

**ABERDEENSHIRE COUNCIL**

**BUCHAN AREA COMMITTEE**

**BUCHAN HOUSE, PETERHEAD, 20<sup>TH</sup> FEBRUARY 2018**

**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); Sally Wood, Senior Planner (Infrastructure Services); Martin Hall, Principal Officer (Information and Infrastructure) (Infrastructure Services); Maria Walker, Director of Education and Children’s Services; Shona Sellers, Head Teacher, Peterhead Academy (Education and Children’s Services); Linda Duthie, Head Teacher, Mintlaw Academy (Education and Children’s Services); Tim Stephen, Service Manager – Facilities and Funding (Education and Children’s Services); Fiona Gillies, Senior Librarian, Service Development and Support (Education and Children’s 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 A Simpson for Item 9 – Aden Country Park: Heritage Lottery Fund Delivery Stage 2 Application – given she is Chairperson for the Book of Deer Project, a partner organisation. In confirming that her interest was not substantive, Councillor Simpson took part in the discussion of this item,
- (2) Councillor J Ingram for Item 9 - Aden Country Park: Heritage Lottery Fund Delivery Stage 2 Application – as he is a member of the Aden Park Working Group. In confirming that his interest was not substantive, Councillor Ingram took part in the discussion of this item,
- (3) Councillor J Ingram for Item 10 – Community Asset Transfer Stage Two: Mintlaw Library and On-Site Parking, Mintlaw – Mintlaw and Central Buchan Initiative – given that he sits, as an observer on occasion with no voting rights, on the MACBI group. In confirming that his interest was not substantive, Councillor Ingram took part in the discussion of this item,
- (4) Councillor I Sutherland for Item 6 – Chapel Street, Peterhead – Bus Stop Provision – given he is a Director of a retail business in an adjacent street. In confirming that his interest was not substantive, Councillor Sutherland took part in the discussion of this item,

- (5) Councillor D Beagrie for Item 4(b) – Planning Application No APP/2017/2378 – Full Planning Permission for Erection of Dwellinghouse (Change of House Type for Plot 173 to Planning Permission APP/2016/0720) at Plot 173, Phase 5 Greenacres, Wester Clerkhill, Peterhead – given that the applicant is a relative of Councillor Beagrie’s. In confirming that her interest was clear and substantial, Councillor Beagrie left the Chamber for the discussion of this item,
- (6) Councillor N Smith for Item 9 - Aden Country Park: Heritage Lottery Fund Delivery Stage 2 Application - as he is a member of the Aden Park Working Group. In confirming that his interest was not substantive, Councillor Smith took part in the discussion of this item, and
- (7) Councillor N Smith for Item 10 - Community Asset Transfer Stage Two: Mintlaw Library and On-Site Parking, Mintlaw – Mintlaw and Central Buchan Initiative – given he is Chairman and Director of MACBI. In confirming that his interest was clear and substantial, Councillor Smith left the Chamber for 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

### **3. MINUTE OF MEETING OF 30<sup>TH</sup> JANUARY 2018**

The Minute of the Meeting of 30<sup>th</sup> January 2018 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/2017/1504 Full Planning Permission for Erection of Dwellinghouse and Formation of Footpath at Site at Glebefield, Longside
- (b) APP/2017/2378 Full Planning Permission for Erection of Dwellinghouse (Change of House Type for Plot 173 to Planning Permission Reference APP/2016/0720) at Plot 173, Phase 5 Greenacres, Wester Clerkhill, Peterhead
- (c) APP/2017/2414 Full Planning Permission for Erection of Dwellinghouse (Change of House Type Plot 185 to Planning Permission Reference APP/2016/0720) at Phase 5, Greenacres, Wester Clerkhill, Peterhead

- (d) APP/2017/2626 Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Rannoch, Gibseat, Auchnagatt

## 5. NEW PLANNING APPLICATION

The Committee had before them a report by the Director of Infrastructure Services on a planning application for determination in terms of the Town and Country Planning (Scotland) Acts 1972 and 1997 and **agreed** to dispose of the application as detailed in Appendix B attached to this Minute.

