

## ABERDEENSHIRE COUNCIL

### BANFF AND BUCHAN AREA COMMITTEE, FRASERBURGH COMMUNITY AND SPORTS CENTRE, MACONOCHIE PLACE, FRASERBURGH – 14 NOVEMBER 2017

**Present:** Councillors C C Buchan, R A Cassie, J B Cox, M A Findlater, D Mair, G D Reynolds and B A Topping

**Apologies:** Councillors A Kille and M J Roy

**Officers:** Mrs K F Wiles, Interim Area Manager; Miss F M Stewart, Solicitor; Mr J Martin, Senior Planner; Ms A Murphy, Senior Planner; Ms A Anderson, Policy Planner; Mr J D Naismith, Principal Engineer; Mr J Bruce, Roads Policy Officer; Mr B Lennox, Roads Quality and Resources Manager; Mrs C Webster, Regeneration and Town Centres Manager; Mr A Rhind, Strategic Regeneration Executive; Mrs C Smith, Area Community Planning Officer; Ms C McCall, Principal Officer Harbours; Mr A MacLeod, Housing Manager (Strategy) and Mrs E M Farquhar, Area Committee Officer

**Attending:** Chief Inspector Neil McDonald – For Item 5; Mr Chay Ewing and Mr Craig Shand, Scottish Fire and Rescue Service – For item 6

#### 1(a) APPOINTMENT OF PRO TEM CHAIR

As the Chair and Vice-Chair were both absent from the meeting, Members present were required to appoint a pro tem Chair in terms of 5.1.2 of Part 1 of the Scheme of Governance. The Area Manager therefore invited nominations.

Councillor Partridge, seconded by Councillor Cox, **moved** that Councillor Findlater be appointed as pro tem Chair.

**As an amendment**, Councillor Buchan, seconded by Councillor Reynolds, **moved** that Councillor Topping be appointed as pro tem Chair.

Both nominees having indicated acceptance of nomination, members of the Committee voted:

For Councillor Findlater	4	Councillors Cox, Findlater, Mair and Partridge
For Councillor Topping	4	Councillors Buchan, Cassie, Reynolds and Topping

There being an equality of votes, it was thereafter determined, by lot, that Councillor Findlater be appointed as pro tem Chair.

#### 1(b) DECLARATION OF MEMBERS' INTERESTS

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

Each of the Councillors named below stated that they had a connection to the items stated but, having applied the objective test, concluded that they had no interests to declare.

Councillor Buchan - Items 13, 14 and 15 as he is a Member of the Fraserburgh Regeneration Development Partnership.

Councillor Cassie - Items 20 and 21 as he is Chair of the Macduff Harbour Advisory Committee and Chair of the Macduff Development Partnership.

Councillor Findlater - in Items 20 and 21 as he is a Member of the Macduff Harbour Advisory Committee and the Macduff Development Partnership.

Councillor Mair - Items 13, 14 and 15 as she is a Member of the Fraserburgh Regeneration Development Partnership.

Councillor Reynolds - Item 22 as he is a member of the Banff Regeneration Partnership.

Councillor Topping - Items 13, 14 and 15 as he is Chair of the Fraserburgh Regeneration Development Partnership.

## **2. RESOLUTION**

### **A. STATEMENT OF 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 their decision.

### **B. EXEMPT INFORMATION**

The Committee **agreed**:

1. under Section 50A (4) and (5) of the local Government (Scotland) Act 1973, as amended, that the public and media representatives be excluded from the meeting for Items 20, 21 and 22 of the business on the grounds that these items involved the likely disclosure of exempt information of the class described in Paragraphs 1, 8 and 9 of Part 1 of Schedule 7A of the Act.
2. to take Item 19 in public session after the Monitoring Solicitor had explained that the reason for exemption of the report no longer existed because the accounts were now published and in the public domain.

## **3. MINUTE OF MEETING OF 10 OCTOBER 2017**

The minute of meeting of 10 October 2017 had been circulated.

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

#### **4. LIST OF OUTSTANDING BUSINESS AT 14 NOVEMBER 2017**

A list of outstanding business at 14 November 2017 had been circulated.

The Committee **noted** the Outstanding Business List.

#### **5. POLICE SCOTLAND – PERFORMANCE MONITORING AND OPERATIONAL UPDATE**

A joint report dated 01 November 2017 from the Director of Business Services and the Chief Constable had been circulated to ask the Committee to consider a performance monitoring and operational update from Police Scotland.

