

**ABERDEENSHIRE COUNCIL**  
**FORMARTINE AREA COMMITTEE**

**THE BADEN POWELL CENTRE, BADEN POWELL ROAD, TURRIFF, 19  
NOVEMBER 2019**

**Present:** Councillors I Davidson (Chair), A Duncan, A Forsyth, J Gifford, A Hassan, A Kloppert, G Owen, A Stirling and I Taylor

**Apologies:** Cllrs K Adam, P Johnston and R Thomson

**Officers:** E Brown (Formartine Area Manager), C Young (Area Committee Officer), L Cowie (Principal Solicitor, Legal & Governance), J Wheeler (Senior Planner, Infrastructure Services), G Steel (Principal Engineer, Infrastructure Services), K Clark (Roads Development and Transportation Principal Engineer, Infrastructure Services) and P Whalley (Early Years Estate Manager, Education and Children's Services).

**1. DECLARATION OF MEMBERS' INTERESTS**

Members confirmed that they had no interests to declare in terms of the Councillors' Code of Conduct.

**2. RESOLUTIONS**

**a) 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 regard to the need to:-
  - (i) eliminate discrimination, harassment and victimisation;
  - (ii) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
  - (iii) 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 its decision.

**b) Exempt Information**

The Committee **agreed** that under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the Meeting for Items 8 and 9 of the business on the grounds that they involve 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 29 OCTOBER, 2019

The Committee had before them, and **approved** as a correct record, the minute of the meeting of 29 October, 2019.

### 4. PLANNING APPLICATIONS FOR DETERMINATION

The following planning applications were considered along with any representations received in each case and were dealt with as recorded in Appendix A.

	<b>Application No</b>	<b>Description</b>	<b>Decision</b>
<b>A.</b>	APP/2019/1294	Full Planning Permission for Erection of 9 Dwellinghouses (Change of House Types to Planning Permission Reference APP/2018/1262) at Site Adjacent to Presly Avenue, Tarves	Refuse
<b>B.</b>	APP/2018/1815	Full Planning Permission for Formation of Mini Transport Hub (40 Car Parking Spaces) with Cycle Storage, Formation of 2 Bus Lay-bys with Bus Shelters and Realignment of Paths at Land at Chapelpark, Oldmeldrum	Delegated Grant

### 5. LOCAL REVIEW BODY, REVIEW DECISION NOTICE FOR LRB 466 - PLANNING REF: APP/2019/0654 – LAND TO THE NORTH OF THISTLE DOO, HILLHEAD OF LITTERTY, CUMINESTOWN, TURRIFF

There had been circulated and was **noted** a Review Decision Notice dated 17 October, 2019, advising that the Local Review Body agreed with the determination reviewed by it and refused Full Planning Permission in accordance with the Appointed Officer's decision, as set out within the notice.

The salient points to be acknowledged by the Committee and the Service had been outlined within the information provided to the Members.

### 6. SCRUTINY AT ABERDEENSHIRE – UPDATE ON PROGRESS WITH STAGE 2 WORKSHOP REGARDING POLICIES RELATED TO TRAFFIC MANAGEMENT AND TRAFFIC CALMING IN VILLAGES AND TOWNS

There had been circulated a report dated 4 November, 2019 by the Director of Business Services which updated the Committee on the proposed timescales for the Stage 2 workshop that had been requested regarding policies relating to traffic management and traffic calming in villages and towns.

Following discussion, the Committee **noted** that the Stage 2 workshop would take place in January 2020 and **requested** that the following matters be considered at the event:-

1. A copy of the current relevant policies with tracked amendments detailing any recent updates,

2. Consultation with Formartine members on the Assessment of Speed Limits Policy and the Pedestrian Crossing Assessment Policy, as raised at the Formartine Area Committee on 24 September, 2019, or details of how any amendments could be challenged in terms of governance,
3. The impact of lower speed limits and traffic calming on pollution,
4. Enforcement and how this could be better managed,
5. Prioritisation of weighting of the different roads policies,
6. Examples of variances of policy implementation across different parts of Scotland and the reasons why this is the case,
7. Circumstances for not using a policy, and
8. Details of when the strategic functions of a road are reviewed, how is it done and whether there is consultation.

## 7. STATEMENT OF OUTSTANDING BUSINESS

The Committee had before them and **noted** a report by the Formartine Area Manager, updating on matters that had previously been discussed by the Committee but remained to be resolved.

Further, the Committee provided the following **comments**:-

1. The Parental Engagement Support Hub Aberdeenshire team should bring a report back to the Formartine Area Committee on the implementation of the strategy and the clear and measurable performance indicators, for scrutiny purposes, and
2. A meeting with Brewdog is still desired to discuss plans for the future and to look at possible joint working for the benefit of the town.

## 8. SUPPLEMENTARY ANNUAL WORK PLAN FOR EDUCATION AND CHILDREN'S SERVICES DIRECTORATE – PROCUREMENT APPROVAL

There had been circulated a report dated 24 September, 2019 by the Director of Education and Children's Services which sought approval of an Education and Children's Services Supplementary Work Plan for an 1140 related enhancement project at Turriff Primary School Nursery.

The members thanked officers for the very comprehensive report and thereafter:-

- (1) **Approved** the Education and Children's Services Supplementary Work Plan for an 1140 related enhancement project at Turriff Primary School Nursery, and
- (2) **Requested** that regular updates be provided to the Formartine Area Committee, to track the outcomes and to demonstrate how this work ties in with the wider child poverty agenda.

## 9. PROPOSED PURCHASE OF LAND IN ELLON FOR NEW CEMETERY

There had been circulated a report dated 25 October, 2019 by the Director of Business Services which sought approval to purchase land at Auchterellon, required for the development of a new cemetery.

