

ABERDEENSHIRE COUNCIL

FORMARTINE AREA COMMITTEE

THE KIRK CENTRE, STATION ROAD, ELLON, 12 SEPTEMBER 2017

Present: Councillors K Adam, I Davidson, A Forsyth, J Gifford, A Hassan, A Kloppert, G Owen, I Taylor and R Thomson.

Apologies: Councillors P Johnston and A Stirling.

Officers: E Brown (Formartine Area Manager), C Young (Committee Officer, Formartine), M Ingram (Solicitor, Legal and Governance), A Ramsay (Senior Planner, Infrastructure Services), G Steel (Principal Engineer, Infrastructure Services), K Clark (Principal Engineer, Infrastructure Services), D O'Reilly (Civil Engineer, Infrastructure Services), R Hutchison (Community Economic Development Co-ordinator, Infrastructure Services), V Docherty (Head of Service, Education and Children's Services), L Jolly (Social Work Manager, Education and Children's Services) and W Chisholm (Scottish Fire and Rescue Service).

PRELIMINARIES

The Committee were pleased to welcome back the Formartine Area Manager who had recently returned to work after a period of absence.

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare in terms of the Councillors' Code of Conduct.

Councillor Forsyth declared an interest in Item 12 as he was a member of the Turriff and District Heritage Society. As he felt this interest was clear and substantial, he indicated that he would not take part in the debate of this item and would withdraw from the chamber during discussions.

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 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 22 AUGUST, 2017

The Committee had before them, and **approved** as a correct record, the minute of the meeting of 22 August, 2017

4. SCOTTISH FIRE AND RESCUE SERVICE – FORMARTINE AREA COMMITTEE PERFORMANCE REPORT

There had been circulated a joint report by a Local Senior Officer of the Scottish Fire and Rescue Service and the Director of Business Services of Aberdeenshire Council, which informed members of how the Scottish Fire and Rescue Service was performing locally in Formartine, against key performance measures and associated targets as set out in the Aberdeenshire Local Fire and Rescue Plan 2014-17 and the Formartine Multi-Member Ward Plan, for the period from 1 April, 2017 to 30 June, 2017. The Formartine & Garioch Station Manager was in attendance to introduce the report.

During discussion, the members asked how many fire officers made up a crew; commented that previous reports had included figures and trends which were helpful; and thanked the Service for their input into awareness raising for use of defibrillators within communities. The members also suggested that the free Home Safety Visits be more widely publicised as they were very helpful.

Thereafter, the Committee:-

- (1) **noted** the performance report relating to the period, as detailed in Appendix 1 of the report,
- (2) **noted** the local operational matters arising, together with key resource issues, as detailed within Appendix 1 of the report, and
- (3) **requested** that the Scottish Fire and Rescue Service give consideration to adding figures and trends back into future reports.

5. MASTERPLAN ADDENDUM FOR LAND TO THE NORTH OF MEADOWBANK ROAD, TURRIFF

There had been circulated a report dated 2 August, 2017 by the Director of Infrastructure Services which outlined the proposed masterplan addendum for land to the north of Meadowbank Road, Turriff.

The Senior Planner introduced the masterplan addendum which had previously been deferred for additional information. The masterplan

addendum was introduced in conjunction with planning application APP/2016/3261 as much of the additional information requested related to both. It was clarified that the masterplan addendum and planning application could be determined by the Formartine Area Committee because the proposals were not a departure from the Local Development Plan.

The Committee also heard oral representations from the applicant and Turriff Community Council, who each spoke to the masterplan addendum and planning application APP/2016/3261 within one representation.

During discussion, the members asked about the maintenance of woodland open space; the necessary upgrade required for waste water treatment and how quickly an upgrade could take place; sought assurance that the current road infrastructure could deal with the resulting increase in traffic, particularly at peak times; queried whether a condition relating to the proposed affordable housing could be placed on the planning application; asked about the applicant's proposals in relation to the affordable housing that they intend to deliver; and sought clarification on the percentage increase in proposed house numbers.