The Committee **noted** the performance monitoring information relating to the Aberdeenshire Component of the North East Division of Police Scotland, and asked the Chief Inspector to pass on the thanks of the Area Committee to his team.

#### **6. SCOTTISH FIRE AND RESCUE SERVICE (SFRS) PERFORMANCE REPORT FOR 01 JULY 2017–30 SEPTEMBER 2017**

A joint report dated 07 September 2017 from the Director of Infrastructure Services and the Local Senior Officer, Scottish Fire and Rescue Service (SFRS), had been circulated to inform Members how the SFRS is performing locally in Banff and Buchan against key SFRS priorities and the Multi-Member Ward Plan.

The Committee **noted** the terms of the report and asked the Station Manager to pass on the thanks of the Area Committee to his team.

Mr Ewing explained that he was moving to a new post and the Committee wished him well and welcomed Mr Craig Shand who would be replacing Mr Ewing and attending Committee in future.

Thereafter, the Committee **agreed** that an informal meeting be set up with the Scottish Ambulance Service for general discussion on local issues.

#### **7. BANFF AND BUCHAN COMMUNITY PLAN 2016-2019 – MONITORING REPORT**

A report dated November 2017 from the Director of Education and Children's Services had been circulated to ask the Committee to note and comment on the review process of the Banff and Buchan Local Community Plan 2016-2019.

The Committee **noted** the review process, thanked the Local Community Planning Officer for her work and acknowledged the progress made so far in relation to the Banff and Buchan Local Community Plan 2016-2019.

#### **8. LOCAL HOLIDAYS 2018**

A report dated 27 October 2017 from the Director of Education and Children's Services had been circulated to ask the Committee to approve local holiday dates for the Banff and Buchan area for 2018.

The Committee **agreed**:

1. the local holiday dates for 2018 as follows:

Banff & Macduff	12/02/18, 02/04/18, 07/05/18, 03/09/18, 15/10/18
Fraserburgh	09/04/18, 07/05/18, 11/06/18, 17/09/18, 15/10/18
Trades Fortnight	09/07/18 to 20/07/18

2. to **note** that Area Managers, following consultation with Councillors, community groups and members of the business community, will have delegated authority to set public holiday dates after the revision of the Scheme of Governance due to go to Full Council in June 2018 and September 2018.

### **9. COUNCIL CHAMBER/FORMER POLICE STATION 1-3 SALTOUN SQUARE, FRASERBURGH**

A report dated 09 October 2017 from the Director of Education and Children's Services had been circulated to ask the Committee to agree a name for the above building.

The Committee was in agreement that "Faithlie" be used in the name for the Council Chamber/Former Police Station, Saltoun Square, Fraserburgh but was of the opinion that further discussion was necessary before a final decision could be made and **agreed** to delegate the decision to name the building to the Area Manager, following consultation with the Ward 3 Councillors.

### **10. DRAFT DEVELOPMENT PLAN SCHEME 2018**

A report dated 03 October 2017 from the Director of Infrastructure Services had been circulated to ask the Committee to make comment on the Draft Development Plan Scheme 2018.

The Committee **agreed** to make the following comments to be forwarded to the Infrastructure Services Committee:-

1. The list of stakeholders and consultees should also include:
  - All Community Associations,
  - Fraserburgh Development Trust
  - Visit Scotland
  - Visit Aberdeenshire
2. North East Banffshire Tourism Trust does not exist and should be removed from the list of "other stakeholders",
3. The Local Development Plan should focus more on what towns need in terms of schools, health centres, public transport, community centres, etc., before considering what developers need,
4. Land should be identified to support potential future marine activity.

### **11. FESTIVE LIGHTS AND ATTACHMENTS TO STREET-LIGHTING COLUMNS POLICY**

A report dated 31 October 2017 from the Director of Infrastructure Services had been circulated seeking the Committee's comments on the above policy.

The Committee **agreed** to make the following comments/recommendations to the Infrastructure Services on the draft Festive Lights and Attachments to Street-Lighting Columns policy:

1. Health and safety regulations were a priority to ensure the safety of communities.
2. There should be no re-charge to communities for the costs of electricity in relation to festive lighting.
3. The cost of festive lighting should not come from the Roads Maintenance budget but an alternative source of Council funding should be sought.
4. Unless extending Christmas lights has an adverse impact on other roads maintenance issues, communities should not be compelled to restrict Christmas lights to “main footfall areas”.
5. Although commercial advertising is not allowed, businesses should be encouraged to support local Christmas lights projects.
6. Further consideration should be given when replacing columns on whether to use steel or aluminium, based on the location of the columns and the other functions required of them.

