

ABERDEENSHIRE COUNCIL

BUCHAN AREA COMMITTEE

BUCHAN HOUSE, PETERHEAD, 31ST OCTOBER 2017

Present: Councillors N Smith (Chair), D Beagrie (Vice Chair), A Allan, A Buchan, M Buchan, S Calder, A Fakley, J Ingram, A Simpson, S Smith and I Sutherland

Officers: Chris White, Buchan Area Manager (Business Services); Iain Meredith, Solicitor – Governance (Business Services); Alan Davidson, Senior Planner (Infrastructure Services); Peter MacCallum, Roads Development Manager (Infrastructure Services); David Naismith, Principal Engineer Roads Development (Infrastructure Services); John Bruce, Roads Policy Officer (Infrastructure Services); Andrew Murray, Senior Environmental Health Officer (Infrastructure Services); Elaine Reid, Team Leader Affordable Housing (Infrastructure Services); Mark Mitchell, Programme Delivery Officer (Education and Children's Services); Steph Swales, Community Planning Officer (Business Services); Maureen Stephen, Community Planning Officer (Business Services); and Theresa Wood, Area Committee Officer (Business Services)

1. DECLARATIONS OF MEMBERS' INTERESTS

In terms of the Councillors' Code of Conduct, the following Declarations of Interest were put forward –

- (1) Councillor D Beagrie for Items 5c and 5d – Planning Applications APP/2017/1754 – Full Planning Permission for Formation of Car Park at site adjacent to 2 James Street, Peterhead, and APP/2017/1755 – Listed Building Consent for Part Demolition of Building and Formation of Car Park at site adjacent to 2 James Street, Peterhead – given that Councillor Beagrie knows one of the developers in her role as Treasurer to Peterhead Boys Club. In confirming that her interest was not significant, Councillor Beagrie took part in the discussion of both of these items,
- (2) Councillor D Beagrie for Item 6 – Festive Lights and Attachments to Street-Lighting Columns Policy – given that she is a member of the Lite-Up Peterhead Committee. In confirming that her interest was not significant, Councillor Beagrie took part in the discussion of this item,
- (3) Councillor J Ingram for Items 4a, 4b and 5a – Planning Applications APP/2017/0065-0071; APP/2017/1297 & APP/2017/1870 – Planning Permissions at Longside Airfield, Peterhead - given that the land referred to in this application is part-owned by a family member of Councillor Ingram's. In confirming that his interest was non-pecuniary, Councillor Ingram took part in the discussion of these items,
- (4) Councillor A Buchan for Items 4a, 4b and 5a – Planning Applications APP/2017/0065-0071; APP/2017/1297 & APP/2017/1870 – Planning Permissions at Longside Airfield, Peterhead - given he attended the Company's Open Day approximately two years ago. In confirming that his interest was not significant, Councillor Buchan took part in the discussion of these items,

- (5) Councillor N Smith for Item 10 – Buchan Community Plan – Progress Review - given that he is Chair of MACBI. In confirming that his interest was not significant, Councillor Smith took part in the discussion of this item, and
- (6) Councillor N Smith for Item 11 - E&CS Procurement Supplementary Work Plan - given that he is Chair of MACBI, who make regular use of the all-weather sports pitch. Councillor Smith in confirming that his interest was significant left the Chamber throughout the discussion of this item

2(a) 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

2(b) RESOLUTION

The Committee **agreed** in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of the items specified below so as to avoid disclosure of exempt information of the class described in the undernoted paragraphs of Part 1 of Schedule 7A of the Act.

Item No	Paragraph No of Schedule 7A
11	8

3. MINUTE OF MEETING OF 26TH SEPTEMBER 2017

The Minute of the Meeting of 26th September 2017 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/2017/0065-71 Full Planning Permission for Part Change of Use of Airfield to Form Pipe Storage Yard (Use Class 6 – Storage and Distribution) at Storage Yards 1-7, Longside Airfield, Peterhead
- (b) APP/2017/1297 Full Planning Permission for Erection of 2 Buildings and Associated Yard at Longside Airfield, Glendaveny, Peterhead

5. 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 B attached to this Minute.

