

ABERDEENSHIRE COUNCIL

BUCHAN AREA (VACATION) COMMITTEE

BUCHAN HOUSE, PETERHEAD, 28TH JULY 2015

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

Apology: Councillor T Malone.

Officers: Lauren Cowie, Solicitor – Governance (Business Services); Colm McKee, Senior Planner (Infrastructure Services); David Naismith, Principal Engineer (Infrastructure Services); Audrey Johnson, Affordable Housing Development Officer (Communities Service); Anne Anderson, Affordable Housing Development Officer (Communities Service); and Theresa Wood, Area Committee Officer (Communities).

In Attendance: David Meldrum (Scottish Fire and Rescue Service).

**PETERHEAD ACADEMY –
ROCK CHALLENGE NATIONAL FINALS**

The Chairman was delighted to confirm that Peterhead Academy had recently achieved 3rd place in the Rock Challenge National Finals at Milton Keynes.

Peterhead Academy was one of only nine schools who had qualified to take part in the Finals, out of 305 schools having originally entered. The Chairman further advised that the National Finals happen once in every 3 years, and that Peterhead Academy is one of three schools who have made it into the finals more than once.

The Committee wholeheartedly agreed that this was a great achievement, and **agreed** that the Peterhead Academy Rock Challenge Group be presented with a Pride of Buchan Award.

1. DECLARATIONS OF MEMBERS' INTERESTS

There was no Declarations of Members' Interests intimated.

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 23RD JUNE 2015

The Minute of the Meeting of 23rd June 2015 had been circulated and was **approved**.

4. DEFERRED PLANNING APPLICATIONS

With regard to the deferred 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/2015/0879 Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to East Ardmachron, Cruden Bay
- (b) APP/2015/0926 Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Parkhouse (Plot 1), Maud
- (c) APP/2015/0927 Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Parkhouse (Plot 2), Maud
- (d) APP/2015/1072 Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Glendaveny Heights, Glendaveny, Peterhead

5. NEW PLANNING APPLICATION

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

- (a) APP/2015/1243; Full Planning Permission for Erection of Dwellinghouse
APP/2015/1253; (Change of House Type of Planning Permission
APP/2015/1255; Reference APP/2012/4136) at Plots 52 & 53, 58, 59,
APP/2015/1256; 60 & 61, 62 and 79 North Woods Housing
APP/2015/1257; & Development, Mintlaw, Peterhead
APP/2015/1259

6. STATUTORY LIST OF PUBLIC ROADS – CHURCH VIEW, STRICHEN

A report by the Director of Infrastructure Services had been circulated advising that as Roads Authority, Aberdeenshire Council is required to add roads and footways which have been completed to an acceptable standard to the Statutory List of Public Roads under the Roads (Scotland) Act 1984. The Committee was asked to consider the roads and footways, at Church View and Hospital Brae, Strichen, for addition.

The Committee **agreed** to approve the roads and footways, as listed in Appendix 1 attached to the report, for addition to the Statutory List of Public Roads.

7. SCOTTISH FIRE AND RESCUE SERVICE STRATEGIC PLAN 2016-2019

A report by the Director of Communities, on behalf of the Scottish Fire and Rescue Service (SFRS), had been circulated to advise Members how the SFRS is required by the Police and

Fire Reform (Scotland) Act 2012 to produce a new Strategic Plan which sets out strategic direction and priorities.

The SFRS has been carrying out a programme of engagement with partners and stakeholders, and it is their intention to release a draft Strategic Plan for formal public consultation between October and December 2015.

As part of the initial engagement, the Committee was asked to consider the content of the presentation, attached to the report, and provide feedback.