## **12. ROADS INSPECTION POLICY REPORT**

A report dated 16 October 2017 from the Director of Infrastructure Services had been circulated seeking the Committee’s comments on the above policy.

After extensive discussion, and clarification on points raised by Members, the Committee **agreed to note** the draft Road Inspection Policy.

## **13. REGENERATION FUNDING REQUEST FOR FRASERBURGH SOUTH LINKS SPORT FOR INTERVENTION CO-ORDINATION PROJECT**

Councillors Buchan, Mair and Topping stated that they had a connection to this item by virtue of the fact that they were members of the Fraserburgh Regeneration Development Partnership. However, having applied the objective test, they each stated that they had concluded that they had no interest to declare.

A report dated 01 November 2017 from the Director of Infrastructure Services had been circulated to update the Committee the above project and to ask for approval of funding.

The Committee **agreed**:

1. to note the progress being made on the development of the South Links sports facility in Fraserburgh, and
2. to approve a grant of £27,000, from the Regeneration Reserve budget for Fraserburgh, to the South Links Development Trust for delivering its Sports for Intervention project.

## **14. REGENERATION FUNDING REQUEST FOR FRASERBURGH FITNESS CENTRE**

Councillors Buchan, Mair and Topping stated that they had a connection to this item by virtue of the fact that they were members of the Fraserburgh Regeneration Development Partnership.

However, having applied the objective test, they each stated that they had concluded that they had no interest to declare.

A report dated 01 November 2017 from the Director of Infrastructure Services had been circulated to ask the Committee to approve the award of a grant for regeneration funding.

The Committee **agreed** to approve a grant of £150,000 from the Regeneration Reserve budget for Fraserburgh to the extension and upgrade of the Fraserburgh Fitness Centre.

#### **15. REGENERATION FUNDING REQUEST FOR FRASERBURGH 'SUPER SATURDAYS'**

Councillors Buchan, Mair and Topping stated that they had a connection to this item by virtue of the fact that they were members of the Fraserburgh Regeneration Development Partnership. However, having applied the objective test, they each stated that they had concluded that they had no interest to declare.

A report dated 01 November 2017 from the Director of Infrastructure Services had been circulated to ask the Committee to approve the award of a grant for regeneration funding.

The Committee **agreed**:

1. to approve a grant of £62,637.25 from the Regeneration Reserve budget for Fraserburgh to support the continued delivery, growth and expansion of Super Saturdays Events in Fraserburgh town centre for the next two calendar years - 2018 and 2019,
2. that representatives from the Super Saturdays' Committee and Fraserburgh Development Trust be invited to attend a future Ward 3 meeting to allow discussion on developing a business plan and forward strategy for the Super Saturday's programme beyond the period of funded support from Aberdeenshire Council.

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

A report dated 26 September 2017 from the Director of Education and Children's Services had been circulated to advise the Committee of how the Service is performing against key performance measures and associated targets as set out in the Education and Children's Services Service Plan.

The Committee:

1. **noted** the performance achieved April-June 2017,
2. **noted** the measures where performance is below expectations April-June 2017,
3. **noted** the publication of the complete April-June 2017 Performance report on Ward Pages, and
4. **agreed** that the Director of Education and Children's Services continue to report, by exception, to Committee quarterly performance measure against Service objectives.

#### **17. PLANNING APPLICATION FOR DETERMINATION**

The following planning application was considered, following a site visit by Members of the Committee on 07 November 2017 and dealt with as recorded in Appendix A to this minute.

A	Reference No APP/2017/1981	Full Planning Permission for Erection of Dwellinghouse (Amended House Type) at Merryhillock Residential Development, Plot 68. Phase 2, Fraserburgh
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### 18. PLANNING APPLICATION FOR CONSIDERATION

The following planning applications were considered and dealt with as recorded in Appendix A to this minute.

