEARCH FOR WIND FARMS OVER 20MW

A report by the Head of Planning Policy and Environment was circulated seeking Members' views and approval for the preferred broad areas of search for wind farms over 20 megawatts (MW) in Aberdeenshire.

Councillor Grant, seconded by Councillor Al-Kowarri moved that consideration of the item be deferred to a future meeting of the Committee in order to ensure that the matter was discussed fully.

As an amendment, Councillor Kitts-Hayes, seconded by Councillor Cowling, moved that the Committee consider the item at the present time.

The Committee voted:-

For the motion (5) Councillors Al-Kowarri, Grant, Hood, McKail and Stuart.

For the amendment (9) Councillors Kitts-Hayes, Allan, Cowling, Cullen, Cullinane, Ford, Lonchay, Raeburn and Saluja.

Therefore the amendment was carried and the Committee considered the item.

Councillor Cullen, seconded by Councillor Stuart, moved that consideration of the item be deferred in order to allow more detailed information to be provided by officers.

As an amendment, Councillor Ford, seconded by Councillor Kitts-Hayes, moved that the Committee agreed to the preferred broad areas of search (Areas D, E, F and G in Figure 3 in the report) to be included in the existing wind energy Supplementary Planning Guidance.

The Committee voted:-

For the motion (3) Councillors Cullen, Grant and Stuart

For the amendment (11) Councillors Kitts-Hayes, Allan, Al-Kowarri, Cowling, Cullinane, Ford, Hood, Lonchay, McKail, Raeburn and Saluja

Therefore the amendment was carried and the Committee **agreed** to the preferred broad areas of search (Areas D, E, F and G in Figure 3 in the report) to be included in the existing wind energy Supplementary Planning Guidance.

In accordance with Standing Order 9 Councillor Stuart entered his dissent against the resolution adopted.

## 10. WESTHILL CAPACITY STUDY

A report by the Head of Planning Policy and Environment was circulated to Members to present the results from the public consultation on the Westhill Capacity Study and the proposed responses to these comments. A final draft of the study was presented at Appendix 1 and had been modified in the light of the comments received.

The Committee **agreed** to defer consideration of this item until the next meeting of Garioch Area Committee.

## 11. INITIAL APPROACH TO BE TAKEN FOR SETTLEMENTS IN A FUTURE ABERDEENSHIRE LOCAL DEVELOPMENT PLAN

A report by the Head of Planning Policy and Environment was circulated to Members seeking the early views of members on those settlements where officers should be looking to identify land allocations for housing and employment uses, for inclusion in the forthcoming Local Development Plan. This information is intended to guide officers when exploring where future development should be located.

Councillor Grant, seconded by Councillor Hood, moved that consideration of the item be deferred until a future meeting of the Committee on the grounds that the report did not give

enough information regarding infrastructure and transportation to the Committee to be able to consider the issues fully.

As an amendment, Councillor Kitts-Hayes, seconded by Councillor Ford, moved that the Committee consider the report as presented.

The Committee voted:-

- |                   |     |   |
|-------------------|-----|---|
| For the motion    | (6) | Councillors Al-Kowarri, Cullen, Grant, Hood, Saluja and Stuart                        |
| For the amendment | (8) | Councillors Kitts-Hayes, Allan, Cowling, Cullinane, Ford, Lonchay, McKail and Raeburn |

Therefore the amendment was carried and the Committee considered the report as presented.

The Committee **agreed** to

a) put forward the following comments:-

1. title for appendix 1 should read "Settlements considered for site allocations";
2. Old Rayne should be included in appendix 3 for the same reason as Auchleven;
3. Could there be caveat that appendix 1 is not too rigid for smaller settlements;
4. Don't want to see development in Kintore and Blackburn in the early years;
5. Reluctant to see development that exacerbates the traffic problems on the A947;
6. Lyne of Skene and Dunecht should be in Appendix 2;
7. Cluny should be in Appendix 3;
8. Difficult to see how Clovenstone and Glasgoforest can have housing allocations given that there is no school in either;
9. request that discussions take place at ward meetings to further consider the issues;
10. concern about congestion on A96 if further development is planned for Inch, Old Rayne and Whiteford; and
11. would like to see affordable housing spread throughout areas rather than identified in specific settlements.; and

b) instruct staff to prepare development plan proposals for settlements based on the approach within the amended appendices.

## **12. PLANNING APPEAL**

### **LETTER FROM DIRECTORATE FOR PLANNING AND ENVIRONMENTAL APPEALS**

#### **A. ROADSIDE OF CORSINDAE, MIDMAR, INVERURIE**

A letter from the Directorate for Planning and Environmental Appeals was circulated to Members giving details of the outcome of an appeal against refusal of planning permission for development of 10 dwellinghouses and associated infrastructure at Roadside of Corsindae, Midmar, Inverurie.

The Committee **agreed** to note the decision of the Reporter to dismiss the appeal and refuse planning permission for development of 10 dwellinghouses and associated infrastructure at Roadside of Corsindae, Midmar, Inverurie.

