

ABERDEENSHIRE COUNCIL

BUCHAN AREA COMMITTEE

BUCHAN HOUSE, PETERHEAD, 12TH MAY 2015

Present: Councillors S Pratt (Chair), A Allan (Vice Chair), A Buchan, E Chapman, A Gardiner, J Ingram, F McRae, T Malone, L Pirie, N Smith and S Smith

Officers: Chris White, Buchan Area Manager (Communities);, Martin Ingram, Principal Solicitor – Governance (Business Services); Wendy Forbes, Team Manager (Infrastructure Services); Colm McKee, Senior Planner (Infrastructure Services); Fiona Chirnside, Environment Planner (Infrastructure Services); David Naismith, Principal Engineer (Infrastructure Services); and Theresa Wood, Area Committee Officer (Communities)

1. DECLARATIONS OF MEMBERS' INTERESTS

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

2. STATEMENT ON EQUALITIES

In making decisions on the following items of business, the Committee **noted** the requirement, 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

3. MINUTE OF 21ST APRIL 2015

The Minute of the Meeting of 21st April 2015 had been circulated and was **approved**.

4. NEW PLANNING APPLICATIONS

The Committee had before them reports by the Director of Infrastructure Services on planning applications for determination in terms of the Town and Country Planning (Scotland) Acts 1972 and 1997 and **agreed** to dispose of the applications as detailed in Appendix A attached to this Minute.

- (a) APP/2015/0478 Full Planning Permission – National for Construction of Onshore electrical transmission cables, comprising an onshore transition jointing pit, underground cables within a 33km (approximately) long cable corridor and the construction of 2 No. Substations southwest of New Deer, also including temporary construction compounds, access tracks, laydown areas and other associated works: Non Compliance with Condition 1 of Planning Permission in Principle Reference APP/2014/2430 at Landing at Inverboyndie Bay, Banff, Travelling To Land West of Cairnbanno House, New Deer
- (b) APP/2015/0769 Full Planning Permission for Erection of 19 No Dwellinghouses and Associated Infrastructure, Access, Landscaping and Drainage at Land at Crichton Meadows, Stuartfield, Peterhead

5. REVIEW OF TREE PRESERVATION ORDERS

A report by the Director of Infrastructure Services had been circulated advising that a review of Tree Preservation Order's (TPO) in place across Aberdeenshire is currently underway. As part of Phase 1 of the TPO review, a Revocation Order has been served on one existing TPO within Buchan. In addition, three new Orders are being drafted and will be served on three existing TPO's within Buchan; these Orders will be brought before Committee for consideration and confirmation in due course.

The Committee **agreed**:-

- (1) to confirm the Revocation Order as listed in Appendix 1 attached to the report,
- (2) to note the three new Tree Preservation Orders to be served, as detailed in Appendix 2 attached to the report, and
- (3) to request that in future when reporting such matters to the Committee that plans showing where the trees are situated be provided along with the reports

APPENDIX A

NEW PLANNING APPLICATIONS

- (a) **Full Planning Permission – National for Construction of Onshore electrical transmission cables, comprising an onshore transition jointing pit, underground cables within a 33km (approximately) long cable corridor and the construction of 2 No. Substations southwest of New Deer, also including temporary construction compounds, access tracks, laydown areas and other associated works: Non Compliance with Condition 1 of Planning Permission in Principle Reference APP/2014/2430 at Landing at Inverboyndie Bay, Banff, Travelling To Land West of Cairnbanno House, New Deer**
For: Moray Offshore Renewables Limited (MORL)
Reference No: APP/2015/0478

Having considered the detail of the application, the Buchan Area Committee **agreed** to confirm their support, in principle, for this application to Full Council.

Reason for Decision:

That the proposal is consistent with the Development Plan's aims of reducing carbon emissions and adapting to climate change. It also contributes to the Scottish Government's aim, as detailed within the National Planning Framework, of achieving 100% of Scotland's gross annual electricity consumption from renewable sources by 2020.

- (b) **Full Planning Permission for Erection of 19 Dwellinghouses and Associated Infrastructure, Access, Landscaping and Drainage at Land at Crichtie Meadows, Stuartfield, Peterhead**
For: Colaren Homes, Kirkton House, Kirkton Gardens, Fraserburgh
Per: Kevin O'Brien Architects, Buchan Braes Business Centre Suite B8, Station Avenue, Boddam
Reference No: APP/2015/0769

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

- (a) The settlement of S75/Developer Contributions; and
- (b) The following conditions:
1. Prior to the construction of any dwellinghouses an Energy Statement applicable to those dwellinghouses must be submitted to and approved in writing by the Planning Authority, including the following items:
 - (i) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development.

- (ii) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with the Council's Supplementary Planning Guidance on Carbon Neutrality in New Developments. (In this case the development will achieve at least a Bronze Active rating under Section 7 of the Building Standards Technical Handbook). The development shall not be occupied unless it has been carried out in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: To ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and the Council's Supplementary Planning Guidance - Carbon Neutrality in New Developments.

2. The development shall be served in accordance with the approved drawings and the following details:
- a. Prior to occupancy of development a drop kerb footway crossing must be formed at the new driveway.
 - b. The maximum gradient of the first 5m of each new access must not exceed 1 in 20.
 - c. Prior to occupancy of development, first 5m of each driveway (measured from edge of road or back of footway) to be fully paved.
 - d. The proposed garages must be set back at least 6m from the rear of the footway and the garage door must not overhang the footway at any point in its travel.
 - e. Prior to occupancy of development, off street parking for 57 cars, surfaced in hard standing materials shall be provided within the site in accordance with the Council's Parking Standards.
 - f. Prior to commencement of development, Visibility Splays, measuring 2.4m by 59m to be formed on either side of the junction of the vehicular access with the public road. The visibility splays so formed shall thereafter be kept free of all permanent obstructions above adjacent carriageway level.
 - g. Prior to occupancy of the development, carriageway widening to 6m and a link footway shall be constructed along the north verge of Knock Street with a crossing point to connect the existing footway on the south side of Knock Street.

Reason: In order to ensure that the development is served by an appropriate standard of access and associated servicing in the interests of road safety.

3. That the proposed foul and surface water drainage systems shall be carried out in accordance with the approved plans and the dwellings shall not be occupied unless the approved drainage system has been implemented in this form, unless otherwise agreed in writing with the Planning Authority. Following provision of the drainage system it shall thereafter be maintained by the developers or their successors in accordance with the approved maintenance scheme.

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

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.

In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long term management and maintenance of all the approved landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme.

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 and to ensure that the landscaping is managed and maintained in perpetuity.

Reason for Decision

The application is considered acceptable by the Planning Service in that it proposes a development suitable to the site and as such represents an appropriate departure from the Aberdeenshire Local Development Plan 2012.