

ABERDEENSHIRE COUNCIL**GARIOCH AREA COMMITTEE****GORDON HOUSE, INVERURIE ON 29 NOVEMBER 2016**

Present: Councillors F Hood (Chair), D Aitchison (for items 1-11), C Clark, R Cowling, N Cullinane, M Ford, A Grant (for items 1-11), R McKail, H Vernal and I Walker.

Apologies: Councillors A Allan, S Lonchay, P Oddie and B Stuart.

Officers: D Milne (Garioch Area Manager), A Overton (Solicitor), B Strachan (Senior Planner), G Steele (Principal Engineer), Amanda Hampton (Head Teacher, Skene School) and A Cumming (Garioch Area Committee Officer).

In Attendance: Chief Inspector M Main (Police Scotland).

1. DECLARATIONS OF MEMBERS' INTERESTS

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

Item 7B Councillor Cullinane as she is a client of one of the objectors to the application; and

Item 13 Councillor Cowling as he is the Council appointed representative on the Garioch Sports Trust.

Councillor Cullinane left the Council Chamber whilst the application was determined. Councillor Cowling continued to take a full part in considering the item.

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.

3. MINUTE OF MEETING OF 8 NOVEMBER 2016

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

4. INTIMATION OF PUBLIC QUESTION TIME

There were no public questions intimated.

5. POLICE SCOTLAND - LOCAL AREA UPDATE

A report by the Director of Business Services was circulated detailing the performance information for Police Scotland for the Garioch Area for the period June to September 2016.

The Chief Inspector gave detailed information relating to the performance information and highlighted the operations currently being undertaken both in terms of prevention and detection of crime.

Members sought clarification about some of the work being undertaken and thereafter **agreed** to:-

1. thank officers for the work undertaken in Garioch: and
2. note the performance information provided for the period June to September 2016.

6. ABERDEENSHIRE PERFORMS - RESPONSES FROM INFRASTRUCTURE SERVICES TO QUERIES PREVIOUSLY RAISED BY THE COMMITTEE

The Committee had before it responses to queries previously raised from performance management information provided by Infrastructure Services Committee.

The Committee **agreed** to note the responses provided by Infrastructure Services in response to queries previously raised by the Committee.

7. PLANNING APPLICATIONS FOR DETERMINATION

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

Item	Reference	Application	Decision
A	APP/2016/1061	Part retrospective formation of 7 pitch caravan park for Gypsies/Travellers, (each pitch comprising permanent mobile home stance/chalet stance, ancillary/touring stances, utility building, parking and associated infrastructure); landscaped bunds and access road at site at Quarry Wood, Kemnay	Defer for Site Visit
B	APP/2016/2418	Change of use from Class 4 (office) to class 2 (Beautician) at Forties Business Centre, 32 School Road, Kintore	Grant
C	APP/2016/2367	Erection of detached garage, shed and wood store at Maryfield, 6 Charles Street, Inch	Defer for Site Visit
D	APP/2016/2510	Erection of Forestry/Agricultural and Equine Shed on land at Hillhead, Logiemuir, Cothal, Dyce	Grant

8. LOCAL REVIEW BODY DECISION NOTICES

A. MILL OF LESLIE, LESLIE, INSCH

A decision notice from the Local Review Body was circulated detailing the decision relating to an appeal against refusal for Full Planning Permission for demolition of existing building and erection of dwellinghouse at Mill of Leslie, Leslie, Inch.

The Committee **agreed** to note the decision of the Local Review Body to **agree** with the determination before it and refuse Full Planning Permission for the application at Mill of Leslie, Leslie, Inch.

B. NEILSBRAE, FINTRAY

A decision notice from the Local Review Body was circulated detailing the decision relating to an appeal against refusal for Full Planning Permission for erection of dwellinghouse at Neilsbrae, Fintray.

The Committee **agreed** to note the decision of the Local Review Body to **agree** with the determination before it and refuse Full Planning Permission for the application at Neilsbrae, Fintray.

9. STATUTORY LIST OF PUBLIC ROADS – ADDITIONS IN MEIKLE WARTLE, INSCH AND KIRKTON OF OYNE

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

The Principal Engineer confirmed that it was only the public road detailed in Meikle Wartle and not the footpaths that were being adopted at this stage. He also indicated that some issues had been identified with the road surface for the proposed adoptions for Inch and that these were not being proposed for adoption until these issues can be resolved.