Following consideration of the information provided, the Committee:-

- (1) **Instructed** officers to complete the purchase of land at Auchterellon Farm to the north of McDonald Golf Course (shown edged black and shaded on the plan at Appendix 1) at the price detailed in section 3.1 of the report, and
- (2) **Delegated authority** to the Head of Legal & Governance, following consultation with the Head of Property & Facilities Management, to agree the detailed terms and conditions of the missives in respect of the above.

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## APPENDIX A

### 4A. Reference No: APP/2019/1294

#### **Full Planning Permission for Erection of 9 Dwellinghouses (Change of House Types to Planning Permission Reference APP/2018/1262) at Site Adjacent to Presly Avenue, Tarves, Aberdeenshire, AB41 7AA**

**Applicant:** Scotia Homes Ltd  
**Agent:** No Agent

The Senior Planner introduced the application which was recommended for approval. He advised that there was an error in the report in relation to plot 125T. It stated that the side elevation was to be rendered in white roughcast, but it was in fact to be fully timber clad.

During discussion, the members expressed their disappointment that the applicant had not been willing to consider a revision to the houses that faced on to the main road and noted that the proposed house designs were very different to the other housing in the Tarves area. They commented that it was an extremely prominent site at the gateway to the village. However other members felt that the conservation area already contained a mixture of housing designs, some in colours that were not in-keeping with the conservation area, and it was good to have a variety of styles in the area to promote individuality.

Following debate, Councillor Gifford, seconded by Councillor Davidson, **moved** that the Committee grant the application in line with the officer's recommendations.

Councillor Hassan, seconded by Councillor Kloppert, **moved as an amendment** that the Committee refuse the application on the grounds that it did not comply with Policy P1 Layout, siting and design due to the detrimental impact it would have on the visual amenity of a prominent area, it being a gateway site to a historic village.

The Members voted as follows:

For the Motion:	<b>3</b>	Councillors Davidson, Forsyth and Gifford
For the Amendment:	<b>5</b>	Councillors Duncan, Hassan, Kloppert, Stirling and Taylor
Declined to Vote	<b>1</b>	Councillor Owen

Therefore the amendment was carried to **refuse** the application on the grounds that it did not comply with Policy P1 Layout, siting and design due to the detrimental impact it would have on the visual amenity of a prominent area, it being a gateway site to a historic village.

**4B. Reference No: APP/2018/1815**

**Full Planning Permission for Formation of Mini Transport Hub (40 Car Parking Spaces) with Cycle Storage, Formation of 2 Bus Lay-bys with Bus Shelters and Realignment of Paths at Land at Chapelpark, Oldmeldrum, Inverurie, Aberdeenshire**

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

The Senior Planner introduced the application which was recommended for approval.

During discussion, the members asked about the removal of a section of hedging during construction; queried whether the new bus shelters would have electronic timetabling; sought clarification on the proposed crossing point, what safety measures were to be put in place and whether it had been assessed under the Sustainable Travel Policy; asked where access to the proposed new development would be; queried whether there would be ongoing maintenance of any landscaping; sought assurance that the car park lighting would not cause light pollution; and asked whether there would be electric bicycle charging points provided.

Following debate, the Committee:-

- (1) **requested** that officers carrying out an assessment of the nearby 40mph speed limit to determine whether it should be reduced to 30mph, and
- (2) **agreed** that **authority to grant** the application be **delegated** to the Head of Planning and Building Standards, subject to the conditions below, with a variation to condition 6 to specify a zebra crossing:
  1. No development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility of 90 metres in both directions along the channel line of the public road has been provided from a point 2.4 metres measured at right angles from the existing edge of the carriageway surface along the centre line of the approved new access in accordance with the Council's Standards for Road Construction Consent and Adoption.

The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated out with the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter, and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason: To enable drivers of vehicles using the access to have a clear view of other road users and pedestrians in the interests of road safety.

2. The car park hereby approved shall not be brought into use unless its access, parking bays, cycle shelter and footpaths have been provided in accordance with the details shown in the approved plans. Once provided, all parking areas and footpaths shall thereafter be permanently retained as such.

Reason: In the interests of road safety.

3. No development in connection with the permission hereby granted shall commence until a revised landscaping and maintenance plan for the proposed landscaping scheme is submitted to and agreed in writing by the Planning Service. For avoidance of doubt this shall include enhanced planting provision along the southern edge of the development. All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme.

Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

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

4. The development hereby approved shall not be brought into use unless the proposed surface water drainage system has been provided in accordance with the approved plans (and the AECOM Surface Water Management Strategy Dated 15 February 2019 (and amended 08 July 2019)). The surface water drainage system shall be permanently retained thereafter in accordance with the approved maintenance scheme.

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

5. No works in connection with the development hereby approved shall commence unless a tree protection plan has been submitted to and approved in writing by the Planning Authority. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- a) The position and construction of protective fencing around the retained tree as shown on the approved landscaping plan SHT 3001 C (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction);
- b) The extent and type of ground protection, and any additional measures required to safeguard the tree and its root protection areas;
- c) An arboricultural method statement to demonstrate that operations can be carried out with minimal risk of adverse impact on trees to be retained;
- d) A method statement for any works proposed within the root protection areas of the trees shown to be retained.

No works in connection with the development hereby approved shall commence unless the tree protection measures have been implemented in full in accordance with the approved tree protection plan. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches

or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

Reason: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

6. The development hereby approved shall not be brought into use unless a suitable crossing point across the A947 to access the north bound bus stop has been completed in accordance with either the approved plans or an alternative crossing point design as agreed in writing with the Roads Authority.

Reason: In the interests of pedestrian road safety.

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