

ABERDEENSHIRE COUNCIL
GARIOCH AREA COMMITTEE

GORDON HOUSE, INVERURIE ON 23 FEBRUARY 2016

Present: Councillors F Hood (Chair), D Aitchison (for items 1-9), N Cullinane, M Ford, A Grant, S Lonchay, R McKail, P Oddie, B Stuart, H Vernal (for items 1–8), and I Walker.

Apologies: Councillors A Allan, R Cowling and M Kitts-Hayes.

Officers: D Milne (Garioch Area Manager), S Munro, (Solicitor), B Strachan (Senior Planner), C Thompson (Planner), M Skilling (Strategy Manager), R Goldring (Learning Estates Team Leader) and A Cumming (Garioch Area Committee Officer).

In Attendance W Chisholm (Scottish Fire and Rescue).

1. DECLARATIONS OF MEMBERS' INTERESTS

In accordance with the Councillors' Code of Conduct the following interests were declared:-

Item 7C Councillors Lonchay and Walker as they are employees of NHS Grampian and there is mention in the report of NHS receiving developer obligation funds. Both Councillors indicated that they would continue to take a full part in determining the application.

2. RESOLUTION

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 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 its decision.

3. MINUTE OF MEETING OF 2 FEBRUARY 2016

The Minute of Meeting of 2 February 2016 was approved as a correct record of proceedings.

4. INTIMATION OF PUBLIC QUESTION TIME

There were no public questions intimated.

5. ABERDEENSHIRE PERFORMS EDUCATION AND CHILDREN'S SERVICES RESPONSES TO QUERIES PREVIOUSLY RAISED BY COMMITTEE

A report by the Director of Education and Children's Services was circulated presenting the responses to queries previously raised by Committee.

The Committee **agreed** to note the responses provided from Education and Children's Services in relation to queries previously raised by Committee from performance management information.

6. SCOTTISH FIRE AND RESCUE SERVICE PERFORMANCE REPORT OCTOBER – DECEMBER 2015

A joint report by the Local Senior Officer, Aberdeenshire and Moray and Director of Business Services was circulated presenting the performance information for the Fire and Rescue Service for the period October to December 2015.

The Station Manager gave the Committee an overview on the activities of the Fire Service during the floods in Garioch and an overview of the staffing and performance activity for October to December 2015.

Members acknowledged the good work of the service and thanked firefighters for their work during the flooding. They sought clarification about the ongoing work of the service particularly in relation to false alarms.

The Committee **agreed** to:

1. note the performance report relating to the period, October to December 2015;
2. note any local operational matters arising, together with key resource issues, as detailed within appendices attached to the report; and
3. thank Scottish Fire and Rescue Services for its work during the flood instances in Garioch.

7. PLANNING APPLICATIONS FOR DETERMINATION

The following planning applications were considered along with any valid representations received and was dealt with as recorded in **Appendix A** to this Minute.

No.	Reference	Application	Decision
A.	APP/2015/3537	Residential development of 12 no. flats at land to the rear of Commercial Hotel, Martin Road, Inch	Defer for Site Visit
B.	APP/2015/1107	Proposed residential development (erection of 66 dwellinghouses) at land east of Greystone Road, Kemnay	Defer for Site Visit
C.	APP/2015/1656	Erection of 176 no. dwellinghouses and flats (change of house types and amendment to siting and plot layouts for plots 38-221 of application ref. APP/2011/2682) (revised design of affordable units) at Westgate South Residential Development, Blackhall Road, Inverurie	Delegated Grant

8. UPDATE ON A947 ROUTE IMPROVEMENT STRATEGY

A report by the Director of Infrastructure Services was circulated detailing the outcome of the Consultation on the draft A947 Route and sought comments on the proposed Action Plan.

The Strategy Manager gave the Committee a detailed explanation to the Committee of the consultation process and the actions that were proposed over the next 20 years to improve the A947. He responded to a number of queries from Councillors, who also discussed the paper at length and provided a number of suggestions for consideration by Infrastructure Services Committee when considering the A947 Route Improvement Strategy.

The Committee **agreed** to:

1. note the contents of the Consultation Report.
2. note and provide the following comments on the draft A947 Route Improvement Strategy:-
 - a) Suggest looking at the traffic flow between 6 am and 8 am rather than 8 am and 9 am.
 - b) Request that ongoing maintenance of the road continues.
 - c) Agree that an active travel statement should be incorporated.
 - d) Agree that overtaking opportunities on the A947 should be improved.
 - e) Additional passing places should be provided along the route.
 - f) Consideration should be given to priority measures for public transport.
 - g) The Council should not encourage an increase in traffic but should instead attempt interventions to change dependence on car.
 - h) Further consideration should be given to the provision of park and ride facilities.
 - i) The strategy should take into account the aspiration to reopen the railway line between Newmachar and Aberdeen.
 - j) Signage for laybys should be positioned at a distance that allows vehicles to see it in time to pull in.
 - k) Markers (i.e. Chevrons) to identify the distance between cars should be considered in problem areas.
 - l) Consideration be given to the provision of average speed cameras alongside the potential to increase the maximum speed for HGV.
 - m) The strategy should take into account the potential for the route of the dualled A96 to pass the east of Inverurie and this option should be promoted by the Council.
 - n) Agree that a Forum for Councillors' whose wards sit along the A947 should be set up.