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| (a) | APP/2017/1870 | Full Planning Permission for Erection of 2 Buildings and Associated Yard at Site 17, Longside Airfield, Peterhead |
| (b) | APP/2017/1492 | Full Planning Permission for Erection of Agricultural Building and Installation of 2 Biomass Boilers (Part Retrospective) at Site at Craigshowdie, Ardallie, Peterhead |
| (c) | APP/2017/1754 | Full Planning Permission for Formation of Car Park at Site adjacent to 2 James Street, Peterhead |
| (d) | APP/2017/1755 | Listed Building Consent for Part Demolition of Building and Formation of Car Park at Site adjacent to 2 James Street, Peterhead |
| (e) | APP/2017/2135 | Planning Permission in Principle for Erection of Dwellinghouse at Site at Millbreck, Mintlaw |

6. FESTIVE LIGHTS AND ATTACHMENTS TO STREET-LIGHTING COLUMNS POLICY

A report by the Director of Infrastructure Services had been circulated advising that whilst festive lighting etc can help encourage commercial activity in our town centres, unregulated installations may cause damage to street furniture or endanger the public. The Committee was therefore asked to consider a policy to establish a consistent approach across Aberdeenshire for dealing with requests from community groups for erecting festive lights, hanging baskets etc and attaching such items to street-lighting columns.

The Committee **agreed** to make the following comments to Infrastructure Services Committee in relation to the draft policy:-

- (1) given that our communities put in a considerable amount of time and effort to ensure that the local towns and villages have festive lights, the Council should continue to cover the cost of the electricity thereby encouraging people into the local towns and villages,
- (2) that the period for festive-lighting installations be limited from mid-November to mid-January, but should include the last two weekends of November,
- (3) that the necessary paperwork to be completed by community groups be combined to ensure that only one set of paperwork is required,
- (4) to request that consideration be given to permitting commercial sponsorship so as to assist communities with ever-growing costs in relation to maintenance, renewal etc, and
- (5) to request that the policy contain reference to the fact that the installation of festive-lighting on telegraph poles is not permitted

7. STRATEGIC HOUSING INVESTMENT PLAN 2018-2023

A report by the Director of Infrastructure Services Committee had been circulated advising that Strategic Housing Investment Plans (SHIP) and Strategic Local Programmes are part of the Local Housing Strategy process. Further, they are the statements of affordable housing investment priorities in each local authority which guide the application of Scottish Government and other funding. In line with Scottish Government guidance, all local authorities are required to submit a SHIP to the Scottish Government every year.

Having considered the draft Strategic Housing Investment Plan 2018-2023, the Committee **agreed** to welcome the report and make the following comments to the Communities Committee:-

- (1) in light of the continuing pressures for more affordable housing within Aberdeenshire, to request that Officers highlight to the Scottish Government that the SHIP 2018-2023 identifies Aberdeenshire Council's 'minimum' requirements, and
- (2) that Officers continue to work with the Scottish Government, partners, developers, etc to identify all opportunities available to deliver more affordable housing within Aberdeenshire

8. INFRASTRUCTURE SERVICES QUARTER 1 2017-2018 PERFORMANCE REPORT AND SERVICE PLAN UPDATE (ABERDEENSHIRE PERFORMS)

A report by the Director of Infrastructure Services had been circulated providing the Committee with a summary of performance for Quarter 1, April-June 2017, and with an update on progress with actions in the Infrastructure Services Service Plan 2017-2020.

The Committee **agreed** to request that relevant Officers meet informally with the Buchan Area Committee Members, as soon as possible, in respect of the two actions 'Improving Energy Efficiency (in Council Homes)' and 'Fuel Poverty' where progress has not been as planned.

9. EDUCATION AND CHILDREN'S SERVICE QUARTERLY PERFORMANCE EXCEPTION REPORTING APRIL-JUNE 2017 (ABERDEENSHIRE PERFORMS)

A report by the Director of Education and Children's Services had been circulated advising the Committee of how the Service is performing against key performance measures and associated targets.

