

## ABERDEENSHIRE COUNCIL

### BANFF AND BUCHAN AREA COMMITTEE FRASERBURGH COMMUNITY AND SPORTS CENTRE, MACONOCHIE PLACE, FRASERBURGH - 20 AUGUST 2019

**Present:** Councillors A Kille (Chair), C C Buchan, R A Cassie, J B Cox, M A Findlater, G Reynolds, D Mair, M J Roy and B A Topping (up to and including Item 8)

**Officers:** Mrs A Keith, Interim Area Manager; Miss F M Stewart, Senior Solicitor; Mr J Martin, Senior Planner; Miss J Weir, Senior Planner; Mr D McDonald, Industry Support Executive; Ms F Chirside, Environment Planner; Mr A Sheridan, Waste Team Manager; Mrs M Geddes, Location Manager; Mr P Wood, Quality Improvement Manager; Mr P Whalley, Early Years Estate Manager; Mr L Dougall, Area Estates Surveyor and Mrs E M Farquhar, Committee Officer

**In attendance:** Mr C Shand, Station Manager, Scottish Fire and Rescue Service

### ANNOUNCEMENT

The Committee **noted** a press release in respect of a recent inspection of Durnhythe Care Home and requested that a report be submitted to the next meeting of the Area Committee giving details of the recent inspection and the action planned to mitigate the issues identified.

#### 1. DECLARATION OF MEMBERS' INTERESTS

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

Item 7 Councillor Mair **declared an interest** by virtue of the fact that she is a Fraserburgh Harbour Commissioner and, having applied the objective test, concluded that she would leave the meeting and take no part in the item.

Item 9 Councillor Cox **declared an interest** by virtue of the fact that he is a friend of the objector to the proposal and, having applied the objective test, concluded that he would leave the meeting and take no part in the item.

Item 12 Councillor Cox **declared an interest** by virtue of the fact that his wife is currently depute head teacher at Aberchirder Primary school and, having applied the objective test, concluded that he would leave the meeting and take no part in the item.

Item 15 Councillor Cox **declared an interest** by virtue of the fact that he works in the locality but, having applied the objective test, concluded that the interest was not clear and substantial and therefore he would remain in the meeting and take part in the item.

## 2. RESOLUTION

### A. STATEMENT OF EQUALITIES

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

1. to have due regard to the need to:
  - (a) eliminate discrimination, harassment and victimisation;
  - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
  - (c) foster good relations between those who share a protected characteristic and persons who do not share it.
2. where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

### B. EXEMPT INFORMATION

The Committee **agreed** under Section 50A (4) and (5) of the local Government (Scotland) Act 1973, as amended, that the public and media representatives be excluded from the meeting for Items 14 and 15 of the business on the grounds that these items involved the likely disclosure of exempt information of the class described in Paragraphs 8 and 9 of Part 1 of Schedule 7A of the Act.

## 3. MINUTE OF MEETING OF 18 JUNE 2019

The minute of meeting of 18 June 2019 had been circulated.

The Committee **agreed to approve** the minute as a correct record of the meeting.

## 4. LIST OF OUTSTANDING BUSINESS AT 20 AUGUST 2019

A list of outstanding business at 20 August 2019 had been circulated.

The Committee **noted** the list of outstanding business.

## 5. SCOTTISH FIRE AND RESCUE SERVICE - QUARTERLY PERFORMANCE REPORT 01 APRIL TO 30 JUNE 2019

A joint report from the Local Senior Officer and the Director of Business Services had been circulated to inform the Committee of how the Scottish Fire and Rescue Service is performing locally against key SFRS priorities and the Multi-Member Ward Plan.

The Committee expressed appreciation for the work carried out by the local Scottish Fire and Rescue Service officers and **noted**:

1. the performance report relating to the period 01 April to 30 June 2019, and
2. the local operational matters detailed, together with key resource issues.