Following a full debate of the information provided, the Committee **agreed** the addendum to the masterplan for site OP2 (formally sites H1, EH1 and R1) to be used as a material consideration in the determination of any subsequent planning applications. The Masterplan for Land to North of Meadowbank Road, Turriff was agreed on 19 November 2013.

6. PLANNING APPLICATIONS FOR DETERMINATION

Reference	Description	Recommendation
A. APP/2016/3261	Full Planning Permission (Major) for Residential Development Consisting of 231 Dwellinghouses and Associated Infrastructure at EH1/H1 (OP2) at Land North of Meadowbank Road, Turriff	Delegated Grant

7A. LRB 359 – PLANNING REF: APP/2016/1829 – SITE TO THE REAR OF 16 CHURCH TERRACE, TURRIFF

There had been circulated, a Local Review Body Decision Notice dated 7 July, 2017, advising of a decision to reverse the decision reviewed by it and granting Full Planning Permission, subject to the conditions specified 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.

Thereafter, the Committee **noted** the information provided.

7B. LRB 377 – PLANNING REF: APP/2016/3466 – LAND TO THE NORTH WEST OF BRIDGEND FARMHOUSE, TURRIFF

There had been circulated, a Local Review Body Decision Notice dated 15 August, 2017, advising of a decision to agree in part with the determination reviewed by it and refusing Full Planning Permission in accordance with the Appointed Officer's decision, subject to the deletion of the first reason for refusal as that reason referred to the now superseded Aberdeenshire Local Development Plan 2012, and the second reason for refusal being amended to reflect that contained within the adopted Aberdeenshire Local Development Plan 2017. The salient points to be acknowledged by the Committee and the Service had been outlined within the information provided to the members.

Thereafter, the Committee **noted** the information provided.

8. INFRASTRUCTURE SERVICES QUARTERLY PERFORMANCE – EXCEPTION REPORTING, JANUARY – JUNE 2017

There had been circulated a report dated 28 August, 2017 by the Director of Infrastructure Services which detailed exceptions in performance monitoring that were significantly above or below performance targets.

The Senior Planner provided an update on the planning related statistics.

Following consideration of the report, the Committee:-

- (1) **acknowledged** the good performance achieved January to March 2017 (Quarter 4),
- (2) **noted** those measures where performance was below expectations January to March 2017,
- (3) **advised** the Director of Infrastructure Services to continue to report, by exception, to the Committee quarterly on performance measures against service objectives and six monthly on progress in delivering all aspects of the Service Plan, and
- (4) made the following **comment** to be raised with the Service:
 - It would be helpful if officers could provide further detail of why there were delays in building warrants being processed.

9. RURAL PARTNERSHIP ANNUAL REPORT 2016/17 AND FUNDING 2017/18 AND 2018/20

There had been circulated a report dated 21 August, 2017 by the Director of Infrastructure Services which detailed the Service Legal Agreement and Action Plan for the Formartine Partnership for the 2017/18 period.

During discussion, the members asked for an update on the Formartine Partnership's wind turbine project; queried whether any other Rural Partnerships in Aberdeenshire ran a scheme similar to Formartine in Bloom; sought clarity on the strategic priority ward forums that the Rural Partnerships were currently facilitating; and noted that a session would be arranged for members to meet with the Formartine Partnership, for a more in-depth discussion of the work they were carrying out and how they could demonstrate their sustainability. Members acknowledged the vast amount of community support that the Formartine Partnership provided to this area.

Thereafter, the Committee:-

- (1) **noted** and **supported** the continuing development of the Formartine Partnership,
- (2) **noted** the progress made on the Action Plan for 2017/18 and the Service Level Agreement for 2017/18, and
- (3) **noted** the publication of the Formartine Partnership's Annual Report for 2016/17 on Ward Pages.