The Committee **agreed**:-

- (1) to request an update in respect of the following –
 - (a) when will the previously approved window repairs to Peterhead Academy be carried out?, and
 - (b) the proposed Peterhead Community Campus, and
- (2) in having considered the content of the full report as made available to Members on Ward Pages, in relation to PI 4.4d – Percentage Satisfaction with Leisure Facilities – has there been an impact on the Council's leisure facilities following the charges review?

10. BUCHAN COMMUNITY PLAN 2016-2019 – PROGRESS REVIEW

A report by the Director of Business Services had been circulated advising that the Buchan Community Plan is developed by local Community Planning Partners working with our local communities to provide a strategy for delivering key partnership actions to help address identified priorities and needs for the area. The Committee was asked to note the progress updates in relation to the Buchan Local Community Plan 2016-2019 and provide comment on the review process.

The Committee **agreed**:-

- (1) to welcome and commend Officers for their continuing work and support to the many community and voluntary groups throughout Buchan,
- (2) to request that an informal session be arranged, as soon as possible, to allow Buchan Area Committee Members, Officers, and partners to go through the various priorities highlighted throughout the Plan,
- (3) to request an update in respect of the redevelopment of Drummers Corner, and
- (4) to again highlight the importance and need for a new Academy and Sports Facility within Peterhead and to request that Officers continue to explore all opportunities available and provide regular feedback to the Buchan Area Committee Members

11. E&CS PROCUREMENT SUPPLEMENTARY WORK PLAN

The Chairman having declared an interest in this item, left the Chamber for the duration of this discussion. The Chair was taken by Councillor Beagrie.

A report by the Director of Education and Children's Services had been circulated reminding the Committee that they had approved the Education and Children's Services Buchan area procurement work plan back in June 2017. However, three projects presented to the Committee, in June 2017, are now expected to cost more than the agreed budget allocation following the detailed scoping stage. The Committee was asked to consider the supplementary Work Plan as detailed.

Having considered the supplementary Education and Children's Services Directorate Work Plan, the Committee **agreed**:-

- (1) to approve the items on the Work Plan identified as falling within the remit of the Committee,
- (2) to approve the business case as detailed in Appendix 3 attached to the report, but to urge Officers to fully consider the various sections within the business case proforma and ensure that these are fully completed in future,
- (3) whilst welcoming the proposed improvements to the three projects, to highlight the Buchan Area Committee's concerns in relation to –
 - (a) the initial scoping costs and the new increased revised scoping costs, and
 - (b) as to why the scope for each of these projects has changed so much resulting in considerably more cost, and

- (4) in having highlighted the Committee's concerns, to request that an informal meeting be arranged for Buchan Area Committee Members to meet with relevant Officers to discuss the processing element and budgeting element for such projects

APPENDIX A

DEFERRED PLANNING APPLICATIONS

- (a) **Full Planning Permission for Part Change of Use of Airfield to Form Pipe Storage Yard (Use Class 6 – Storage and Distribution) at Storage Yards 1-7, Longside Airfield, Peterhead**
For: Independent Oilfield Services, IOS Tubular Facility, Longside Airfield, Peterhead
Per: McAdam Design (Scotland) Ltd, 70 King Street, Peterhead
Reference Nos: APP/2017/0065-0071

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee, in relation to all three applications for Longside Airfield, from Symon Wadsworth for Independent Oilfield Services.

The Committee was asked if they wished to hear the representation. The Committee unanimously **agreed**.

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

“The last time I spoke in front of you I gave you some background information about IOS and how we have managed to grow the business in very difficult times. This has been achieved with the support and guidance of the local Planning and Area Committee Members.

Today I would like to try and address some of the concerns that have been raised in relation to the various live planning applications. I would also like to try and explain the importance of these applications to IOS and provide an update on the progress we have made since the last time we met.

I cannot express how important the location and the size of the site at Longside are in IOS's success to date, and in our future potential, this is a very unique site.

In 2013 when we were looking to set up IOS there was a choice to be made between the site in Longside and one in Aberdeen. I can honestly say that IOS would not still be trading if we had chosen Aberdeen.