- o) Accident black spot signs highlighting the number of accidents that have taken place should be considered to raise awareness of motorists.
3. all of the actions detailed on the draft Action Plan to take forward the Strategy in future years.

**9. STATUTORY LIST OF PUBLIC ROADS
ADDITIONS IN KIRKTON OF SKENE, KINTORE AND INVERURIE**

A report by the Director of Infrastructure Services was circulated presenting proposed additions to the statutory list of public roads.

Members highlighted the state of the path at Westhill and indicated that the public was being forced to walk on the road because of this. The Principal Engineer indicated that officers were aware of the issue and would be seeking the issues to be resolved as soon as possible. Members also indicated that they were aware of some issues regarding land ownership of land that part of the path crossed. Officers confirmed that this would not directly affect adopting the path and that if there were to be any issues relating to legal matters that the footpath could be adopted subject to these issues being resolved.

The Committee **agreed** to approve the roads and footways listed the table below for addition to the Statutory List of Public Roads subject to the resolution of any legal issues in Kirkton of Skene.

ADDITIONS TO STATUTORY LIST OF PUBLIC ROADS

Town	Name of Road	Description	Length
Kirkton of Skene	Remote Footpath	From the B979 at Kirkton of Skene southeastwards to the access road at Westhill Community Church	870m
Kintore	Remote Footpath	From the B987 eastwards to Tofthills Way	122m
Kintore	Remote Footpath	From Tumulus Way southwards to the access into 'Denhead' (along the eastern side of the B987)	397m <i>(becomes part of the B987 description)</i>
Inverurie	Remote Footpath	From Blackhall Road southwards to Firholme Place	14m

10. 2015 BASED SCHOOL ROLL FORECASTS

A report by the Director of Education and Children's Services was circulated to Members recommending they give comments on the 2015 based school roll forecasts.

Members highlighted the ongoing issues with the standard of temporary accommodation at Premnay Primary School and requested that action be taken to address this as soon as possible. The Learning Estates Team Leader explained that options for extension were being discussed with the owners of the schoolhouse and that an outcome to this would be expected

fairly soon. Members also highlighted the need to identify a clear plan for education provision in Newmachar. They highlighted the possibility that a rail link may be reinstated between Newmachar and Aberdeen and the level of employment land available and how this would make residing in Newmachar more attractive. They indicated that this should also be taken into account when undertaking options appraisals. Members requested that an update on the options appraisal be provided to the Committee as soon as possible.

The Committee **agreed** to:-

1. note the content of the report; and
2. request that an update on the options appraisal for Newmachar Primary School provision be provided to Committee as soon as possible.

GARIOCH AREA COMMITTEE

23 FEBRUARY 2016

APPENDIX A

PLANNING APPLICATIONS FOR DETERMINATION

A. Reference No: APP/2015/3537

Full Planning Permission for residential development of 12 no. flats at land to the rear of Commercial Hotel, Martin Road, Inch

Applicant: Drumrossie Land Development Company
Agent: Michael Gilmour Associates

The Committee **agreed** to defer for site visit in order that Councillors can assess the roads issues and the impact of the development on neighbouring properties.

B. Reference No: APP/2015/1107

Full Planning Permission for proposed residential development (erection of 66 dwellinghouses) at land east of Greystone Road, Kemnay

Applicant: Barratt North Scotland
Agent: Halliday Fraser Munro

The Committee **agreed** to:-

1. defer for site visit in order that Councillors can view the siting, proposed footpaths and the impact on the amenity of residents and the environment; and
2. request that information on surface water drainage be provided with the report coming back to Committee following the site visit.

C. Reference No: APP/2015/1656

Full Planning Permission for erection of 176 no. dwellinghouses and flats (change of house types and amendment to siting and plot layouts for plots 38-221 of application Ref. APP/2011/2682) (revised design of affordable units) at Westgate South Residential Development, Blackhall Road, Inverurie

Applicant: Malcolm Allan Housebuilders Ltd
Agent: TCD Architects

As previously indicated Councillors Lonchay and Walker declared interests, but continued to take a full part in determining the application.