10. LOOKED AFTER CHILDREN TRUANCY AND ABSENCES

There had been circulated a report dated 29 August, 2017 by the Director of Education and Children's Services which provided further detail in relation to Looked After Children truancy and absences in Formartine, as requested by members on 25 April, 2017 when considering the quarterly performance report for the service.

The Head of Service for Education and Learning and the Social Work Manager were in attendance to provide the members with a full overview of the current situation.

During discussion, members commented that grants available to Looked After Children for further education could be more widely advertised.

Thereafter, the Committee **noted** the contents of the report.

11. NOMINATIONS TO OUTSIDE BODIES

There had been circulated a report dated 28 August, 2017 by the Director of Business Services which invited members to consider nominations to Outside Bodies.

Castle Park Community Centre

The Committee **agreed** to nominate Councillor Anouk Kloppert in an advisory capacity.

Turriff Citizen's Advice Bureau

The Committee **agreed** to nominate Councillor Sandy Duncan and Councillor Anne Stirling in an advisory capacity.

12. AREA COMMITTEE BUDGET 2017-2018

Councillor Forsyth declared an interest in Item 12 as he was a member of the Turriff and District Heritage Society. As he felt this interest was clear and substantial, he indicated that he would not take part in the debate of this item and he withdrew from the chamber during discussions.

With reference to the Minute of Meeting of this Committee of 21 March, 2017 (Item 11), at which the broad allocation of the Area Committee Budget for 2017-18 was agreed, there was circulated a report dated 26 May, 2017 by the Director of Business Services which detailed requests for funding that had been received from local groups.

Turriff and District Heritage Society

An application had been received from the Turriff and District Heritage Society, which sought a contribution towards a secure display case to house a unique silver and ivory presentation trowel and mortar. The trowel had previously been gifted to Provost Hutcheon's daughter on 4 November, 1909 when the foundation stone was laid for the Municipal Buildings, which the group currently occupied.

After consideration of the information provided, the Committee **agreed** to **award £543.26** to the group.

13. 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:-

- (1) **agreed** that a workshop was no longer required in relation to the Road Markings Policy and the Variable and Vehicle-Activated Signs Policy, as Infrastructure Services Committee had agreed these policies, and
- (2) **requested** a further update in relation to the current school drop-off issues for Balmedie Primary School.

Councillor Presiding over meeting

Councillor Isobel Davidson

Print Name

Signature

3 October, 2017

Date

APPENDIX A

6A. Reference No: APP/2016/3261

Full Planning Permission for Residential Development Consisting of 231 Dwellinghouses and Associated Infrastructure at EH1/H1 (OP2) at Land North of Meadowbank Road, Turriff, Aberdeenshire

Applicant: Springfield Properties PLC

Agent: No Agent

The Senior Planner introduced the application which had previously been deferred for additional information. The application was introduced in conjunction with the masterplan addendum as much of the additional information requested related to both. It was clarified that the masterplan addendum and planning application could be determined by the Formartine Area Committee because the proposals were not a departure from the Local Development Plan.

The Committee also heard oral representations from the applicant and Turriff Community Council, who each spoke to the masterplan addendum and planning application APP/2016/3261 within one representation.

During discussion, the members asked about the maintenance of woodland open space; the necessary upgrade required for waste water treatment and how quickly an upgrade could take place; sought assurance that the current road infrastructure could deal with the resulting increase in traffic, particularly at peak times; queried whether a condition relating to the proposed affordable housing could be placed on the planning application; asked about the applicant's proposals in relation to the affordable housing that they intend to deliver; and sought clarification on the percentage increase in proposed house numbers.

Following a full debate of the information provided, the Committee **agreed** that authority to **grant** be delegated to the Head of Planning and Building Standards subject to:-

1. The conclusion of a Section 75 Agreement;
2. An additional condition relating to affordable housing and phasing, to be determined by the Planning Service, and
3. The following conditions:
 1. No works in connection with the development hereby approved shall commence unless a detailed site-specific construction method statement and related site plan has been submitted to and approved in writing by the Planning Authority. The construction method statement shall include details of protection of the environment during construction including water quality and the management of materials, soils and waste. All construction works

on the site shall be carried out in strict accordance with the approved construction method statement.