The Planning Department have highlighted three areas which caused them to recommend these applications are rejected –

- 1 – Baker Hughes Explosives Licence
- 2 – Site location and ease of access for employees
- 3 – The site being outwith the local plan and there being other suitable sites locally

At the last meeting there was a lot of discussion on the various explosion zones, where they extended to and the quantities of vehicles allowed through these zones.

However, at IOS we think it is more important that we work with our neighbours to come to an agreement to work together, as we have previously with Buchan Flying Club.

IOS are happy to work to what would be the tightest restrictions of 500 vehicles per day, as this is a volume we do not see any possibility of exceeding. Since the last Council meeting IOS has continued to monitor vehicle movements on the access road and on average there have been 75 movements per day, with a high of 94 movements.

At IOS we have one crane and two forklifts on site. It takes a minimum of 30 minutes to unload a truck, which means there is a capacity to handle 45-60 trucks a day or 90-120 movements per day. Even with the additional storage capacity and buildings covered in these planning applications we cannot see this number ever coming close to 250 movements never mind 500.

During the site visit we met two Baker Hughes representatives and communication has been ongoing as we seek to reach a legal agreement on vehicle movements. Both parties are in agreement on the method and content of the vehicle reporting and it is only the transfer of this agreement into a formal legal document which couldn't be completed in time for today's meeting. As well as a document agreeing to provide detailed information to Baker Hughes, IOS are hopeful that the current wording in both the IOS and Baker Leases, with our shared landlord, can provide the comfort required by Baker that their Licence will be protected.

Both leases already state that the tenant or landlord cannot carry out any operations which will put this Licence at risk or their lease will be cancelled. We hope formal agreements can be agreed with Baker Hughes and signed within the next 30 days.

The second point I would like to address is the one of connectivity to the site. Whilst the site might not be viewed as ideal for people to cycle or walk to from the centre of Peterhead, 70% of IOS employees come from the Buchan area and 50% of all of our employees either car share or arrange lifts. With our business being located in Buchan it also means there are up to 35 people not travelling to Aberdeen every day.

We expect a further 20-25 jobs to be created by this planned expansion.

The final point I would like to try and address is on the suitability of the site and the possibility that IOS could easily relocate to another local site.

I have already mentioned that the Longside site is unique; we currently have 32 acres of storage and are over 90% utilised. Only 10% of our total site can be seen from the road.

These planning applications have been submitted to service our current customers needs and to add the necessary additional services to complement our customer's needs.

There are no other sites in the area which are big enough to accommodate our needs in the North East of Scotland - only the Edzell Base would be comparable in size and suitability. The biggest difference with Edzell is that it is not near a port.

IOS can only offer customers the necessary cost savings to attract new business by having these additional services on site.

Approval of these planning applications are vital to continuing the growth of our business."

Following a discussion, the Committee **agreed**:-

- (1) that authority to Grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to relevant planning conditions, and
- (2) their reasons for departing from Local Development Plan as follows –
 - (a) the proposal would be an acceptable departure to Policy R2 given that the extension to the existing yard will keep all works within the same area and reduce traffic movements as all works will be on site,

- (b) the proposal would be a reasonable departure from Policy R2 given that the size of the pipes being maintained justifies the 0.5 hectare restriction being relaxed, and
- (c) the proposal would be an acceptable departure from Policy R4 given the agreement with Baker Hughes to monitor and keep vehicle movements to an acceptable level thereby presenting no risk to public safety and having no impact on Baker Hughes licence

(b) **Full Planning Permission for Erection of 2 Buildings and Associated Yard at Longside Airfield, Glendaveny, Peterhead**

For: Independent Oilfield Services, IOS Tubular Facility, Longside Airfield, Peterhead

Per: Taylor Design Services, The Studio, New Inn Courtyard, Market Street, Ellon

Reference No: APP/2017/1297

Having heard the applicant speak in relation to all three applications for Longside Airfield, the Committee **agreed:-**