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

Town	Name of Road	Description	Length
Meikle Wartle	Earls Ree	Three cul-de-sacs with turning heads southeastwards off of the U58S	220m
Kirkton of Oyne	Un-named Road	Cul-de-sac from the B9002 (opposite Old Westhall) northwards and eastwards	68m

10. NAMING OF THE REPLACEMENT INVERURIE MARKET PLACE SCHOOL

A report by the Director of Education and Children's Services was circulated giving details of the consultation for the naming of the replacement Inverurie Market Place School.

The Committee **agreed** to approve the proposed name of the replacement Inverurie Market Place School in Inverurie as Uryside School.

11. EDUCATION SCOTLAND INSPECTION OF SKENE SCHOOL

A report by the Director of Education and Children's Services was circulated presenting the outcome of an inspection of Skene School.

The Head Teacher explained the outcomes of the inspection and gave information about the action plan that would see further improvements at the school. Members welcomed the positive report and congratulated the staff and pupils concerned.

The Committee **agreed** to:-

1. note the contents of this report and congratulate the staff and pupils involved in the excellent inspection report;
2. endorse the Service's continuing efforts in support of its schools in the Education Scotland inspection process and in the raising of standards of attainment and achievement in all aspects of school life; and
3. further reports on Education Scotland school inspections being presented.

12. 2016 BASED SCHOOL ROLL FORECASTS

A report by the Director of Education and Children's Services was circulated asking the Committee to give comments on the report for consideration by the Education, and Children's Services.

The Area Manager gave an overview of the content of the report and pointed out some of the pressure points in terms of school rolls across Garioch. He explained that Area Managers were working to develop a vision for the main settlements in Garioch and that given the pressing need for understanding the community aspirations for Newmachar and the resulting education provision, he would ensure that this piece of work for Newmachar was done at an early stage.

Members highlighted the fantastic new school at Kintore and discussed the use of the school to house Kinellar pupils whilst a new school is built there. Members highlighted the information presented for Kemnay and pointed out that the academy was predicted to be full to 2019/20. They said that this confirmed the need to further discuss and consider options for the provision of secondary education and whether the site in Kintore would be required. Members welcomed the development work proposed to be done particularly in relation to Newmachar and stressed the need to have a clear focus from the community on how it would like the settlement to develop before considering the appropriate education provision for the village. Members highlighted the positive rezoning that had taken place in Westhill and congratulated officers on this piece of work.

The Committee **agreed**:-

1. to note the content of the report;
2. to request that an informal briefing be provided detailing the options under consideration for Newmachar with a formal paper coming to Committee once the future Local Development Plan allocations have been confirmed;
3. to welcome the work being done towards creating a vision for the future of Newmachar involving the community itself;

4. that the School Roll Forecasts information confirmed the need for further investigation of the potential requirement of a secondary school in Kintore; and
5. to compliment the Service on the rezoning process that had been undertaken in Westhill.

13. ALLOCATION OF DEVELOPERS OBLIGATIONS FUNDS

As previously indicated, Councillor Cowling declared an interest, but continued to take a full part in considering the item.

A report by the Director of Education and Children's Services was circulated asking the Committee to agree an allocation to the Garioch Sports Trust.

The Committee **agreed** to the allocation of £73,809 from Developer Obligations funds for Inverurie to Garioch Sports Trust for development at The Garioch Sports Centre.

GARIOCH AREA COMMITTEE**29 NOVEMBER 2016****APPENDIX A****PLANNING APPLICATIONS FOR DETERMINATION****A. Reference No: APP/2016/1061**

Full Planning Permission for part retrospective formation of 7 pitch caravan park for Gypsies/Travellers, (each pitch comprising permanent mobile home stance/chalet stance, ancillary/touring stances, utility building, parking and associated infrastructure); landscaped bunds and access road at site at Quarry Wood, Kemnay

Applicant: Mr and Mrs George Stewart
Agent: Alan Seath Planning Consultancy

Members sought clarification as to what the dashed line shown on the map on the front cover of the report represented. The Senior Planner undertook to check this before the application was returned to the Committee for determination.

The Committee **agreed** to:-

1. defer consideration of the application for a site visit in order that Members can assess for themselves the impact of the proposals on the environment;
2. invite all Councillors to the site visit given that the application will be determined by Full Council;
3. hold the site visit on 9 December as there are no formal Council meetings on that day; and
4. hear from parties who have requested to speak at the meeting following the site visit.

B. Reference No: APP/2016/2418

Full Planning Permission for change of use from Class 4 (Office) to Class 2 (Beautician) at Forties Business Centre, 32 School Road, Kintore, Aberdeenshire, AB51 0UX

Applicant: Miss Rhea Robinson
Agent: George Hadden Architectural Agent

As previously indicated, Councillor Cullinane declared an interest and left the Council Chamber whilst the application was determined.