## 6. PLANNING APPLICATIONS FOR CONSIDERATION

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

A	Reference No APP/2019/0699	Full Planning Permission for Erection of Dwellinghouse and Commercial Storage Building at Site to East of Redhythe Farm, Portsoy, Banff
B	Reference No APP/2019/1278	Full Planning Permission to Widen Access to form Vehicular Access and Formation of Parking Area (Retrospective) at Fordyce Parish Church Hall, Seafield Street, Portsoy
C	Reference No APP/2019/0462	Full Planning Permission for Erection of 3 Dwellinghouses and 12 Flats at Site at 39 North Street, Aberchirder
D	Reference No APP/2019/0454	Full Planning Permission for Erection of Dwellinghouse at Plot 89 Ladysbridge, 15 Fife Court, Ladysbridge, Banff
E	Reference No APP/2019/0598	Planning Permission in Principle for Erection of Dwellinghouse and Detached Garage at Land to the West of Penelopefield Farmhouse, Carnousie, Turriff
F	Reference No APP/2019/0820	Planning Permission in Principle for Erection of Dwellinghouse at Site at Cairnhill, Forglen, Turriff
G	Reference No APP/2019/1366	Planning Permission in Principle for Erection of Dwellinghouse, Formation of Vehicular Access and Formation of Public Footpath. Cycle Path at Site to the North of Knowhead, Gardenstown, Banff
H	Reference No APP/2019/1265	Planning Permission in Principle for Erection of Dwellinghouse at Land to the North of Headroom House, Fraserburgh
I	Reference No APP/2019/1055	Approval of Matters Specified for Condition 1 ((a) Siting, Design, Layout, External Appearance, Finishes, Waste Bin Uplift Area, Driveway, Vehicle Parking and Turning Area; (b) Means of Access including Visibility Splays and Vehicle Lay By at Public Road; (c) Landscaping; (d) Levels Survey and Cross Sections of Planning Permission APP/2017/0022 Demolition of Buildings and Erection of 3 Dwellinghouses at Plot 2, Land at Flushing Farm, Rathen Road, Inverallochy
J	Reference No APP/2019/0589	Full Planning Permission for Erection of Dwellinghouse and Garage at Site Adjacent to St Inver, St Combs, Fraserburgh

## 7. MASTERPLAN FOR FRASERBURGH HARBOUR - REFERENCE NO ENQ/2019/1076

A report dated 30 July 2019 from the Director of Infrastructure Services had been circulated seeking to ask the Committee to approve the Fraserburgh Harbour Masterplan.

The Committee **agreed** that the Fraserburgh Harbour Masterplan be approved as planning advice to be used as a material consideration in the determination of any future planning application on this site.

## 8. RESPONSE TO SCOTTISH GOVERNMENT CONSULTATION ON PROPOSALS TO DESIGNATE NEW MARINE PROTECTED AREAS IN SCOTTISH WATERS

A Report dated 30 July 2019 from the Director of Infrastructure Services had been circulated to ask the Committee to consider and provide feedback on the draft response to be made to the Scottish Government.

The Committee:

1. **agreed** that the words "In passing" be removed from Response 4 in the appendix to the report,
2. **agreed** that there should be emphasis on the fact that Fraserburgh is a major port,
3. **agreed** that the figures stated needed to be more specific,
4. **agreed** to make the following comments:

Clarification should be sought on:

- A) the extent of the pMPA - how close to shore does it come and will harbour limits be excluded?
- B) what effect will the pMPA have on existing and future dredge licenses and disposal sites?
- C) what effect will the pMPA have on any construction/repair works at the harbours? (potential for increases in marine noise and silting up of marine environment for duration of works)
- D) What effect will the pMPA have on fishing? Will there be displacement?
- E) Will boats still be able to trawl for prawns, squid and other species? Will it impact the smaller crab and lobster fisheries? Will there be restricted fishing areas?
- G) Whether a Fisheries Management Plan will be drawn up to balance conservation, fishing and other marine interests if the Southern Trench is designated as a Marine Protected Area
- H) Will there be mitigation for our coastal communities? Some economic losses for the fishing industry are anticipated but the range of potential socio-economic impact estimates presented in the Business and Regulatory Impact Assessment is very broad and rather unclear. It is also acknowledged that the benefits arising from designation are hard to quantify. A series of accurate baseline economic performance indicators should therefore be established prior to designation for offshore and onshore sectors likely to be affected, and those indicators should be

subject to periodic review and assessment against the baseline to ensure a fair balance is achieved between economic activity and conservation objectives.