A	Reference No APP/2017/0923	Erection of 44 Affordable Dwellinghouses, with Associated Parking, Landscaping and Infrastructure, Former Campbell Hospital, Park Crescent, Portsoy
B	Reference No APP/2017/2185	Change of Use of Land and Erection of 5 Holiday Chalets and Kennels and Associated Car Parking and Associated Works at Cobblehouse, Netherdale, Turriff Aberdeenshire
C	Reference No APP/2017/1940	Erection of Dwellinghouse, Site at Old Arnbog, Gamrie, Banff
D	Reference No APP/2017/1524	Erection of Dwellinghouse at Plot 1, Site Adjacent to Ben Eighe
E	Reference No APP/2017/1525	Erection of Dwellinghouse, Plot 2, Site Adjacent to Ben Eighe, Lonmay

### 19. ACT2 (ABERDEENSHIRE CHARITIES TRUST) APPLICATION

A report dated 09 October 2017 from the Director of Infrastructure Services had been circulated to ask the Committee to consider an application for funding from the above trust.

The Committee **agreed** to award a grant of £1,000 to Aberdeenshire North Foodbank (Ward 3) from the ACT2 Trust for the "Advancement of Health".

### 20. MACDUFF HARBOUR – INCREASING CAPACITY FEASIBILITY STUDY PROPOSAL

Councillors Cassie and Findlater stated that they had a connection to this item - Councillor Cassie by virtue of the fact that he was Chair of the Macduff Harbour Advisory Committee and Chair of the Macduff Development Partnership; Councillor Findlater by virtue of the fact that he was a member of the Macduff Harbour Advisory Committee and a member of the Macduff Development Partnership. However, having applied the objective test, they each stated that they had concluded that they had no interest to declare.

A report dated 19 October 2017 from the Director of Infrastructure Services had been circulated to ask the Committee to consider the terms of the report and consider two proposals in relation to a feasibility study for increasing the capacity for Macduff Harbour.

The Committee **agreed** Officer recommendation to proceed with Proposal 2 which was to conduct a study investigating the feasibility of deepening the existing proposals as detailed in the report.

## **21. PROPOSED GRANT AWARD FOR EXTERNAL BUILDING IMPROVEMENT WORKS AT 18 SHORE STREET, MACDUFF**

Councillors Cassie and Findlater stated that they had a connection to this item - Councillor Cassie by virtue of the fact that he was Chair of the Macduff Harbour Advisory Committee and Chair of the Macduff Development Partnership; Councillor Findlater by virtue of the fact that he was a member of the Macduff Harbour Advisory Committee and a member of the Macduff Development Partnership. However, having applied the objective test, they each stated that they had concluded that they had no interest to declare.

A report dated 20 October 2017 from the Director of Infrastructure Services had been circulated seeking the Committee's approval of a grant award.

The Committee **agreed**, once further satisfactory information had been obtained, to delegate approval of the grant award for the above external improvement works, to the Area Manager following consultation with the Chair and Ward 2 Members.

## **22. GREENBANKS GYPSY/TRAVELLER SITE**

Councillor Reynolds stated that he had a connection to this item by virtue of the fact that he was a member of the Banff Regeneration Partnership. However, having applied the objective test, he stated that they had concluded that they had no interest to declare.

A report dated 30 October 2017 from the Director of Infrastructure Services had been circulated to ask the Committee to review the options for the future of the above site.

The Committee commented on how successful and well run the Greenbanks site was and the fact that this protected group was under-provided for. The Committee felt that this facility needed to be upgraded in line with other aspects of Council housing stock and **agreed** to recommend to the Gypsy Traveller Sub Committee that it approve Option 1 of the options appraisal, to upgrade existing facilities to comply with 2018 Scottish Government standards.

**Councillor Presiding over meeting**

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**Print Name**

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**Signature**

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**Date**



## APPENDIX A

### PLANNING APPLICATIONS FOR CONSIDERATION/DETERMINATION

#### 17A REFERENCE NO APP/2017/1981

#### FULL PLANNING PERMISSION FOR ERECTION OF DWELLINGHOUSE, (AMENDED HOUSE TYPE) AT MERRYHILLOCK RESIDENTIAL DEVELOPMENT, PLOT 68, PHASE 2, FRASERBURGH

**Applicant:** Claymore Homes

With reference to Branch 9B of the Minute of Meeting of 10 October 2017, and following a visit to the site by Members of the Committee on 07 November 2017, the Committee resumed consideration of a report from the Director of Infrastructure Services

The Committee heard Ms Tiffany Kelly, applicant's agent, in support of the application and Mr George Jack, objector to the application.

Thereafter, the Committee **agreed to approve** the application on the following conditions:-

1. No development in connection with the permission hereby granted shall be occupied and the access hereby approved shall not 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 2.0 metres measured at right angles from the existing edge of the carriageway surface along the centre line of the approved driveway 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.