- (1) that authority to Grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to relevant planning conditions, and
- (2) their reasons for departing from Local Development Plan –
 - (a) the proposal would be an acceptable departure to Policy R2 given that the extension to the existing yard will keep all works within the same area and reduce traffic movements as all works will be on site,
 - (b) the proposal would be a reasonable departure from Policy R2 given that the size of the pipes being maintained justifies the 0.5 hectare restriction being relaxed, and
 - (c) the proposal would be an acceptable departure from Policy R4 given the agreement with Baker Hughes to monitor and keep vehicle movements to an acceptable level thereby presenting no risk to public safety and having no impact on Baker Hughes licence

APPENDIX B

NEW PLANNING APPLICATIONS

(a) **Full Planning Permission for Erection of 2 Buildings and Associated Yard at Site 17, Longside Airfield, Peterhead**

For: Independent Oilfield Services, IOS Tubular Facility, Longside Airfield, Peterhead
Per: Taylor Design Services, The Studio, New Inn Courtyard, Market Street, Ellon
Reference No: APP/2017/1870

Having heard the applicant speak in relation to all three applications for Longside Airfield, the Committee **agreed**:-

- (1) that authority to Grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to relevant planning conditions, and
- (2) their reasons for departing from the Local Development Plan –
 - (a) the proposal would be an acceptable departure to Policy R2 given that the extension to the existing yard will keep all works within the same area and reduce traffic movements as all works will be on site, and
 - (b) the proposal would be a reasonable departure from Policy R2 given that the size of the pipes being maintained justifies the 0.5 hectare restriction being relaxed

(b) **Full Planning Permission for Erection of Agricultural Building and Installation of 2 Biomass Boilers (Part Retrospective) at Site at Craigshowdie, Ardallie, Peterhead**

For: Mr George Whitelock, Craigshowdie Farm, Ardallie, Peterhead
Per: Arcus Design Ltd, Mavisbank, Old Deer, and Peterhead
Reference No: APP/2017/1492

In terms of Standing Order 6.5, the Area Manager had received two requests to address Committee in relation to this application from (1) the Applicant's Technical Representative – Glen Farrow, and (2) Mr Peter Bartholomew and Ms Sandra Dawson, objectors.

However, the Committee were advised that the Applicant's Technical Representative, Glen Farrow, had since withdrawn their request as they were unable to attend the Committee meeting on the date and time specified.

The Committee was asked if they wished to hear the representation. The Committee unanimously **agreed**.

The Committee first heard from the Senior Planner then from Ms Dawson as follows –

“I am one of the owners of the affected neighbouring properties, which are 70m and 46m distant from the boilers. These are large industrial batch-fed boilers, which burn waste wood, and will always produce smoke and odour. The proximity to our properties is the problem. We can’t use our outdoors. When the wind blows the smoke in our direction the situation is intolerable. The smoke is not only present when the boilers are first lit but at intervals throughout the day. We have plenty of video evidence to support this. We no longer live in our house. The Environmental Health Service has advised the applicant of the potential danger to health and the nuisance being caused to neighbouring properties. We do understand the purpose of these boilers, however, these are not situated in an appropriate location.”

Having heard the representation, Councillor Ingram moved as a motion, seconded by Councillor S Smith, that Full Planning Permission be refused for the reasons stated in the report.

As an amendment, Councillor Fakley, seconded by Councillor N Smith, moved that the application be deferred for a site visit.

The Members of the Committee voted:-

For the motion (5) Councillor Allan, A Buchan, Calder, Ingram and S Smith

For the amendment (6) Councillor N Smith, Beagrie, M Buchan, Fakley, Simpson
And Sutherland

The amendment was therefore carried and the Committee **agreed** to defer the application to allow Members the opportunity to visit the site and consider the situation for themselves.

- (c) **Full Planning Permission for Formation of Car Park
at Site adjacent to 2 James Street, Peterhead**
For: Fulmor Ltd, 8-10 Queen Street, Peterhead
Per: Michael Gilmour Associates, 22 Rubislaw Terrace, Aberdeen
Reference No: APP/2017/1754

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to both applications for 2 James Street, Peterhead, from the Agent – Mr John Buchan of Michael Gilmour Associates.

The Committee was asked if they wished to hear the representation. The Committee unanimously **agreed**.

