



**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**Application Reference: M/APP/2000/0003**

TO: Dr J Tyler  
Mains Of Tertowie  
Kinellar  
Aberdeenshire  
AB21 0TS

FOR: The Royal Deeside Railway Preservation Society

In pursuance of the powers exercised by them as Planning Authority, this Council having considered your application to carry out the following development:

**Full Planning Permission for Reinstatement of Railway, Erection of 2 Station Buildings, Maintenance and Storage Shed, Associated Engineering Works and Formation of Multi-purpose Path at Milton of Crathes, Crathes, Banchory**

and in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application, do hereby give notice of their decision to **GRANT Full Planning Permission** for the said development subject to compliance with the following condition(s):

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. All works shall be in accordance with the method statements set out in "Scope of Works and Risk Assessments" submitted by McIntosh Plant Hire (Aberdeen) Ltd and dated 24.01.05. In particular works in the vicinity of watercourses shall be carried out in dry weather and settlement tanks, straw mats and bales shall be used to prevent silt entering the watercourse. Bridge supports shall be set back from the banks, as shown on the approved plans and there shall be no modification of any channel. The Burn of Bennie shall remain passable to migratory fish at all times.

Reason: To protect the interests of the species and habitat of the River Dee Special Area of Conservation.

3. Prior to the commencement of development a plan detailing the phased development of the railway line shall be submitted to the Planning Authority and prior to the commencement of any phase of development relating to track

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laying including the closure of the track to public use, the entire replacement path and cross path linkages as identified on the approved plan, along that phase shall be constructed to the satisfaction of the Planning Authority.

Reason: To enable recreational access for all and ensure long term durability of the replacement path.

4. That the path as approved shall be constructed to a multi-user standard for use by pedestrians, cyclists, wheel chairs and child prams, to a Lowland Path Construction Standard as set out in Paths for All Partnership and BT Countryside for All Guidelines. The footpath shall be constructed to a minimum width of 2.5 metres of type 1 sub-base 250mm thick surfaced with 25mm quarry dust, not greater than 5mm, well rolled/vibrated in with a 1/40 camber or crossfall. Prior to the construction of any phase of the development relating to path construction, full and specific details of the path construction based exactly on the above specification and the appended guidance (Specifications 1 – 4) shall be submitted for the written approval of the Planning Authority and the path construction will be carried out in full accordance with the details so approved unless otherwise agreed in writing by the Planning Authority.

Reason: To enable recreational access for all and ensure long term durability of the replacement path.

5. All fencing shall be no higher than the minimum height acceptable to the Health and Safety Executive HM Railway Inspectorate, or in the case of other fencing 1.2 metres. There shall be no fencing on the outside of the path, away from the railway, anywhere West of the Burn of Benny Bridge, unless first approved in writing by the Planning Authority.

Reason: To enable recreational access for all and ensure long-term durability of the replacement path.

6. All fences shall be in accordance with the approved plan marked Item 2 unless an alternative is first approved in writing by the Planning Authority. Traditional vertically boarded picket fences shall be acceptable.

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

7. That prior to the commencement of development details shall be submitted demonstrating the satisfactory protection to be provided for path users during the construction work on track laying. These details should be submitted for the written approval of the Planning Authority in consultation with Transportation and Infrastructure.

Reason: In the interests of public safety.





8. That during construction work on track laying the developer shall implement the mitigating measures designed to ensure the minimisation of disturbance to adjacent residential properties as set out in the Environmental Impact Assessment and to the satisfaction of the Planning Authority in consultation with Environmental Services.

Reason: To protect the amenity and privacy of residential property.

9. That prior to the commencement of development the following shall be submitted for the approval of the Planning Authority:
- (i) full details of the standards of construction for and fencing of the path (to correspond with the above Condition no 3, Condition no 4 and Condition no 5 and condition no 6) and
  - (ii) details of the replacement linkages to points on the North side of the existing track.

The works shall be implemented in full accordance with the details submitted under (i) and (ii) above as may be so approved.

Reason: In the interests of public safety and to enable recreational access to all.

10. That prior to the commencement of their development samples of all external materials to be used in relation to the two station buildings and the carriage storage building shall be submitted for the consideration and written approval of the Planning Authority. For the avoidance of doubt, and notwithstanding the details shown on the submitted drawings, all roofs shall be dark grey in colour and white walls shall not be permitted. A railway corporate colour scheme for all buildings shall be submitted.

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

11. That prior to commencement of development of the A93 West Lodge layby area, including the access ramp and compound, full engineering drawings of the ramp, Scottish Water aquaduct protection and embankments, shall be submitted for the approval of the Planning Authority. The submission shall include a detailed plan for tree felling, protection and replanting at the locus.

Reason: To protect vital infrastructure and local amenity.

12. Prior to their implementation, the extent of any catering or retail facilities within the approved terminus buildings shall be submitted for the approval of the Planning Authority. For the avoidance of doubt, any additional structures for whatever purpose, shall require express planning permission.





Reason: In view of the ancillary nature of the visitor facilities and to maintain the primary permitted use of the building as a railway station.