## **B. LAND ADJACENT TO OAKGROVE, HILL OF COTTOWN, KINTORE**

A letter from the Directorate for Planning and Environmental Appeals was circulated to Members giving details of the outcome of an appeal against refusal of planning permission for a dwellinghouse at land adjacent to Oakgrove, Hill of Cottown, Kintore.

The Committee **agreed** to note the decision of the Reporter to dismiss the appeal and refuse planning permission for a dwellinghouse at land adjacent to Oakgrove, Hill of Cottown, Kintore.

### **13. HARMONISATION OF CHARGES AND LETTING POLICY FOR EDUCATION AND LEISURE FACILITIES**

A report by the Director of Education, Learning and Leisure was circulated advising the Area Committee of work being carried out to develop an integrated letting and pricing policy for education and leisure facilities and seeks committee's views on the new pricing and letting proposals in light of feedback from consultation with users.

The Committee heard that the proposals were the culmination of lengthy and detailed work and that serious consideration had been given to the impact of the revised charging on community groups and users.

The Committee broadly welcomed the proposals and the safeguards that were built in regarding large increases in charges, but were keen to see Local Member involvement in any dispute over charging. It was felt that the pricing had been developed in a robust and considered way. It was pointed out that commercial activities should not be subsidised by the taxpayer and full cost recovery should take place. It was also suggested that facilities run by other Council Services should also be brought under the same pricing policy.

The Committee **agreed** to forward the following comments to Elected Member Access and Charges Working Group:-

1. the proposals were devised from a logical base;
2. Taxpayers should not subsidise commercial activities;
3. all Council letting should be charged on the same basis;
4. welcome local Member involvement when charging levels cannot be agreed.

### **14. REVIEW OF TAXI CARD SCHEME**

A report by the Head of Transportation was circulated to Members seeking their views on proposals to revise the TaxiCard Scheme.

The Committee discussed the possibility of phasing changes over a period of time in order to lessen the impact whilst still keeping in mind the cost implications for the Council. However, it was considered that a more prudent approach would be to propose the implementation of option 1 with a built in review to ensure cost recovery issues were considered.

The Committee **agreed**:-

1. to suggest implementing option 1 and reviewing this in light of cost recovery in 12 months time and report back to Committee.
2. to support the option to carry out a review of the eligibility criteria.

## 15. REVIEW OF SEAT BELT PROVISION ON SCHOOL TRANSPORT SERVICES

A report by the Director of Education, Learning and Leisure and Director of Transportation was circulated to Members to advise on the outcome of the Joint Education, Leisure and Learning Committee and Infrastructure Services Committee Member/Officer Working Group's consideration of seat belt and child restraint provision on school transport services and seek the views of the Members on the proposed policy changes.

The Committee **agreed** to note the proposed revisions to the Aberdeenshire Council policies on the provision of seat belts on School Transport Services.

## 16. STATUTORY LIST OF PUBLIC ROADS ADDITIONS IN KINTORE AND PORT ELPHINSTONE

A report by the Local Roads Manager was circulated to Members proposing the addition of new roads and remote footpaths to the Statutory List of Roads in accordance with Section 16 of the Roads (Scotland) Act 1984.

The Committee **agreed** to approve that the roads and remote footpaths listed below be added to the Statutory List of Public Roads:-

### ADDITIONS TO STATUTORY LIST OF PUBLIC ROADS

Town	Name of Road	Description	Length
Kintore	Lochburn Drive	From its junction with Northern Road southwestwards to its junction with Ladywell Road	215m
Kintore	Ladywell Road	From its junction with Lochburn Drive southeastwards with turning head	187m
Kintore	Craigbank	From its junction with Ladywell Road westwards with turning head	118m

### ADDITIONS TO STATUTORY LIST OF REMOTE FOOTPATHS

Town	Name of Footpath	Description	Length
Kintore	Remote Footpath	From Wellpark Gardens northwestwards, northeastwards and southwestwards around car park	152m
Kintore	Remote Footpath	From Wellpark Gardens to Wellpark Road	68m
Port Elphinstone	Remote Footpath	From Old Kemnay Road westwards to the A96(T)	70m

## 17. MARKETMUIR COURT, INVERURIE – WINDOW UPGRADE – CONTRACT 16429

A report by the Head of Property was circulated to Members providing details of the tenders received for the above works and seeks authorisation to accept the lowest offer.

The Committee **agreed** to:-

1. give approval of the project cost of £74,700.82 and Property costs of £6,800.00.
2. authorise acceptance of the tender submitted by North Contracts in the amount of £67,900.82.

#### **18. HOUSING REVENUE ACCOUNT – CAPITAL PROGRAMME 2009-2012 – STOCK IMPROVEMENTS PROGRAMME**

A report by the Housing Manager was circulated to Members to seek their approval of priorities for stock improvements in the Garioch Area to be carried out under the Council's Housing Revenue Account (HRA) Capital Programme for 2009-2012.

The Committee **agreed** to the proposed stock improvement programme based on the detail provided in appendix 1 to the report for inclusion in the Council's Housing Revenue Account, Capital Programme for 2009/10, 2010/11 and 2011/12.