- l) The extent of the Southern Trench pMPA is 2536km<sup>2</sup>. Will any restrictions imposed upon fishing activity within the pMPA be confined only to those areas for which clear and current evidence exists?
5. **noted** that the Infrastructure Services Committee will be asked to provide feedback on the draft response and delegate authority to the Head of Economic Development and Protective Services, following consultation with the Chair, Vice-Chair and Opposition Spokesperson, to submit the final response to the Scottish Government by 30<sup>th</sup> August 2019.

**Councillor Topping left the meeting at this point.**

#### **9. ABERDEENSHIRE COUNCIL TREE PRESERVATION ORDER REVIEW AC TPRO (B&BDC) 15 (2019) CORTES HOUSE, RATHEN**

A report dated 29 July 2019 from the Director of Infrastructure Services had been circulated to ask the Committee to confirm a Revocation Order.

The Committee:

1. did not **agree** to confirm the Revocation Order to revoke the existing Tree Preservation Order on woodland surrounding Cortes House, Rathen, and
2. **agreed to retain** the current Tree Preservation Order, re-made in a new form, as they felt that the TPO provided greater protection.

**The Committee agreed to suspend Standing Order 2.1.3 to allow the Committee to continue with the agenda after 5.00pm.**

#### **10. WASTE MANAGEMENT - LITTER PREVENTION ACTION PLAN AND ASSOCIATED STREET CLEANSING POLICY AND PROCEDURES**

A report dated 31 July 2019 from the Director of Infrastructure Services had been circulated to ask the Committee to consider the report and provide comments on the proposed Litter Prevention Action Plan and associated Policy and Procedures in relation to street cleansing.

The Committee **agreed** to provide the following comments to the Infrastructure Services Committee:

- a) There should be less strategies and more action,
- b) There should be more enforcement in terms of littering and dog fouling,
- c) Litter bins should be reinstated into larger laybys as there is a significant escalation of rubbish along roadsides,
- d) Consideration should be given to erecting notices on some roads, detailing the amount of litter collected over a specified period. For transparency, consideration should also be given to detailing the costs of collecting this litter, given this is at the expense of the public purse and to try to encourage people not to drop litter.

- e) There is too much “silo working”. A one-Aberdeenshire approach is needed to ensure our services are working together so that services are not omitted or duplicated.
- f) Policies should be more succinct.

#### **11. ABERDEENSHIRE HEALTH AND SOCIAL CARE PARTNERSHIP PERFORMANCE AND OUTCOMES FRAMEWORK, QUARTER 4 REPORTING JANUARY TO MARCH 2019**

A report dated 25 July 2019 from the Chief Officer, Aberdeenshire Health and Social Care Partnership to provide the Committee with details on the performance of the IJB in the period January to March 2019 and to ask for feedback and/or comment.

The Committee **noted** the terms of the report and **agreed** to make the following comments:

1. Councillors did not understand the reason for the “amber” rating as targets were either met, or not met, and
2. Priority 13 - Percentage of people seen within 4 hours within community hospital minor injury units - Councillors asked whether this related only to people who were attending or if it included those who had been redirected elsewhere.

#### **12. ABERCHIRDER SCHOOL SUPPORT**

With reference to Branch 6 of the Minute of meeting of 28 May 2019, a report dated 01 August 2019 from the Director of Education and Children’s Services had been circulated to provide details of the support provided to the school, by the Service, over the last five years and during the inspection process.