Reason: In the interests of protecting the biodiversity of the environment.

2. No works in connection with the development hereby approved shall commence unless drawings of appropriate gas protection measures designed in accordance with British Standard 8485:2015 'Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings' have been submitted to and approved in writing by the Planning Authority.

Each dwellinghouse hereby approved shall not be occupied unless:

- a) the approved gas protection measures have been incorporated into the construction of the proposed dwellinghouse in accordance with the details shown on the approved drawings and in accordance with British Standard 8485:2015 (Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings); and
- b) the gas protection measures have been inspected and validated in accordance with CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases) and a validation report detailing the findings of the inspection has been submitted to and approved in writing by the Planning Authority.

Reason: In order to ensure that adequate gas protection measures are provided in the interests of public safety.

3. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the Planning Authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

4. Waste water from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means without the separate express grant of planning permission by the Planning Authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

5. No individual dwellinghouse hereby approved shall be erected unless an Energy Statement applicable to that dwellinghouse has

been submitted to and approved in writing by the Planning Authority. The Energy Statement shall include the following items:

- a) Full details of the proposed energy efficiency measures and renewable technologies to be incorporated into the development;
- b) 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.

The development shall not be occupied unless it has been constructed 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.

6. No works in connection with the development hereby approved shall commence unless a sample, specification and colour of all the materials to be used in the external finish of each approved house within the development have been submitted to and approved in writing by the Planning Authority.

The development shall not be occupied unless the external finish has been applied in accordance with the approved details.

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

7. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority.

Details of the scheme shall include:

- a) Existing and proposed finished levels;
- b) The location of new trees, shrubs, hedges and grassed areas;
- c) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- d) The location, design and materials of all hard landscaping works including any walls, fences, gates, street furniture and play equipment;
- e) A programme for the implementation, completion and subsequent management of the proposed landscaping.

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.

8. The development shall be served in accordance with the approved drawings and the following details:
 - (a) The maximum gradient of the first 5m of the access must not exceed 1 in 20.
 - (b) Prior to occupancy of each dwellinghouse, off-street car parking suitable for that dwellinghouse, surfaced in hard standing materials must be provided within the site.

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.

9. No dwellinghouse hereby approved shall be occupied unless a 2 metre wide public footpath linking the existing footpath adjacent to Markethill Primary School (east site access road) and the site has been designed and constructed in accordance with the Council's Standards for Road Construction Consent and Adoption has been provided in its entirety as shown on the approved plans. Once provided, the footpath shall thereafter be permanently retained as such.

Reason: To ensure safe access for pedestrians to the existing footpath network.

10. No development in connection with the permission hereby granted shall commence and no access hereby approved shall be brought into use unless visibility of 25 metres in both directions along the channel line of the public road has been provided from a point 2.5 metres measured at right angles from the existing edge of the carriageway surface along the centre line of each 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.

11. No dwellinghouse hereby approved shall be brought into use unless a Travel Plan for that dwellinghouse has been submitted to and approved in writing by the Planning Authority. The Travel Plan shall encourage more sustainable means of travel and shall include mode share targets. It shall identify measures to be implemented, the system of management monitoring review, reporting and duration of the incorporated measures designed to encourage modes other than the private car. No building shall be brought into use unless the measures set out in its (respective) approved Travel Plan have been implemented in full.

Reason: In the interests of encouraging a more sustainable means of travel to and from the proposed development.

12. No dwellinghouse hereby approved shall be occupied unless the proposed surface water drainage systems have been provided in accordance with the approved plans and the Drainage Assessment Revision B dated May 2017.

The surface water drainage systems 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.