#### **19. MODERNISATION OF RESIDENTIAL CARE FOR OLDER PEOPLE**

A report by the Head of Strategic Development was circulated to update committee on the review of the council's residential care services for older people as it affects the Garioch Area.

The Committee **agreed** to:-

- 1 note the proposals for the new care home in Inverurie
- 2 note that a further detailed report on these proposals will be taken to the Social Work and Housing Committee on 18 December 2008

#### **20. STATEMENT OF OUTSTANDING BUSINESS**

A report by the Garioch Area Manager was circulated detailing the items of outstanding business for the Garioch Area Committee as at November 2008.

The Committee **agreed** to note the items on the Statement of Outstanding Business as at November 2008.

#### **21. AREA COMMITTEE TOP-UP BUDGET - APPLICATION**

A report by the Garioch Area Manager was circulated requesting the Committee to consider an application to the Garioch Area Top-Up Budget.

The Committee indicated that this grant of funding should be on a one off basis only.

The Committee **agreed** to:-

1. accept applications from groups holding events that are related to Homecoming Scotland on the basis that they are considered to comply with the criteria for community projects; and
2. grant up to £1,550 to Bon Accord Steam and Vintage Club Ltd for funding towards the running costs of the Castle Fraser Steam and Vintage Fair on the basis that the

application is related to the Homecoming Scotland 2009 event and is therefore considered not to be eligible for funding on a recurring basis .

GARIOCH AREA COMMITTEE, 11 NOVEMBER 2008

APPENDIX A

PLANNING APPLICATIONS SUBJECT OF A SITE VISIT

A. Reference No: G/APP/2008/1005

**Full Planning Permission for erection of dwellinghouse at 8 Kirkhill View, Blackburn**

**Applicant: Ms L Rennie, 8 Kirkhill View, Blackburn**

The Area Planning Officer confirmed in relation to policy on plot ratio and usable private garden ground that terraced houses were treated on their own merits and private open space requirements should be judged against proximity to public open space and services. She confirmed that the materials and design matched the existing house and that although parking had been raised as an issue, the Roads Service was content with the proposed provision.

Members noted that there was a considerable fall in ground levels and that this would result in an excessively tall gable wall. It was considered that to step the roof ridge height down for the new dwelling would give a more acceptable appearance.

The Committee **agreed** that authority to grant Full Planning Permission be delegated to the Head of Development Management and Building Standards subject to:

- (a) the submission and formal agreement of acceptable planning gain contributions;
- (b) negotiations taking place to investigate the possibility of lowering the roof ridge height of the new dwelling to make the proposals less overbearing; and
- (c) the following conditions:-

1. That the development hereby granted shall be begun on or before the expiration of five years beginning with the date on which the planning permission is granted or deemed to have been granted.

Reason: Pursuant to Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997

2. That the dwellinghouse hereby approved shall not be occupied unless all parking spaces for the new dwellinghouse and 8 Kirkhill View as shown on the approved plan have been provided and surfaced to a standard of not less than 100mm of bottoming and 50mm of bitmac or to such other standard or with such other hard wearing material as shall be first agreed, in writing, with the Planning Authority. No parking area shall exceed a 1:10 gradient and once provided, all parking spaces shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the parking spaces to an adequate standard to prevent the carriage of loose driveway material on to the public road and in the interests of road safety.

3. That notwithstanding the details shown on the submitted drawings the roof of the approved dwelling shall be covered in tiles matching the style and colour of those existing on the adjacent dwelling of 8 Kirkhill View.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

4. That notwithstanding the details shown on the submitted drawings the walls of the approved dwelling shall be rendered to match the style and colour of the existing walls of the adjacent dwelling of 8 Kirkhill View.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

5. That no other development in connection with the permission hereby approved shall take place and the access hereby approved shall not be brought into use unless visibility of 30 metres in both directions along the public road has been provided from a point 2.4 metres measured at right angles from the existing carriageway surface along the centre line of the approved new access. 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.

6. The bathroom window in the east elevation shall be fitted with obscure glazing to the satisfaction of the Planning Authority.

Reason: In the interests of residential amenity.

**B. Reference No: G/APP/2008/1864**

**Full Planning Permission for alterations and extension to dwellinghouse and erection of garage at 3 Bydand Gardens, Inverurie**

**Applicant: Mr & Mrs Glennie, 3 Bydand Gardens, Inverurie**  
**Agent: Mr Robert J McHardy, 18 Golf Crescent, Inverurie**

As previously indicated Councillors Cowling and Stuart declared interests, but continued to take a full part in determining the application.

The Area Planning Officer confirmed that amendments had been made to the proposals to address any overlooking issues and that the proposals were considered to fit with the street scheme.

The Committee agreed to allow parties to address the Committee.

Ms Carla Towns of Grigor & Young, Solicitors spoke on behalf of Gordon Thomson an objector to the application. She confirmed that objectors were not objecting to development in principle, but felt that the increase in roof height proposed would set an undesirable precedent for the area.

The Committee did not have any questions for Ms Towns and she returned to the public benches.