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

“The application site is a derelict building on James Street and sits next to two existing granite buildings, commonly known as the Caley Buildings, both converted into flats over three floors above commercial units at street level on Harbour Street and both subject to HES grant funding.

HES funding was the only means by which both projects could be delivered.

The main block along Harbour Street is being converted into flats by Langstane Housing Association in a £2.5 million regeneration project, with a commercial unit on the ground floor currently being fitted out by the applicant, Fulmor Ltd, for occupation by Marine Scotland 'Sea Fisheries' Division.

The proposal is to part demolish the existing derelict building on James Street to provide 7 parking spaces primarily for Marine Scotland.

The building is currently a burnt out shell, following a fire in 2006. Due to the extensive fire damage, there are little if any historic features. There is a granite arched opening onto James Street which is to remain along with part of the granite façade to maintain the feel and tight character of that part of James Street.

A structural report, commissioned by the applicant, highlights its hazardous condition and identifies the need for urgent structural stabilisation and consolidation. It has already been partly demolished with sections of masonry on the chimney-head of the west gable previously been taken down due to risk of collapse.

The recommendation is for refusal on the grounds of Policy HE1 and HE2 Protecting Historic Buildings and Historic and Cultural Areas.

The guidance on demolition from HES requires that only where it can be shown that all efforts to retain the building have been exhausted should consent to demolish be granted.

To this end, the building was subject to a grant application to HES in early 2016. The application was refused and HES concluded "that it is highly unlikely to be a project that HES is going to be in a position to support through grant". "The overall condition of the building is so poor that there is very little by way of historic fabric left." "I'm afraid the poor overall condition of the building is a critical factor in our decision making and indeed if it were formally reviewed at this time, then the Category B Listing would be recommended for removal."

This has been confirmed by HES in the consultation response. HES are not objecting to the demolition of the building as it does not raise historic environment issues of national significance.

The Planning Department state in an internal memo that they could foresee the demolition of the building if the James Street elevation could be retained somehow.

So the principle of demolition is accepted by both the Planning Department and HES.

HES guidance also states that the applicant must demonstrate that the retention of the building is financially unviable.

The building was offered for sale to Langstane Housing Association who declined as it would be too expensive to convert into residential units. A cost estimate was prepared and constructions costs were estimated at £700,000 for six 1-bedroomed flats, which with fees and funding added would result in each flat costing over £125,000 excluding land values. A single bedroom flat in a recently converted property in the local area sold for £83,000. That represents a conservation deficit of more than £45,000 per flat, £250,000 in total.

HES have refused any grant funding for redevelopment and have confirmed in writing that the B Listing is likely to be recommended for removal thereby rendering the redevelopment of the building unviable.

In conclusion, the proposal is to demolish the building to form a car park for the adjacent commercial units on Harbour Street and in particular Marine Scotland 'Sea Fisheries' Division

There are no objections from the Roads Department nor from any members of the public.

The adjacent £2.5million regeneration development by Langstane Housing Association, funded by HES, is nearing completion for occupation as much needed affordable housing. The building on James Street presents a risk to the occupants of the flats and the public due to its poor condition.

There is currently considerable traffic congestion and lack of parking in the immediate vicinity of Harbour Street which the proposed development will address.

Rather than remain a derelict building with no chance of being redeveloped for years to come, if ever, its partial demolition - which is accepted in principle by HES and the Planning Department - and redevelopment will greatly benefit the commercial businesses on Harbour Street and the operations of Marine Scotland in particular and help make a positive contribution to the ongoing regeneration of the harbour."