2. The dwellinghouse hereby approved shall not be occupied unless its driveway and parking area has been provided and surfaced in accordance with the details shown on the approved plans. 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.

3. The vehicular access, driveway and parking area hereby approved shall not be brought into use unless both have been provided and surfaced in accordance with the details shown on the approved plans and the drop kerb footway crossing has been formed at the new access. The first five metres of the driveway measured from the back of the footway shall be fully paved and shall have a maximum gradient not exceeding 1:20. The driveway shall be internally drained and formed in such a way to prevent any flow of surface water either onto or from the public road. Once provided, the access, driveway and parking area shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the access, driveway and parking area to an adequate standard; to prevent the carriage of loose driveway material on to the public road and to ensure the retention of adequate off-street parking facilities, all in the interests of road safety.

4. 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 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.

5. The dwellinghouse hereby approved shall not be occupied unless all of its associated means of enclosure have been provided in accordance with the approved scheme. 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.

6. That notwithstanding the provisions of Classes 1 & 3E of Schedule 1 to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending, revoking or re-enacting that Order, the proposed development shall not be altered in any way nor any building or means of enclosure erected within the curtilage of the development without an express grant of planning permission from the Planning Authority.

Reason: In the interests of the character and appearance of the development.

7. 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.

8. 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.

The Committee' reason for approval of the application was that the proposed development accords with the development plan and there are no material considerations which indicate that permission should be refused.

**18A REFERENCE NO APP/2017/0923 – FULL PLANNING PERMISSION FOR  
ERECTION OF 44 AFFORDABLE DWELLINGHOUSES WITH ASSOCIATED PARKING,  
LANDSCAPING AND INFRASTRUCTURE AT FORMER CAMPBELL HOSPITAL,  
PARK CRESCENT, PORTSOY**

**Applicant: Sanctuary Scotland Housing Association Ltd**  
**Agent: Halliday Fraser Munro**

A report dated 11 October 2017 from the Director of Infrastructure Services had been circulated seeking determination of the above application by the Area Committee.

The Committee **agreed**, in the event of satisfactory conclusion of a Section 75 agreement, that the application be delegated to the Head of Planning and Building Standards to approve on the following conditions:-

1. No development in connection with the permission hereby granted other than those specified in condition 2 shall commence and the access hereby approved shall not be brought into use unless visibility of 90 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 the 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.

2. No works in connection with the development hereby approved *other than those specified in condition 3* shall commence unless the vehicular junction which joins the public road shall be formed as follows:
  - Kerbed to a radii of 9m;
  - The minimum width at the throat of the bell mouth is 5.5m;
  - The area within the bell mouth and for a minimum distance of 10m from the public road is to be constructed in accordance with the Council's Specifications appropriate to the type of traffic which will use the access;
  - Shall be surfaced with dense bitumen macadam or asphalt.

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

3. No works in connection with the development hereby approved shall commence unless the tree protection measures have been implemented in full in accordance with the approved tree protection plan. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

Reason: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

4. 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 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

5. No dwellinghouse hereby approved shall be occupied unless all of its associated means of enclosure have been provided in accordance with the approved scheme. 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.

6. No dwellinghouse hereby approved shall be occupied unless the proposed surface water drainage system has been provided in accordance with the approved plans. The surface water drainage system 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.

7. No dwellinghouse shall be occupied unless the recycling, food waste and residual waste bin storage areas have been provided in accordance with the approved plans.

Once provided, the recycling, food waste and residual waste bin storage area(s) shall thereafter be permanently retained.

Reason: To ensure that suitable provision is made for the storage of recycling, food waste and residual bins.

8. No residential unit in this development shall be occupied unless all roads, footpaths, parking and turning areas within and serving the development have been completed to the level of bottoming and binder course, including the access bell mouth and all turning heads in accordance with the Council's Standards for Road Construction Consent and Adoption.

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

9. The tree management proposals shall be carried out in complete accordance with the approved scheme.

Reason: In order to preserve the character and visual amenity of the area.

10. 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.

11. 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.

The Committee's reason for departure from the Local Development Plan was that the level of proposed public open space does not meet the required 120m<sup>2</sup> per home as set out in Policy 2: Town Centres and Retailing, however, the proposed public open space is considered functional and of an acceptable quality for the proposed development. The importance of the proposal in contributing to the provision of affordable housing in the rural housing market area and to address a specific local need is acknowledged and contributes to the acceptability of the level of open space proposed in consideration against the viability of the brownfield development site which is allocated for housing and acceptable in principle.