The applicants indicated that they did not wish to address the Committee.

Some Members pointed out that there was development in the area above the height of Bydand Gardens and did not consider the increase in roof height to be a serious issue. Councillors indicated that they would wish to see the use of red brick instead of roughcast in order to complement the current building better.

However, other Councillors felt that uniformity did exist in the surrounding area and that the raising of roof line would open the door for further similar extensions. It was felt that other possibilities for extending the dwellinghouse existed that might not require the increase in height and that a possibility for negotiation existed in this regard.

Councillor Kitts-Hayes, seconded by Councillor Raeburn, moved that the application be refused on the grounds that the proposal is considered to adversely affect the character and amenity of the surrounding properties and therefore does not comply with Policy Hou\7.

As an amendment, Councillor Hood, seconded by Councillor Cowling, moved that the application be granted subject to the conditions detailed in the report and the use of red brick to better complement the existing building.

The Committee voted:-

For the motion (7) Councillors Kitts-Hayes, Allan, Al-Kowarri, Ford, Grant, Raeburn and Stuart

For the amendment (7) Councillors Cowling, Cullen, Cullinane, Hood, Lonchay, McKail and Saluja

There being an equality of votes the Chair exercised his casting vote in favour of the motion and declared it carried in the following terms:-

The Committee **agreed** to refuse Full Planning Permission on the grounds that the proposal was considered to adversely affect the character and amenity of the surrounding properties and therefore did not comply with Policy Hou\7.

**C. Reference No: G/APP/2008/0397**

**Full Planning Permission for construction of new retail space and alterations to existing collonade and car park with associated site works at Westhill Shopping Centre, Old Skene Road, Westhill**

**Applicant: Gladedale Capital Ltd, 1 Lauriston Place, Edinburgh**

**Agent: Duco Architects, 126 West Regent Street, Glasgow**

The Area Planning Officer confirmed that the situation had changed since the approved of the Development Brief for the Town Centre and questions had been raised regarding the desirability of residential use. She confirmed that the applicants wished to proceed with the proposals previously presented to the Committee and had provided a statement to explain the reasoning behind this decision. She pointed out that the landscaping scheme had been revised to the satisfaction of the Planning service and that this no longer required to form part of the delegated authority.

Members accepted that the residential element was no longer something that was supported in the community, but still had reservations about the curved roof proposed by the developers. They felt that the pitched roof would be more acceptable and questioned whether the pitch shown for this was adequate. They questioned the provision of toilets within the shopping centre and highlighted this as a desirable aspect of any proposal. They

asked that officers discuss further with the applicants the repositioning of the telephone box and post box and the upgrade of security cameras on site.

The Area Planning Officer indicated that the applicants had expressed a willingness to provide the pitched roof and that this and other matters could be dealt with under delegated powers.

The Committee **agreed** that authority to grant Full Planning Permission be delegated to the Head of Development Management and Building Standards subject to:-

- (a) the satisfactory conclusion of negotiations in respect of the package of developer contributions including, where necessary, the signing of a Section 75 Agreement;
- (b) the receipt of satisfactory details and revised drawings in respect of the waste arrangements for the development and the outstanding transportation matters; and
- (c) a pitched roof being provided on all of the buildings on site;
- (d) negotiations taking place regarding the inclusion of public toilets within the shopping centre;
- (e) appropriate relocation of the post box and phone box;
- (f) negotiations taking place regarding the upgrade of the security system; and
- (g) the following conditions:-

1. That the development hereby granted shall be begun on or before the expiration of five years beginning with the date on which the planning permission is granted or deemed to have been granted.

Reason: Pursuant to Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997

2. That no development hereby approved shall take place unless full details of the upgraded bus stop on the south side of Old Skene Road between the site entrance and Westhill Drive have been submitted to and approved in writing by the Planning Authority. The upgraded bus stop shall include the provision of a 3 bay illuminated bus shelter and no part of any building hereby approved shall be occupied unless the upgraded bus stop has been provided in accordance with the approved details.

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

3. That no development in connection with the permission hereby approved shall take place unless details of all the materials to be used in the external finish for the proposed development have been submitted to and approved in writing by the Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

4. That no development in connection with the permission hereby approved shall take place unless full details of the proposed means of satisfying the Council's Percent for Art requirement as set out under Policy Gen/2 of the Aberdeenshire Local Plan have been submitted to and agreed in writing by the Planning Authority. No part of any building hereby approved shall be occupied unless all of the agreed "percent for art" works have been provided

in accordance with the approved scheme. Once provided, the “percent for art” works shall thereafter be permanently retained as such.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

5. That no part of any building hereby approved shall be occupied unless the vehicular and pedestrian accesses, the parking and turning areas, the service areas, the bicycle and motorcycle spaces, the road improvements and the bus layby on the western side of Westhill Drive have all been provided and surfaced in accordance with the details shown on the approved plan. Once provided, all parking, turning and service areas shall thereafter be permanently retained as such.

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

6. That no part of any building hereby approved shall be occupied unless all of the associated means of enclosure have been provided in accordance with the approved scheme. Once provided, the means of enclosure shall thereafter be permanently retained as such.