Having heard the representation, the Committee **agreed**:-

- (1) that authority to Grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to relevant planning conditions, and
- (2) their reason for departing from the Local Development Plan as follows –
 - (a) the proposal would not have a detrimental impact on the conservation area
- (d) **Listed Building Consent for Part Demolition of Building and Formation of Car Park
at Site adjacent to 2 James Street, Peterhead**
For: Fulmor Ltd, 8-10 Queen Street, Peterhead
Per: Michael Gilmour Associates, 22 Rubislaw Terrace, Aberdeen
Reference No: APP/2017/1755

Having heard the representation from the Applicant's Agent in relation to the previous application, the Committee **agreed**:-

- (1) that authority to Grant Listed Building Consent be delegated to the Head of Planning and Building Standards subject to relevant planning conditions, and
- (2) their reason for departing from the Local Development Plan as follows –
 - (a) the proposal would not have a detrimental impact on the conservation area

(e) **Planning Permission in Principle for Erection of Dwellinghouse at Site at Millbreck, Mintlaw**

For: Arcus Design Ltd, Mavisbank, Old Deer, Peterhead

Per: Arcus Design Ltd, Mavisbank, Old Deer, Peterhead

Reference No: APP/2017/2135

The Committee **agreed** to Grant Planning Permission in Principle subject to the following conditions:-

- 01 Details of the specified matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No development shall begin on the site unless all of the details listed in this condition have been submitted to and approved in writing by the planning authority. The development shall be carried out in complete accordance with the details approved in relation to this condition.

Specified matters:

- (a) Full details of the siting, design, layout, external appearance and finishing materials of the proposed development including waste bin uplift area, driveway, vehicle parking and turning area;
- (b) Full details of the proposed means of access to the development including visibility splays, vehicle lay-by at the junction with the public road;
- (c) A landscaping scheme for the development including details of the existing landscape features and vegetation to be retained; the locations of new trees, shrubs, hedges and grassed areas; a schedule of plants including species, plant sizes and proposed numbers and density; the layout, design and materials of all hard landscaping works including walls, fences and gates; and a programme for the completion and subsequent maintenance of the proposed landscaping;
- (d) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed ordnance datum point;
- (e) Full details of the proposed means of disposal of foul and surface water from the development.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

- 02 No other development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility of 215 metres in both directions along the channel line of the public road has been provided from a point 2.4 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 outwith 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.

- 03 No development in connection with the permission hereby granted, other than that required by condition 2, shall commence unless the vehicular and pedestrian access has been provided and surfaced in accordance with the details shown on the plans submitted and approved under condition 1. Once provided, the vehicular and pedestrian access shall thereafter be permanently retained as such.

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

- 04 The dwellinghouse hereby approved shall not be occupied unless its lay-by, driveway, turning and parking area have been provided and surfaced in accordance with the details shown on the plans submitted and approved under condition 1. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the driveway to an adequate standard to prevent the carriage of loose driveway material on to the public road in the interests of road safety.

- 05 All soft and hard landscaping proposals shall be carried out in accordance with the planting scheme and management programme submitted and approved under Condition 1. 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.

- 06 The dwellinghouse hereby approved shall not be occupied unless the proposed foul water drainage system has been provided in accordance with the plans submitted and approved under condition 1 and the foul water sub-surface soakaway certification dated 15 March 2017 and signed by Philip Baxter. The foul 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.

- 07 That no development in connection with the planning permission hereby approved shall take place unless full details of the proposed means of disposal of surface water from the development have been submitted to and approved in writing by the Planning Authority. Unless otherwise agreed in writing by the Planning Authority, surface water shall be disposed of via the use of Sustainable Urban Drainage Systems and the development shall not be occupied unless the agreed drainage system has been provided in its entirety and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme.

Reason: To ensure the provision of an acceptable drainage system in the interests of the amenity of the area.

- 08 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.

- 09 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/or 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 planning policy - Policy C1 Using resources in buildings.

The dwellinghouse 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 planning policy - Policy C1 Using resources in buildings.

- 10 The dwellinghouse hereby approved shall not be occupied unless all of its associated means of enclosure have been provided in accordance with the scheme submitted and approved under condition 1. Once erected, the approved means of enclosure shall thereafter be permanently retained in accordance with the approved details.

Reason: In the interests of the residential amenities of the occupiers of the dwellinghouse and the visual amenities of the area.

Reason for Decision

The proposal is not compliant with Policy PR1 Protecting important resources from the 2017 Aberdeenshire Local Development Plan as the proposed dwellinghouse is sited upon prime agricultural land. Building upon the land in this instance is justified as there are significant constraints which render the field impractical for arable use.