The Committee:

1. **noted** the terms of the report, and
2. **agreed** to endorse the Service’s continuing efforts to support Aberchirder school in the Education Scotland inspection process and in the raising of standards of attainment and achievement in all aspects of school life.

#### **13. COMMUNITY COUNCIL PROJECT GRANT ALLOCATION (SECOND TRANCHE)**

A report dated 30 July 2019 from the Director of Education and Children’s Services had been circulated to ask the Committee to consider an application for funding from the Community Council Project Grant 2019/2020.

The Committee **agreed** that the £318 remaining in the fund be allocated to Invercairn Community Council to enable it to ascertain the ownership of a piece of land which would be the first stage towards the formation of a walking/cycle path between Cairnbulg and Fraserburgh utilising an old railway line.

#### **14. ANNUAL PROCUREMENT WORK PLAN FOR EDUCATION AND CHILDREN’S SERVICES DIRECTORATE - PROCUREMENT APPROVAL**

A report dated 25 June 2019 from the Director of Education and Children’s Services had been circulated to ask the Committee to consider the Directorate Workplan as detailed in the report.

The Committee considered the Directorate Work Plan as detailed in the report, and **agreed**:

1. to approve the item on the workplan identified as falling within the remit of the Committee, and
2. to approve the business case as detailed in the report.

## 15. ESTATES NON-OPERATIONAL PORTFOLIO DEVELOPMENT

A report dated 04 June 2019 from the Director of Business Services had been circulated to ask the Committee to consider the estates non-operational portfolio, provide comment, and approve projects and business cases.

The Committee:

1. **agreed** to provide the following comments to the Business Services Committee:
  - Consideration should be given to the provision of more start-up and bigger units for Fraserburgh as there is already a long waiting list.
  - More detail is required to be provided in the business cases to enable Councillors to make properly informed decisions.
2. in relation to the Banff and Buchan Area Projects **agreed**:-
  - (a) Banff Tannery Street - to defer consideration of this project to allow officers to discuss, with the other two landowners, the feasibility of working together to create a masterplan before any further decisions are taken in regard to this site,
  - (b) Old Market Place/Bridge Road, Banff - to **note** the project.
  - (c) Macduff, Tarlair Industrial Estate - to **note** the project.
  - (d) Macduff, Tarlair Business Park - to **note** the project.
  - (e) Macduff, Mill Street/Manner Street - to **note** the project.
  - (f) Fraserburgh, Kessock Industrial Estate, Unit 14/14a - to **approve** the project.
  - (g) Fraserburgh, Kessock Industrial Estate and Listed Building - to **approve** the project
  - (h) Fraserburgh, Fairney - to **note** the project
  - (i) Fraserburgh, Gateway Site, South Harbour Road - to **note** the project,
3. to **approve** Fraserburgh Kessock Industrial Estate PH3 Demolition of Listed Building and Kessock Industrial Estate, Unit 14 as outlined in Appendix 3 to the report,
4. to **defer** the business case for Tannery Street, Banff for further detailed information, in conjunction with 2A above
5. In relation to Unit 14, Kessock business case, Councillor Cassie, seconded by Councillor Kille **moved** that this be deferred until the next meeting to enable further details to be provided to allow a more informed decision.

**As an amendment**, Councillor Buchan, seconded by Councillor Mair **moved** that the business case for Unit 14, Kessock be approved.

Members of the Committee voted:

For the motion	4	Councillors Cassie, Cox, Kille and Roy
For the amendment	5	Councillors Buchan, Findlater, Mair, Partridge, and Reynolds
Absent from the vote	1	Councillor Topping

The Chairman **declared the amendment** carried in the following terms:

that the business case for Unit 14, Kessock be approved.

Councillor Cassie **entered his dissent** in terms of Standing Order 5.2.7.