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

7. That the proposed foul and surface water drainage systems shall be carried out in accordance with the approved plans and no part of any building hereby approved shall be occupied unless the approved drainage system has been completed to the satisfaction of the Planning Authority.

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

8. All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. 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.

Reason: To ensure the implementation 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. That no later than 9 months after any part of any building hereby approved has been occupied a Travel Plan for the whole development shall be submitted to and agreed in writing by the Planning Authority in consultation with the Transportation & Infrastructure Service. The 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. The measures set out in the approved Travel Plan shall be implemented no later

than 12 months after any part of any building hereby approved has been occupied.

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

10. That with the exception of Unit 24, which shall be used solely for a purpose within Class 2 as specified in the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997, the new floor space hereby approved shall be used solely for non-food retail purposes and no part of the new floor space hereby approved shall be used for any other purpose and the gross floor area of the new buildings hereby approved (3,100 m<sup>2</sup> or thereby) shall not be increased in any way without an express grant of planning permission by the Planning Authority.

Reason: To enable the impact of any change in the use or any increase in the size of the gross floor space on existing transport infrastructure or services to be properly assessed.

GARIOCH AREA COMMITTEE, 11 NOVEMBER 2008

APPENDIX B

PLANNING APPLICATIONS FOR DETERMINATION

A. Reference No: G/APP/2008/2339

**Full Planning Permission for erection of offices and workshop (amendment to site boundary to north and alteration to location of car parking) incorporating change of use of agricultural land to form landscaping and relocation of viewing shed at Area B, Midmill South, Kintore, Inverurie**

**Applicant: Malcolm Allan Housebuilders Limited, Malcolm Allan Housebuilders Limited On Behalf of Stats UK Ltd, Castle Farm, Kintore, Inverurie**  
**Agent: Mr Norman P Lawie, Tumulus Way, Midmill Business Park, Kintore, Inverurie**

The Committee **agreed**:-

- (i) that the reason for departing from the Aberdeenshire Local Plan is that the economic benefit of the proposal outweighs the loss of a small area of agricultural land and it is therefore considered appropriate to allow business and industrial use on the site. The area of land in question will be landscaped only and will be immediately adjacent to an established industrial and business area; and
- (ii) that authority to grant Full Planning Permission to be delegated to the Head of Development Management and Building Standards subject to:-
  - (a) submission of a revised Landscape Plan and Landscape Maintenance Schedule;
  - (b) any conditions which may arise following submission of the above details; and
  - (c) the following conditions:
    1. That the development hereby granted shall be begun on or before the expiration of five years beginning with the date on which the planning permission is granted or deemed to have been granted.

Reason: Pursuant to Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997
    2. That no development in connection with the permission hereby approved shall take place unless details of all the proposed means of enclosure to be provided in the proposed development have been submitted to and approved in writing by the planning authority. The development shall be carried out in complete accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.
    3. That no works in connection with the development hereby approved shall take place 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:

- (i) Existing and proposed finished ground levels relative to a fixed datum point;
- (ii) Existing and proposed services including cables, pipelines and substations;
- (iii) The location of new trees, shrubs, hedges, grassed areas and water features;
- (iv) A schedule of plants to comprise species, plant sizes and proposed numbers and density;
- (v) The location, design and materials of all hard landscaping works including walls, fences, gates and street furniture;
- (vi) A programme for the completion and subsequent maintenance of the proposed landscaping

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. 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.

Reason: To ensure the implementation 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.

4. That the development hereby approved shall not be occupied unless the vehicular and pedestrian access and all parking and turning areas have been provided and surfaced in accordance with the details shown on the approved plan. 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.

5. That no other works in connection with the development hereby approved shall take place unless the vehicular and pedestrian access and all parking and turning areas have been provided and surfaced in accordance with the approved details. The access shall be constructed to the current Aberdeenshire Council construction standards with entry radii of 10.7 metres, a minimum width of 6 metres and surfaced in bituminous macadam for the first 15 metres from the road. Once provided, all 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.

6. That the proposed surface water drainage system shall be carried out in accordance with the approved plans (drawing references S13013/20 and 21) and the industrial unit shall not be occupied unless its approved drainage system has been completed to the satisfaction of the Planning Authority.

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

7. That no works in connection with the development hereby approved shall take place unless a detailed construction method statement for the particular site has been submitted to and approved in writing by the planning authority in consultation with SEPA. The statement must address the temporary measures proposed to deal with surface water run-off during construction and prior to the operation of the final SUDS.

Reason: In order to ensure that suitable temporary drainage facilities are provided in the interests of the amenity of the area.