Having considered the report in relation to the development of The Scottish Fire and Rescue Service Strategic Plan 2016-2019, the Committee **agreed**:-

- (1) having noted that the report refers to both an aging population growth and reduced budgets, to highlight their concerns in relation to the pressures this will create on the various services,
- (2) to welcome and encourage the need for more 'first responders', and
- (3) to welcome the proposal to continue to work with other agencies to identify and target vulnerable groups and individuals for home fire safety visits

8. AREA COMMITTEE BUDGET: AREA INITIATIVES FUND

A report by the Director of Communities had been circulated advising that a further two applications had been received seeking funds from the Area Initiatives Budget. The applications had been assessed, and the Committee was asked to consider approving the allocation of funds as detailed in the appendix attached to the report.

The Committee **agreed**:-

- (1) to award up to £2,602.24 to New Pitsligo Village Hall towards the cost of upgrading their heating system,
- (2) to award up to £2,000 to Buchanhaven Heritage Society towards the cost of their 'Identity Project', and
- (3) to note that the above two awards now fully commits the Area Initiatives Fund for 2015/2016

APPENDIX A

DEFERRED PLANNING APPLICATIONS

(a) **Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to East Ardmachron, Cruden Bay**

For: Mr D Smith, per Agent

Per: Baxter Design Ltd, Aden Hall, 9 Kirkgate, Old Deer, Peterhead

Reference No: APP/2015/0879

The Committee **agreed** to Refuse Planning Permission in Principle for the following reason:-

1. The proposed development does not comply with Policy 3: Development in the countryside or SG Rural Development1: Housing and business development in the countryside of the Aberdeenshire Local Development Plan 2012, in that:

- (a) it is not an appropriate addition to an existing cohesive group of at least five houses;
- (b) it is not for the refurbishment or replacement of an existing or disused building on the same site, or is on a site which has previously been developed and is now redundant;
- (c) it is not associated with retirement succession of a viable farm;
- (d) it is not organic growth within 400m of the edge of the built up area of a settlement identified in Appendix 1; or
- (e) it is not development permissible under the greenbelt supplementary guidance.

(b) **Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Parkhouse (Plot 1), Maud**

For: Mr John Simpson Snr, per Agent

Per: Baxter Design, Aden Hall, 9 Kirkgate, Old Deer, Peterhead

Reference No: APP/2015/0926

Having visited the site, the Committee unanimously **agreed**:-

(1) to Grant Planning Permission in Principle subject to relevant planning conditions, and

(2) their reason for departing from the Local Plan as follows –

- (a) the proposed development replaces an existing disused building which is no longer suitable to accommodate the size of modern machinery.

(c) **Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Parkhouse (Plot 2), Maud**

For: Mr John Simpson Jnr, per Agent

Per: Baxter Design, Aden Hall, 9 Kirkgate, Old Deer, Peterhead

Reference No: APP/2015/0927

Having visited the site, the Committee unanimously **agreed**:-

(1) to Grant Planning Permission in Principle subject to relevant planning conditions, and

(2) their reason for departing from the Local Plan as follows –

- (a) the proposed development replaces an existing disused building which is no longer suitable to accommodate the size of modern machinery.

APPENDIX B**NEW PLANNING APPLICATION**

- (a) **Full Planning Permission for Erection of Dwellinghouse (Change of House Type of Planning Permission Reference APP/2012/4136) at Plots 52 & 53, 58, 59, 60 & 61, 62 and 79 North Woods Housing Development, Mintlaw, Peterhead**
For: Colaren Homes Ltd, Kirkton House, South Road, Fraserburgh
Per: Baxter Design Ltd, Aden Hall, 9 Kirkgate, Old Deer, Peterhead
Reference No: APP/2015/1243; APP/2015/1253; APP/2015/1255; APP/2015/1256; APP/2015/1257; & APP/2015/1259

In terms of Standing Order 11, the Area Manager had received a request to address Committee from Gary Purves of Knight Frank.

The Committee was asked, as a whole, if they wished to hear the representation. The Committee unanimously agreed.

The Committee first heard from the Senior Planner, then heard from Mr Purves as follows –

“My name is Gary Purves, I am a Planner with the firm Knight Frank, and I am joined this morning by the applicant Colin Smith of Colaren Homes. We are here to speak in support of the applications before you which seek planning permission for a change of house type at the Northwoods housing development in Mintlaw.