#### **18B REFERENCE NO APP/2017/2185**

#### **FULL PLANNING PERMISSION FOR CHANGE OF USE OF LAND AND ERECTION OF 5 HOLIDAY CHALETs AND KENNELS AND ASSOCIATED CAR PARKING AND ASSOCIATED WORKS AT COBBLEHOUSE, NETHERDALE, TURRIFF**

**Applicant:** Mr Graham Miller  
**Agent:** George Hadden, Architectural Agent

A report dated 31 October 2017 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mrs Emma Miller, applicant, in support of the application.

Thereafter, the Committee **agreed** to delegate the application to the Head of Planning and Building Standards to approve on appropriate conditions. The holiday chalets hereby approved shall be used solely as temporary holiday letting accommodation and for no other purposes whatsoever, including use as permanent residential units, without the prior express grant of planning permission by the planning authority. The holiday chalets shall not be occupied as a person's sole or main residence and the owner of the holiday chalets shall maintain an up-to-date register of the name of each occupier of the holiday chalets on the site, their length of stay, and their main home address, and shall make this information available at all reasonable times to the planning authority.

Reason: The occupation of the holiday chalets as permanent residential units would not comply with the Council's Local Development Plan policies regarding residential development in this area.

The Committee's reasons for delegated approval of the application were that the proposed development was in accordance with Policy B3 as it would be easily accessible from three identified settlements located nearby; Policy P1, as it would be sited in an ideal location for its planned activities; and Policy R2 as it had the potential for small scale employment.

#### **18C REFERENCE NO APP/2017/1940**

#### **FULL PLANNING PERMISSION FOR ERECTION OF DWELLINGHOUSE AT SITE AT OLD ARNBOG, GAMRIE, BANFF**

**Applicant:** Mr and Mrs I McLean  
**Agent:** Mantell Ritchie

A report dated 31 October 2017 from the Director of Infrastructure Services had been circulated seeking determination of the above application by the Area Committee.

The Committee heard Mr Michael Ritchie, applicant's agent, in support of the application.

Thereafter, Councillor Cox, seconded by Councillor Findlater **moved** that the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions. The reasons for approval were that the proposed development would comply with Policy R2 as it would fit well into the existing settlement pattern, and would have no detrimental impact on the amenity of the surrounding area.

**As an amendment**, Councillor Cassie, seconded by Councillor Topping **moved** that consideration of the application be deferred to enable Members of the Committee to visit the site of the application to ascertain whether the proposed development could be considered as part of a small-scale addition to an existing cluster or group of at least five houses and therefore be in accordance with Policy R2.

Members of the Committee voted:

For the motion	4	Councillors Cox, Findlater, Mair and Partridge
For the amendment	4	Councillors Buchan, Cassie, Reynolds and Topping

The Chairman **exercised his casting vote** in favour of the motion and **declared the motion carried** in the following terms:

that the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions.

**18D REFERENCE NO APP/2017/1524**

**PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF DWELLINGHOUSE AT PLOT 1, SITE ADJACENT TO BEN EIGHE, LONMAY, FRASERBURGH**

**Applicant: Mr John Mackenzie**  
**Agent: Ecotech Architecture**

A report dated 11 October 2017 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee **agreed to refuse** the application for the following reasons:

1. The development does not comply with Policy R2: Housing and Employment Development Elsewhere in the Countryside, of the Aberdeenshire Local Development Plan 2017, in that it does not meet the criteria contained within such policies as the development does not constitute any of the following:
  - (a) Rehabilitation or extension of an existing house;
  - (b) Replacement on the same site of a largely intact house;
  - (c) A new house which is essential to the efficient operation of an enterprise which is in itself appropriate to the countryside;
  - (d) Conversion of an existing building to a single house;
  - (e) The erection of a single house within an existing cohesive group of at least 5 houses in accordance with policy criteria and guidance relating to 'Cohesive Groups';
  - (f) It is not for the refurbishment or replacement of an existing or disused building, or on a site which has previously been developed and is now redundant;
  - (g) It does not contribute to organic growth in that the site does not lie within 200m of an existing rural settlement as defined within Appendix 1;
  - (h) Establishment of a new dwelling in relation to a retiring farming succession.

**18E REFERENCE NO APP/2017/1524**

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