**B. Reference No: G/APP/2008/2343**

**Full Planning Permission for erection of offices and warehouses incorporating new footpath to north, cycleway and change of use of agricultural land to form landscaped area at Areas C & D, Midmill South, Kintore, Inverurie**

**Applicant: Malcolm Allan Housebuilders Limited, Malcolm Allan Housebuilders Limited on Behalf of Caledonian Logistics, Castle Farm, Kintore, Inverurie**

**Agent: Mr Norman P Lawie, Tumulus Way, Midmill Industrial Estate, Kintore, Inverurie**

The Committee **agreed:-**

- (i) that the reason for departing from the Aberdeenshire Local Plan is that the economic benefit of the proposal outweighs the loss of a small area of agricultural land and is therefore considered appropriate to allow business and industrial use on the site. The area of land in question will be landscaped only and will be immediately adjacent to an established industrial and business area; and
- (ii) that authority to grant Full Planning Permission to be delegated to the Head of Development Management and Building Standards subject to:-
  - (a) Submission of a revised Landscape Plan and Landscape Maintenance Schedule;
  - (b) Resolution of drainage requirements;
  - (c) Any conditions which may arise following submission of the above details; and
  - (d) the following conditions:
    1. That the development hereby granted shall be begun on or before the expiration of five years beginning with the date on which the planning permission is granted or deemed to have been granted.

Reason: Pursuant to Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997

2. That no development in connection with the permission hereby approved shall take place unless details of all the proposed means of enclosure to be provided in the proposed development have been

submitted to and approved in writing by the planning authority. The development shall be carried out in complete accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

3. That no works in connection with the development hereby approved shall take place 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:
  - (i) Existing and proposed finished ground levels relative to a fixed datum point;
  - (ii) Existing and proposed services including cables, pipelines and substations;
  - (iii) The location of new trees, shrubs, hedges, grassed areas and water features;
  - (iv) A schedule of plants to comprise species, plant sizes and proposed numbers and density;
  - (v) The location, design and materials of all hard landscaping works including walls, fences, gates and street furniture;
  - (vi) A programme for the completion and subsequent maintenance of the proposed landscaping

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. 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.

Reason: To ensure the implementation 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.

4. That no other works in connection with the development hereby approved shall take place unless the vehicular and pedestrian access and all parking and turning areas have been provided and surfaced in accordance with the approved details. The access shall be constructed to the current Aberdeenshire Council construction standards with entry radii of 10.7 metres, a minimum width of 6 metres and surfaced in bituminous macadam for the first 15 metres from the road. Once provided, all 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.

5. That to prevent noise nuisance as a result of the development the following controls are maintained and carried out in perpetuity.

- All noise reduction measures as detailed in the Vibrock Limited report dated 18 March 2008 should be installed on the southern boundary of the proposed development.
- There should be no unloading/loading of vehicles within the business' yard outwith the hours 7.00am – 5.00pm.
- Idling vehicle engines must be switched off when the vehicles are parked and not started until leaving the site.
- Reversing alarms on all vehicles (including forklift trucks) should not be audible outwith the boundary of the site.
- All doors and exits from the warehouse should be kept closed during operating hours.

Reason: In the interests of the amenity of the area and to protect the nearest noise sensitive dwellings from nuisance.

6. That the buildings hereby approved shall not be occupied unless 71 car parking spaces (to include five disabled spaces) and 6 cycle parking spaces have been provided. Once provided, the parking areas shall thereafter be permanently retained as such. The cycle parking spaces must be located close to the main entrance, lit and sheltered.

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

7. That after 6 months following occupation of the buildings hereby approved, an employee travel survey shall be carried out and submitted to the Council for approval. The Travel Plan must clearly demonstrate that the level of parking proposed can support the level of development proposed. Additionally a Travel Plan co-ordinator must be appointed and shall liaise with the Aberdeenshire Council Travel Planning Officer when discussing mode target setting.

Reason: In order to give further consideration to parking and public transport provision.

8. That no development in connection with the planning permission hereby approved shall take place unless full details of the proposed means of disposal of surface water from the development have been submitted to and approved in writing by the Planning Authority. Unless otherwise agreed in writing by the Planning Authority, surface water shall be disposed of via the use of Sustainable Urban Drainage Systems and the development shall not be occupied unless the agreed drainage system has been provided in its entirety.

Reason: To ensure the provision of an acceptable drainage system in the interests of the amenity of the area.

**C. Reference No: G/APP/2008/2634**

**Full Planning Permission for erection of 3 dwellinghouses (change of house types incorporating external steps and regrading to rear gardens) at Plots 9-11, Bogbeth Road Development, Kemnay, Inverurie**

**Applicant: Stewart Milne Homes, Osprey House, Mosscroft Avenue, Westhill**

The Committee **agreed** to defer consideration of the application for a site visit in order that the Members can get a perspective on the varying ground levels within the site.

**D. Reference No: G/APP/2008/0638**

**Full Planning Permission for extension to food store at Co-op Foodstore, Main Road, Blackburn**

**Applicant: Lothian, Borders & Angus Co-Operative Society Ltd, 46 Channel Street, Galashiels**

**Agent: AIM Chartered Architects, Castle Chambers, 26 Castle Street, Dundee**

The Committee **agreed** to defer consideration of the application for a site visit in order that Members can fully assess the traffic situation and the impact of the proposed changes to parking.