**Councillor Presiding over meeting**

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

## APPENDIX A

### PLANNING APPLICATION FOR DECISION

6A REFERENCE NO APP/2019/0699

#### FULL PLANNING PERMISSION FOR ERECTION OF DWELLINGHOUSE AND COMMERCIAL STORAGE BUILDING AT SITE TO EAST OF REDHYTHE FARM, PORTSOY, BANFF

**Applicant:** Mr Stephen Innes

**Agent:** Mr Neil Gray

A report dated 24 July 2019 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mr Neil Gray, applicant's agent, in support of the application.

Thereafter, Councillor Cox, seconded by Councillor Reynolds **moved** that, in the event of confirmation that the proposed private water supply is adequate to serve the proposed development and is safe to be consumed as drinking water, in compliance with Policy RD1, the application be delegated to the Head of Planning and Building Services to approve on appropriate conditions.

**As an amendment** Councillor Kille, seconded by Councillor Roy **moved** that consideration of the application be deferred pending confirmation that the proposed private water supply is adequate to serve the proposed development and is safe to be consumed as drinking water, in compliance with Policy RD1.

Members of the Committee voted:

For the motion	6	Councillors Buchan, Cox, Findlater, Mair, Partridge and Reynolds,
For the amendment	4	Councillors Cassie, Kille, Roy and Topping

The Chairman **declared the motion carried** in the following terms:

that, in the event of confirmation that the proposed private water supply is adequate to serve the

proposed development and is safe to be consumed as drinking water, in compliance with Policy RD1, the application be delegated to the Head of Planning and Building Services to approve on appropriate conditions.

The Committee's reasons for departure from the valid Local Development Plan were that:

1. the proposed development is in the regeneration area and Policy R2 clearly encourages growth,
2. the development would support the wider aspects of the community by helping to sustain local businesses, and
3. no objections or adverse comments from consultees had been received.

### **6B REFERENCE NO APP/2019/1278**

#### **FULL PLANNING PERMISSION TO WIDEN ACCESS TO FORM VEHICULAR ACCESS AND FORMATION OF PARKING AREA (RETROSPECTIVE) AT FORDYCE PARISH CHURCH HALL, SEAFIELD STREET, PORTSOY**

**Applicant:** Portsoy Church Hall Committee  
**Agent:** Michael Ritchie

A report dated 06 August 2019 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mr Michael Ritchie, applicant's agent, in support of the application.

Thereafter, the Committee **agreed to approve** the application, with no conditions, and for the following reason:

1. The application complies with Policy P1: Layout, siting and design, Policy HE1: Protecting historic buildings, sites, and monuments, Policy HE2: Protecting historic and cultural Areas of the Aberdeenshire Local Development Plan 2017 as the proposal would not have an adverse impact upon the character or setting of the adjacent listed building of Fordyce Parish Church Hall, nor the surrounding Portsoy Conservation Area. The proposal also creates an access compliant with Policy RD1: Providing suitable services.

### **6C REFERENCE NO APP/2019/0462**

#### **FULL PLANNING PERMISSION FOR ERECTION OF 3 DWELLINGHOUSES AND 12 FLATS AT SITE AT 39 NORTH STREET, ABERCHIRDER**

**Applicant:** Mr Derek Hunter  
**Agent:** A J Rennie (Builders) Ltd

A report dated 05 August 2019 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mr Derek Hunter (applicant) and Mr Neil Gray (applicant's agent) in support of the application.

Thereafter, the Committee **agreed**, in the event of satisfactory conclusion of developer obligations, to delegate the application to the Head of Planning and Building Standards to

approve on appropriate conditions.

The Committee's reasons for departure from the valid Local Development Plan were that:

1. the proposed development would tidy up a site which had lain derelict for many years,
2. there would be no adverse impact on the setting,
3. there was a need for one-bedroomed houses in Aberchirder, and
4. the community was fully supportive of the application.