13. Prior to the erection of any building, detailed plans of its precise position, including platforms, ramps, steps and drainage, shall be submitted for the approval of the Planning Authority.

Reason: To allow the Planning Authority to consider the details of the proposals in the interests of visual amenity and environmental protection.

14. Prior to the commencement of each phase a Drainage Impact Assessment in accordance with the Drainage Impact Assessment Guidance for Developers and Regulators (Aberdeenshire Council 2001) and the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland, CIRIA C521 2000 shall be submitted for the approval of the Planning authority in consultation with appropriate technical consultees. The scheme shall include arrangements for the satisfactory disposal of engine water and wash water unless these are directed to the mains sewer system. No silt or muddy waters shall be discharged to any watercourse and development shall be carried out in accordance with Environmental Protection Agency advice in PPG 6 Working at Construction and Demolition Sites.

Reason: To ensure that drainage infrastructure is installed to minimise the pollution and flooding of watercourses.

15. All waste materials shall be disposed of and all storage of fuel shall be carried out in accordance with the details set out in the consultation letter from Scottish Environmental Protection Agency (SEPA) dated 15th September 2000 to an appropriate licensed waste disposal site, including waste oil and clinker.

Reason: In the interests of environmental protection.

16. Any oil or fuel storage facility shall be fully bunded in accordance with standards set out by the Scottish Environmental Protection Agency (SEPA) PPG2, to the satisfaction of the Planning Authority in consultation with SEPA.

Reason: In the interests of environmental protection.

17. Prior to the commencement of development full details of any works compound shall be submitted for the approval of the Planning Authority.

Reason: In the interests of environmental protection and visual amenity.

18. Prior to the commencement of the relevant phase of track laying, full details of the following shall be submitted for the approval of the Planning Authority in





consultation with Aberdeenshire Council Transport and Infrastructure Service (Structures and Landscape Services) and Scottish Water:

- (i) The realignment of the track to avoid the Scottish water sewer between Kirklands and the Waste Water Treatment Plant
- (ii) The scheme for bridging the pumping station adjacent to the WWTP and
- (iii) The line of the multi-purpose path between the Waste Water Treatment Plant and the East-end of the caravan park, repositioning it on the existing line of the woodland path.

Reason: To protect vital infrastructure.

19. Prior to works commencing on Phase 2 of the multi-user path (layby to Inverey fishing hut), the applicant shall submit detailed plans of the pedestrian bridge over the Burn of Bennie, including span/rail height/member sizes/timber type. The bridge must be designed to carry 5 kilonewtons M2 (nominal) live loading. There must be a waterway area sufficient for 5 cumecs (200 year return period discharge) with clearance below soffit level of 500 mm. The bridge shall be installed entirely in accordance with the plans to be submitted and approved.

Reason: In the interests of public safety, the protection of the water environment and flood prevention.

20. Within two months prior to works commencing on Burn of Bennie Bridge, the structure shall be re-inspected by a competent bat worker and a report on the presence of any bats and measures to protect them or their roosts shall be submitted to and approved by the Planning Authority in consultation with Scottish Natural Heritage. No works shall take place until any recommended measures to protect the bats and their roosts have been implemented in accordance with the appropriate Special License from the Scottish Executive.

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

21. Prior to the erection of any signs, a comprehensive scheme of signage shall be submitted for the approval of the Planning Authority. (Please note that signs other than for the purposes of warning are subject to express Advertising Consent). A sign prohibiting any access to the railway via Kirklands at Station Road and directing traffic to the Glebe, shall be erected prior to that phase of the railway coming into use, in consultation with the Transport and Infrastructure (Roads Service). All publicity material and timetables shall direct car users to the Milton of Crathes and shall indicate that the Glebe car park and Kirklands access is not available to visitors to the railway.

Reason: In the interests of visual amenity, road safety and the amenity and privacy of nearby residential property.





22. In the event that the railway ceases to function and closes for use by rolling stock, the track shall be lifted and removed from the site and the trackbed reinstated to a hardcore surface, to the satisfaction of the Planning Authority, within 3 months of the closure.

Reason: In the interests of visual amenity and to prevent the pollution of ground water.

23. That the hours of commercial operation of the Railway shall be 10am - 8pm unless otherwise agreed in writing with the Planning Authority in consultation with Environmental Services.

Reason: In the interests of the amenity of nearby residential property.

24. That no loading/unloading of rolling stock or maintenance activity shall be permitted outwith the hours of 8am - 8pm unless otherwise agreed in writing with the Planning Authority in consultation with the Environmental Services.

Reason: In the interests of the amenity of nearby residential property.

25. The site shall be prepared and maintained in accordance with the Woodland Management Scheme and Ecology Habitat and Conservation Plans dated 2004. Prior to the commencement of development of each phase details of specific tree works, replanting, landscaping, tree protection and habitat management shall be submitted to the Planning Authority and approved on site by the Planning Authority Natural Environment Service.

Reason: In the interests of visual amenity and the environmental management of trees, woodland and ground habitat within the site area.

Dated: 21/12/2006

**Acting Head of Development Control and Building Standards**

For details of how to appeal to Scottish Ministers  
against any conditions please see attached notes.