**E. Reference No: G/APP/2008/1480**

**Full Planning Permission for creation of new amenity area and change of use of existing amenity area to private garden ground at site at corner of Gean Drive & Willowgrove Drive, Blackburn**

**Applicant: Mr Thomas McMillan, 8 Willowgrove Drive, Blackburn**

The Committee **agreed** to refuse Full Planning Permission on the grounds that:-

1. The proposal would result in the loss of an area of valuable amenity open space and this would have an adverse effect on the amenity value of the existing children's play facility. The proposal is therefore contrary to Policy 16 Sport & Recreation Facilities as defined in the Aberdeen and Aberdeenshire Structure Plan 2001-2016 and Policy Env/7 Protected and other open areas in settlements as defined in the Aberdeenshire Local Plan 2006.
2. The proposal is likely to set a highly undesirable precedent for similar developments which in turn would thereby result in an incremental loss of public open space within surrounding residential areas to the detriment of residential amenity.

**F. Reference No: G/APP/2008/2280**

**Full Planning Permission for erection of wind turbine at Tesco Store, Harlaw Road, Inverurie**

**Applicant: Tesco Stores Ltd, Harlaw Road, Inverurie**

**Agent: Tnei Services Ltd, Millburn House, Dean Street, Newcastle Upon Tyne**

The Area Planning Officer indicated that a number of concerns had been raised by local residents and that the applicants had been asked to consider alternative locations for the turbine to see if a more suitable location could be established. However, no information had been provided and the Planning Service had taken the view that the visual impact of the turbine would not be detrimental when taken in context with the store and petrol station.

The Committee indicated its support for renewable energy, but indicated reservations about the positioning of the proposals. It was felt that the proximity to housing would be visually intrusive to those living nearby, particularly as their properties sat at a higher level than the site. Questions were asked about the choice of turbine and it was felt that more information

was required regarding the safety, energy contribution, the choice of turbine and the reasons for siting the windturbine in this position.

The Committee **agreed** to defer consideration of the application in order that further information can be provided by the applicants to:-

1. respond to the questions raised in paragraphs 6.5 and 6.6 of the report;
2. justify the location and the type of wind turbine proposed; and
3. request that the applicant's consider using the newer model of wind turbine.

**G. Reference No: G/APP/2008/2881**

**Full Planning Permission for erection of dwellinghouse and garage at land at Buchanstone, Oyne, Inch**

**Applicant: Mr Edward Colgen, Per Agent**  
**Agent: Rupleys LLP, Caledonian Exchange, 19A Canning Street, Edinburgh**

As previously indicated Councillor Grant declared an interest that she felt was clear and substantial and left the Council Chamber whilst the application was determined.

The Committee **agreed** to:-

1. defer consideration of the application for a site visit in order that Members can assess for themselves whether the Gadie Burn provides a mature landscape boundary to the site; and
2. hear from the parties who have requested to address the Committee at the meeting following the site visit.

**H. Reference No: G/APP/2008/2480**

**Full Planning Permission for erection of boundary wall and shed at Roslyn Cottage 19 High Street Kemnay Inverurie**

**Applicant: Dr Jones & Mr Peter Gedge, Roslyn Cottage, 19 High Street, Kemnay, Inverurie, AB51 5NB**  
**Agent: Eighty Seven, 87 North Deeside Road, Aberdeen**

The Planning Officer indicated that the unbuilt plot ratio would be 59% and that the height of the wall was not considered to be excessive or overbearing as that particular area of Kemnay was characterised by high density properties.

However, Councillors pointed out that this was a corner site in a traditional area of Kemnay and that they did not consider having a garden shed in the front garden was desirable. It was felt that the wall would have an overbearing effect and that the reduced usable garden space below minimum standards was not acceptable in this case.

The Committee **agreed** to refuse Full Planning Permission on the grounds that it is considered that:-

1. the scale and massing of the wall will have an overbearing effect; and
2. the plot ratio does not meet the Council minimum standards

and therefore the proposals do not comply with Policies Gen\2 and Appendix 1.

**I. Reference No: G/APP/2008/0932**

**Full Planning Permission for change of use of building (part public house and part private residence) to residential and extension to dwellinghouse at Midmar Inn, Midmar, Inverurie**

**Applicant: Mr D Cooper & Miss D Begg, Per Agent**

**Agent: Mr Matthew W Merchant, Silverbank, North Deeside Road, Banchory**

As previously indicated Councillor Raeburn declared an interest that he felt was clear and substantial and left the Council Chamber whilst the application was determined. Councillor Allan declared an interest, but continued to take a full part in determining the application.

The Area Planning Officer accepted that this was a contentious application that had attracted a significant amount of representation. She pointed out that the recommendation of the Planning Service hinged on the fact that the business was considered to be an important business and community facility and that any change of use would require the applicants to demonstrate that the business could not be marketed as a going concern. She highlighted the fact that the Scottish Government had accepted a community right to buy for the property.

The Committee agreed to allow parties to address the Committee.

David Smith of The Friends of Midmar Inn Ltd gave the Committee information about the reasons the community had sought the right to buy and the potential benefits of retaining the facility.

The Committee asked a number of questions relating to the viability of the business and the potential market that it would serve.

Mr Smith then returned to the public benches.