#### 6D REFERENCE NO APP/2019/0454

**Applicant:** Ladysbridge Village Ltd

**Agent:** Alasdair Ramsay

A report dated 16 May 2019 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

Councillor Cox, seconded by Councillor Cassie, moved that consideration of the application be deferred until the next meeting of the Committee to enable Members of the Committee to visit the site of the application to allow them to have a better understanding of the potential impact that this additional house could have on the other houses in terms of overbearing and overshadowing.

**As an amendment** Councillor Findlater, seconded by Councillor Kille **moved** that the application be refused for the following reasons:

1. The application is contrary to Policy P1 Layout, siting and design of the Aberdeenshire Local Development Plan 2017 as the proposed development would have an unacceptable adverse impact upon the amenity of existing residential properties by means of overbearing and overshadowing.

**As a second amendment**, Councillor Reynolds, seconded by Councillor Partridge **moved** that, in the event of satisfactory conclusion of developer obligations, the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions.

On a division between the first and second amendments, Members of the Committee voted:

For the 1 <sup>st</sup> amendment	6	Councillors Buchan, Findlater, Kille, Mair, Roy and Topping
For the 2 <sup>nd</sup> amendment	3	Councillors Cox, Partridge and Reynolds
No vote	1	Councillor Cassie

The Chairman **declared the first amendment carried.**

On a division between the motion and the first amendment, Members of the Committee voted:

For the motion	5	Councillors Cassie, Cox, Mair, Partridge and Reynolds
For the amendment	5	Councillors Buchan, Findlater, Kille, Roy and Topping

The Chairman **exercised his casting vote** in favour of the amendment in the following terms:

that the application be refused for the following reasons:

1. The application is contrary to Policy P1 Layout, siting and design of the Aberdeenshire Local Development Plan 2017 as the proposed development would have an unacceptable adverse impact upon the amenity of existing residential properties by means of overbearing and overshadowing.

#### **6E REFERENCE NO APP/2019/0598**

#### **PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF DWELLINGHOUSE AND DETACHED GARAGE AT LAND TO THE WEST OF PENELOPEFIELD FARMHOUSE, CARNOUSIE, TURRIFF**

**Applicant: Mrs Patricia Steele**  
**Agent: David Meldrum**

A report dated 26 July 2019 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mr David Meldrum, applicant's agent, in support of the application.

Thereafter, the Committee **agreed to defer** consideration of the application until the next meeting of the Committee to enable Members of the Committee to visit the site of the application to allow them to better assess the potential impact of the proposed development on the character of the Deveron Valley Special Landscape Area.

#### **6F REFERENCE NO APP/2019/0820**

#### **PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF DWELLINGHOUSE AT SITE AT CAIRNHILL, FORGLEN, TURRIFF**

**Applicant: Mr C Geddes**  
**Agent: Michael Ritchie**

A report dated 01 August 2019 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mr Michael Ritchie, applicant's agent, in support of the application.

Thereafter the Committee **agreed to defer** consideration of the application until the next meeting of the Committee to enable Members of the Committee to visit the site of the application (a) to allow them to assess whether the application meets any of the criteria set out in Policy R2 and, (b) to enable the applicant to provide further information in terms of viability and business plans.

#### **6G REFERENCE NO APP/2019/1366**

**PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF DWELLINGHOUSE,  
FORMATION OF VEHICULAR ACCESS AND FORMATION OF PUBLIC  
FOOTPATH/CYCLE PATH AT SITE TO NORTH OF KNOWHEAD, GARDENSTOWN,  
BANFF**

**Applicant: Crovie Farm**  
**Agent: Ryan Urquhart**

A report dated 26 July 2019 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mr Ryan Urquhart, applicant's agent, in support of the application.

Thereafter, the Committee **agreed** to delegate the application to the Head of Planning and Building Standards to approve on appropriate conditions.

The Committee's reasons for departure from the valid Local Development Plan were that:

1. the area of land was not considered to be prime agricultural land, and
2. the proposed development would not have an adverse impact on the residential amenity of the area, and falls within the 200m buffer from the Gardenstown settlement boundary for "organic growth".