As you will know, planning permission was originally granted in December 2013 for 86 houses, and for the last couple of years Colaren Homes have been developing a very successful housing development in Mintlaw.

The developer is not applying for these change of house types in the hope of selling them. Colaren already have 8 concluded contracts for people to buy these houses subject to gaining planning permission. If these applications are not successful then they will have to be released from their contracts and this is 8 families who will not get the new house that they want. Also, there would be a knock-on effect of the loss of local skilled labour from these houses not being built.

I think it is important to highlight that the developer has been marketing these 8 plots for terraced and semi-detached properties for 18 months with no interest in them other than for detached houses. The advertising has been done via the Colaren website, sales brochures in their sales office, and through the local selling agent Brown & McRae.

The applicant is obviously not going to build houses that he can't sell. Therefore the risk is that if these change of house type applications are not approved then what we'll see within the Northwoods development is gap sites with unadopted roads and footpaths which will detract from the overall attractiveness of the development.

These change of house types do not affect the affordable housing. The applicant is still obliged to provide 11 semi-detached properties which are to be handed to the Council's housing service for people on the waiting list. These change of house type applications are totally separate from this and do not affect the delivery of affordable housing.

The current situation has been exacerbated by the Government's Help-to-Buy Scheme which allows people to get around 20% interest free loans towards the purchase of their property. As a result, people with a certain budget are finding that they can buy a detached house in Mintlaw for the same price as a terraced or semi-detached house in somewhere

like Aberdeen or Ellon. These change of house type applications are simply responding to what the applicant can sell in Mintlaw at the moment, which is detached houses. If demand comes back for terraced and semi-detached properties in Mintlaw, say for example if the Help-to-Buy scheme is cancelled, then the developer would obviously look to cater for that demand in the subsequent phases. This development is happening, it is a 600-house development, with 86 having been completed so far, so we do expect there to be demand at a later date.

It is also probably worth highlighting that the Masterplan was aspirational – it was never intended to set in stone the requirements for future planning applications when it was written. It was designed to be flexible so it could respond to social and economic factors, such as the oil industry downturn, and it should be reviewed and if necessary amended over the lifetime of the development. The Masterplan was submitted to the Council in September 2012 so quite a lot has changed in that 3-year period in terms of the housing market, most notably the Government's Help-to-Buy Scheme that I mentioned before.

In conclusion, I would highlight to Members just how successful the Northwoods development is proving to be. The applicant initially hoped to sell around 15-20 houses a year, but he has actually sold 60 houses in just the first year. He is, in fact, a victim of his own success.

What we've seen is that a lot of younger people and families are moving into this new development, not just from the local area but also from Aberdeen and even further afield. There is a buzz in Mintlaw at the moment with this development and also the recent MACBI Community Centre, and people are really keen to put down roots in the town.

What the applicant is looking for is some flexibility to allow him to build what he can sell. This will allow the development to continue to be a successful and attractive area that people want to move to.

We also intend to update the Masterplan document to better reflect the current market conditions and this can be reported back to this Committee for discussion in due course.

We therefore ask you to support these change of house type applications.”

Following a query, the Senior Planner confirmed that the issue of parking provision had been resolved and therefore the objection from Infrastructure Services (Roads Development) had been withdrawn.

Having fully considered the detail and information provided, the Committee **agreed:-**

- (1) to Grant Full Planning Permission in respect of Applications APP/2015/1255; APP/2015/1256; APP/2015/1257; APP/2015/1259; APP/2015/1243; and APP/2015/1253 subject to relevant planning conditions, and
- (2) their reasons for departing from the Local Development Plan as follows –
 - (a) as permitted under Section 7 of the Masterplan, the proposed change of house types will enable the developer to respond to the current needs of the housing market, and
 - (b) to grant the application will not have a detrimental impact on the character of the development as the proposal will allow the successful delivery of the current phase.