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

- a) variation and conclusion of the legal agreement in relation to final tenure of affordable housing;
- b) a satisfactory consultation response from Infrastructure Services (Environment);

- c) a satisfactory consultation response from Infrastructure Services (Waste Management);
- d) any conditions arising from the above; and
- e) the following conditions:

1. The development hereby approved shall be carried out in full accordance with the approved Phasing Plan (drawing number 100-con Rev B) and as detailed below, unless otherwise agreed in writing by the Planning Authority:

- Units in phase 2A cannot begin until 40 units (of 54 in total) of phase 1 have been constructed;
- Units in phase 2B and 2C cannot begin until all of phase 1 has been constructed;
- Units in phase 3 cannot begin until 41 of the units (of 55 in total) in phase 2C have been constructed and all of the units within phase 2A and 2B have been completed;
- Units in phase 4 cannot begin until all of the units in phase 2C have been completed.

Reason: To ensure the timeous provision of different, inter-related parts of the development and to retain control of the development.

2. Prior to the construction of any dwellinghouse(s), full details applicable to that dwellinghouse(s) including specification/colour of the following elements of the proposed external finish of the dwellinghouse(s) shall be submitted to and approved in writing by the Planning Authority:

- Wall finish
- Roof finish
- Design and finish of the windows/doors/garage doors/rooflights.
- Stain or colour of the timber cladding/windows/doors.

The development shall be carried out in complete accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

3. No dwellinghouse(s) hereby approved shall be occupied until full details of all boundary treatments including fencing, walls and retaining walls applicable to that dwellinghouse(s) have been submitted to and approved in writing by the Planning Authority. Plans shall be provided to illustrate the following details:

- (a) Location of all boundaries by means of an annotated plan;
- (b) Type, height and design of all boundary treatments of all dwellinghouses. For plots 120 to 153 inclusive, their northern boundary shall consist of a 1.8 metre high sound barrier fence formed of closely boarded fence panels
- (c) The requirement that the rear garden area which is exposed to public view, from either public roadways or areas of public open space, are effectively screened;

(d) Details of the implementation timetable.

All boundary treatments applicable to the dwellinghouse(s) to be occupied shall be carried out in complete accordance with the approved details prior to the occupation of that said dwellinghouse(s). Once erected, the approved boundary treatments shall thereafter be permanently retained in accordance with the approved details.

Reason: In the interest of the appearance of the development, the visual amenities of the area and to protect the amenity of the occupiers of the residential properties.

4. Prior to the construction of any dwellinghouse(s) an Energy Statement applicable to that dwellinghouse(s) 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).

No dwellinghouse(s) shall 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.

5. Prior to the occupation of each dwellinghouse approved under this planning permission, the Residential Travel Pack approved under condition 2 of approved planning permission APP/2011/2682 shall be issued to the future occupants of the dwellinghouse to be occupied.

Reason: In the interests of sustainable transport and access.

6. Prior to the occupancy of the 51st dwellinghouse on the wider Westgate Residential Development as originally approved under APP/2011/2682, or any subsequent grant of planning permission for a change to this originally approved planning permission on the site, the modifications approved to the A96 north of the Port Elphinstone Roundabout as illustrated on drawing 101169/PED 01 as approved under APP/2013/3665, or any subsequent approved drawing in relation to the works shall be implemented to the satisfaction of the Planning Authority in consultation with Transport Scotland.

Reason: To mitigate the adverse impact of the development on the safe and efficient operation of the trunk road.

7. That no residential unit in any phase of this development shall be occupied unless all roads, footpaths, parking and turning areas within and serving that phase of the development have been completed to the level of bottoming and binder course, including the access bellmouth and all turning heads in accordance with the Council's Standards for Road Construction Consent and Adoption. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the provision of a means of access, parking and turning space to an adequate standard in the interests of road safety.

8. That within 6 months of the occupation of the penultimate residential unit in each phase of this development or upon the expiry of a period of three years from the date of the first residential unit to be occupied in each phase, whichever is the sooner, all roads, footpaths, parking and turning areas within and serving that phase of the development shall be completed to their final surface course specification in accordance with the Council's Standards for Road Construction Consent and Adoption. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the provision of a means of access, parking and turning space to an adequate standard in the interests of road safety.

9. That the proposed drainage system for the development hereby approved shall be carried out in complete accordance with the Drainage Assessment prepared by Fairhurst and approved plans:

- 87161/2001 Rev F;
- 87161/2002 Rev E;
- 87151/2003 Rev E;
- 87161/2004 Rev C;
- 87161/2050 Rev B

The drainage system shall also be carried out in complete accordance with the plans approved under conditions 5 and 7 of approved planning permission APP/2011/2682:

- 87161/2005 Rev B
- 87161/2006 Rev C;
- 87161/2007 Rev C;
- 87161/2008 Rev B;
- 87161/2009 Rev B;
- 87161/2011 Rev A;
- 87161/2012;
- 87161/2014;

No dwellinghouse shall 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.

10. 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 as otherwise 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 proposal is consistent with the relevant policies if the Aberdeenshire Local Development Plan (2012), specifically policies 6, 8 and 9 along with all associated supplementary guidance. There are no material planning considerations which indicate that the application should be refused.