The Chair indicated that a request to speak had been received from the applicant. The Committee agreed to hear the speaker.

The Senior Planner explained the history to the site highlighting the difficulty in finding an appropriate use that could be accommodated in the residential area. He explained that the proposal to change the use of part of the building as a beautician was considered to be acceptable and would not have a detrimental impact on the town centre. He confirmed that there was no overlooking, noise or disturbance as a result of the proposals and that the access and parking arrangements were considered to be appropriate. He confirmed that the

operating hours would be conditioned but that the nature of the business would not generate levels of transport that would increase road or pedestrian safety.

The Chair invited Rhea Robinson, the applicant, to address the Committee. Ms Robinson explained the background to her application, her business needs and the reason that she was seeking to use the site. She confirmed that the development of her business meant that she required larger premises, but that she had her own clients already and did not envisage her move to Kintore materially affecting other similar businesses in the area. She highlighted the concerns of residents about road safety, but indicated her view that the business would not generate more traffic. The Committee had no questions and Ms Robinson returned to the public benches.

Members acknowledged the difficulty in finding an appropriate use for the site given the residential neighbourhood, but pointed out that the proposals would be of a relatively low impact in relation to the concerns raised by representees. They pointed out that the operating hours would be controlled by conditions

The Committee **agreed** to grant Full Planning Permission subject to the following conditions:-

1. The Class 2 Use (Beauticians) hereby approved shall not operate out with the hours of 09.00-20.00 Monday to Saturday.

Reason: To ensure that the development would not result in undue loss of amenity to neighbouring properties.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any order amending, revoking or re-enacting these Orders the premises hereby approved shall be used only for a beautician and shall not be used for any other purpose within Use Class 2 without the express grant of planning permission from the planning authority.

Reason: To enable the planning authority to consider the implications of any subsequent change of use on the amenities of the area.

3. The existing off-street car parking area as shown on the approved plans shall be retained in perpetuity.

Reason: To ensure the retention of adequate off-street parking facilities, in the interests of road safety.

C. Reference No: APP/2016/2367

Full Planning Permission for erection of detached garage, shed & wood store at Maryfield, 6 Charles Street, Inch, Aberdeenshire, AB52 6JQ

Applicant: Mr & Mrs Vaughan
Agent: Robert J McHardy

The Committee **agreed** to defer consideration of the application for a site visit in order that Councillors can assess for themselves the impact of the proposals on road safety.

D. Reference No: APP/2016/2510**Full Planning Permission for erection of forestry/agricultural and equine shed on land at Hillhead, Logiemuir, Cothal, Dyce****Applicant: Mr Campbell Bosanquet**

The Senior Planner explained that the application was for a large steel building with concrete panels and a profile sheeted roof situated in the green belt. He explained that a number of different locations had been considered and dismissed for the building, that the current location was an acceptable distance from the nearest dwelling and was for a compatible countryside use. He confirmed that all of the technical matters were satisfactory and the application was recommended for approval.

Some Members were concerned by the scale of the building and its location on a prominent site in the landscape. However, other Councillors were content that the proposals met policy and were content to approve the officer recommendation.

Councillor Ford, seconded by Councillor Cullinane, moved that the application be refused on the grounds that the building is of an inappropriate scale on a prominent site in the green belt and it would detract from the character of the area and therefore does not comply with Policies 8 and 12.

As an amendment, Councillor McKail, seconded by Councillor Cowling, moved that the application be granted subject to the conditions detailed in the report.

The Committee voted:-

For the motion (4) Councillors Hood, Cullinane, Ford and Walker

For the amendment (6) Councillors Aitchison, Clark, Cowling, Grant, McKail and Vernal

Therefore the amendment was carried and the Committee **agreed** to grant Full Planning Permission subject to the following conditions:-

1. The building hereby approved shall not be brought into use unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans and the drainage report from Wright Associates dated August 2016 reference A9145. The foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved scheme.

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

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any order amending, revoking or re-enacting those Orders, the building and site hereby approved shall be used only for private domestic forestry, agricultural and equine-related purposes and shall not be used for any commercial or other purpose without the express grant of planning permission from the planning authority.

Reason: In the interests of the residential amenities of the domestic properties in the immediate vicinity and to enable the planning authority to consider the implications of any subsequent change of use on the wider area.

Reason for Decision

The proposed development accords with the development plan and there are no material considerations which indicate that permission should be refused.