David Cooper, the applicant gave the Committee background to the history of the business and the difficulties they had in retaining it as a viable business given the significant investment required to bring it to current standard.

The Committee asked a number of questions about the viability of the business and what marketing had been undertaken.

Mr Cooper then returned to the public benches.

Some of the Committee were sympathetic to the difficulties faced by the applicants in operating a business in a rural location, but others pointed out that the opportunity to sell the business existed with the community buy out, which would allow for the business to remain. Some questions were asked about the reliability of the financial information provided within the report and some Councillors felt that more information should be sought regarding the viability of the business. The Area Planning Officer confirmed that the information contained within the report was accurately reported as it had been provided to the Service. Clarification was also sought about the implications of the community right to buy.

Councillor Stuart, seconded by Councillor Hood moved that consideration of the application be deferred in order that further information can be provided by the applicant regarding the viability of the business.

As an amendment, Councillor Kitts-Hayes, seconded by Councillors Cowling, moved that the application be refused for the reasons detailed in the report.

As a second amendment, Councillor Lonchay, seconded by Councillor Allan, moved that the application be granted subject to appropriate conditions on the grounds that it was accepted that the rural business was unsustainable and the proposals would allow the property to be properly maintained and upgraded. The proposals were therefore considered to comply with Policy Emp\1.

As there was no direct negation to the motion and in accordance with Standing Orders the Committee voted firstly on amendment 1 against amendment 2.

For amendment 1 (7) Councillors Kitts-Hayes, Cowling, Cullen, Ford, Hood, McKail and Saluja

For amendment 2 (6) Councillors Allan, Al-Kowarri, Cullinane, Grant, Lonchay and Stuart

Councillor Raeburn was absent from the division.

Therefore amendment 1 was carried and put against the motion.

For the motion (6) Councillors Allan, Al-Kowarri, Cullinane, Grant, Lonchay and Stuart

For amendment 1 (7) Councillors Kitts-Hayes, Cowling, Cullen, Ford, Hood, McKail and Saluja

Councillor Raeburn was absent from the division.

Therefore amendment 1 was carried and the Committee agreed to refuse Full Planning Permission for the following reason:-

It has not been demonstrated that the public house has been sufficiently and properly marketed as a business or as a site for employment use. The permanent loss of this employment use and community facility and associated loss of amenity that would be caused by the proposed change of use has not been sufficiently justified. The application is therefore unsustainable and contrary to Scottish Planning Policy 1 – The Planning System and Policy Emp\1 – Allocated and Existing Employment Land and Policy Gen\1 – Sustainability Principles of the Aberdeenshire Local Plan 2006.

**J. Reference No: G/APP/2008/0235**

**Full Planning Permission for erection of 5 flats at Crossroads Filling Station, Oldmeldrum Road, Newmachar, Aberdeen**

**Applicant: Mr Fergus Hood, 28 Panmure Gardens, Potterton, Aberdeen, AB23 8UG**  
**Agent: JamStudio Ltd, The Steading at Mossie, Fetternear, Inverurie**

As previously indicated Councillors Cullinane, Ford and Hood declared interests that they felt were clear and substantial and left the Council Chamber whilst the application was determined.

The Committee **agreed** that authority to grant Full Planning Permission be delegated to the Head of Development Management and Building Standards subject to:-

a) The satisfactory conclusion of developer contributions and;

b) The following conditions:

1. That the development hereby granted shall be begun on or before the expiration of five years beginning with the date on which the planning permission is granted or deemed to have been granted.

Reason: Pursuant to Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997.

2. That prior to the commencement of any building operations on the site, the Remedial Scheme for this site (as prepared by Remedios Ltd.) Report Reference 080152 of September 2008, shall have been carried out in its entirety to the satisfaction of the Planning Authority. Any areas of hardstanding and clean cover within the site boundary which are part of the Remedial Scheme and serve to provide a barrier to prevent contact with contaminants present in site soils, shall be retained in perpetuity. No disturbance to such areas shall take place without the written agreement of the Planning Authority.

Reason: In order to ensure the timely remediation of the site prior to its reuse for residential purposes, and ensure the future protection of local groundwater quality.

3. That prior to the completion of the development, the detailed Sustainable Drainage System (SuDS) shall be implemented to the satisfaction of the planning authority.

Reason: To ensure that the surface water drainage system can be provided within the site to the proposed standard.

4. All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. 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.

Reason: To ensure the implementation 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.

5. That the flats hereby approved shall not be occupied until such time as all off-street parking, footpaths and cycle racks have been fully constructed to the satisfaction of the planning authority.

Reason: To ensure the timely provision of these elements of the development.

6. That the access and surface and car parking area shall be surfaced with pavements and / or tarmac finishes prior to the occupation of the flats to the satisfaction of the planning authority.

Reason: To ensure that there is not any carriage of loose material onto the main public roadway.

7. That development hereby approved shall not be occupied until 1.8 metre high close boarded timber fencing has been erected along the full length of the north and southern boundaries of the site, as specified on the approved plan.

Reason: In the interests of the residential amenities of the area.