**6H REFERENCE NO APP/2019/1265**

**PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF DWELLINGHOUSE AT LAND  
TO NORTH OF HEADROOM HOUSE, FRASERBURGH**

**Applicant: Mr and Mrs J Gibb**  
**Agent: Andrew Patterson**

A report dated 26 July 2019 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

Councillor Partridge, seconded by Councillor Findlater **moved** that the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions as the proposed development was considered to be an appropriate addition to a cluster of at least five houses and the design was in keeping with the surrounding area.

**As an amendment**, Councillor Kille, seconded by Councillor Topping **moved** that the application be refused for the following reasons:

1. The proposed development is contrary to Policy R2 Housing and employment development elsewhere in the countryside, as contained in the Aberdeenshire Local Development Plan 2017, as the proposed dwelling house fails to meet the criteria set out in the policy, in that:
  - a) It is not of a type that would be permissible in the green belt;
  - b) It does not contribute to the growth of a settlement identified in Appendix 4;
  - c) It is not associated with the retirement succession of a viable farm holding;
  - d) It is not for the refurbishment or replacement of an existing or disused building, or remediation of redundant brownfield land opportunities;
  - e) It is not an employment development proposal;
  - f) It is not an appropriate addition to a cluster or group of at least 5 houses.

2. The proposed development is contrary to Policy P1 Layout, siting and design of the Aberdeenshire Local Development Plan 2017, in that it is deemed the size of the proposed site is well in excess of what is required for a single house and is out of keeping with the existing pattern of development in the immediate area in terms of overall scale.

Members of the Committee voted:

For the motion	6	Councillors Cassie, Cox, Findlater, Mair, Partridge and Reynolds
For the amendment	4	Councillors Buchan, Kille, Roy and Topping

The Chairman **declared the motion carried** in the following terms:

that the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions as the proposed development is considered to be an appropriate addition to a cluster of at least five houses and the design is in keeping with the surrounding area.

#### **6I REFERENCE NO APP/2019/1055**

**APPROVAL OF MATTERS SPECIFIED FOR CONDITION 1 ((A) SITING, DESIGN, LAYOUT, EXTERNAL APPEARANCE, FINISHES, WASTE BIN UPLIFT AREA, DRIVEWAY, VEHICLE PARKING AND TURNING AREA; (B) MEANS OF ACCESS INCLUDING VISIBILITY SPLAYS AND VEHICLE LAY BY AT PUBLIC ROAD; (C) LANDSCAPING; (D) LEVELS SURVEY AND CROSS SECTIONS OF PLANNING PERMISSION APP/2017/0022 DEMOLITION OF BUILDING AND ERECTION OF 3 DWELLINGHOUSES AT PLOT 2, LAND AT FLUSHING FARM, RATHEN ROAD, INVERALLOCHY**

**Applicant: Mr and Mrs M Strachan**

**Agent: Ryan Urquhart**

A report dated 06 August 2019 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mr Michael Strachan, applicant and Mr Ryan Urquhart, applicant's agent in support of the application.

Thereafter, the Committee **agreed** to delegate the application to the Head of Planning and Building Standards to approve on appropriate conditions.

The Committee's reasons for departure from the valid Local Development Plan were that the design and scale of the house are suitable for the area and will be an appropriate part of the holistic growth of the village.

#### **6J REFERENCE NO APP/2019/0589**

**FULL PLANNING PERMISSION FOR ERECTION OF DWELLINGHOUSE AND GARAGE AT SITE ADJACENT TO ST INVER, ST COMBS, FRASERBURGH**

**Applicant: Alexander Buchan & Sons Limited**

**Agent: Mr Gordon Cowie**

A report dated 26 July 2019 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mr Stuart Buchan, applicant, in support of the application.

Thereafter, the Committee **agreed to defer** consideration of the application until the next meeting of the Committee to enable the applicant to provide a drainage certificate to demonstrate that the proposed development can be satisfactorily serviced and will not adversely affect the amenities of the surrounding area.