- (a) APP/2017/2927 Full Planning Permission for Infill of Sand Dunes, Formation of Retaining Wall and Formation of Turning Head in Association with Change of Use from Public Open Space to Form Extension to Caravan Park (Part Retrospective) at Lido Caravan Park Ltd, The Lido, South Road, Peterhead

## 6. CHAPEL STREET, PETERHEAD – BUS STOP PROVISION

A report by the Director of Infrastructure Services had been circulated advising that at its meeting on 24 June 2014 the Buchan Area Committee had approved the reintroduction of general traffic to Chapel Street and part of Marischal Street, Peterhead; and then approved the revised traffic management order following the statutory consultation period at its meeting on 21 April 2015.

As part of the revised traffic management arrangements, one of the bus shelters on Chapel Street was to be relocated. Having been asked to review the location of the relocated stop a revised site for the bus stop was agreed in April 2016 which resulted in a legal challenge from a local business. Having deferred making a decision on the location of the stop for a site visit, the Committee then asked Officers to liaise with Stagecoach North Scotland to determine if a more desirable option could be found.

The Committee was advised by the representing Officer that to identify any such option would require a larger review of traffic management within Peterhead Town Centre. Therefore, Officers recommended that the Committee approve the installation of one larger bus shelter at the location shown on the plan attached to the report.

A lengthy discussion followed highlighting various concerns including the problem of car parking enforcement on Chapel Street. Having noted that a report is expected to come back to the Buchan Area Committee in November 2018, following a 2-year trial period, to further consider traffic management on Chapel Street the Committee **agreed**:-

- (1) to defer consideration of the report to allow –
  - (a) an opportunity for all interested parties, ie local Members, the Roads Service, the Public Transport Unit, Bus Operators, Police Scotland, local businesses including taxi operators, local residents and the press, to meet and discuss their concerns and consider possible options, and
  - (b) an opportunity for Officers to undertake a traffic management review at the end of the 2-year trial period and submit their findings to the Committee thereafter
- (2) to request that the Area Manager write, on behalf of the Committee, to Police Scotland to outline their concerns regarding the lack of parking enforcement on Chapel Street

## **7. ANALYSIS OF ATTAINMENT AND ACHIEVEMENT OF YOUNG PEOPLE IN BUCHAN SECONDARY SCHOOLS IN ACCREDITED AWARDS, YEAR ENDING JUNE 2017**

A report by the Director of Education and Children's Services had been circulated providing the Committee with attainment data for Mintlaw Academy and Peterhead Academy for the year ending June 2017, incorporating the 2017 SQA exam results.

Having heard from both Head Teachers, and following a detailed discussion, the Committee **agreed**:-

- (1) to congratulate both Head Teachers and their staff on the levels of attainment achieved at both Mintlaw Academy and Peterhead Academy, and
- (2) to request more detail, in future reports, in respect of awards and achievements that are not collated as part of 'Insight', the Scottish Government's benchmarking system

## **8. LITERACY STRATEGY**

A report by the Director of Education and Children's Services had been circulated asking the Committee to comment on the Aberdeenshire Literacy Strategy. The Director explained that the Strategy aims to develop good literacy skills across the whole spectrum of learners from early years to adult literacy, in recognising and addressing the need for support and growth within the wider spectrum of literacies.

The Committee **agreed** to provide the following comments to the Education and Children's Services Committee:-

- (1) to request that 'partnerships' be identified within the Strategy, for example the 'Northern Alliance',
- (2) to request that Officers note there is a paragraph at the bottom of page 13 of the report, headed 'Ages 0-18', which appears to have been erroneously included and should be omitted, and
- (3) having noted their interest in respect of how this Strategy proceeds, to request that regular progress reports in relation to this new Strategy be provided to Area Committee's in due course

## **9. ADEN COUNTRY PARK: HERITAGE LOTTERY FUND DELIVERY STAGE 2 APPLICATION**

A report by the Director of Business Services had been circulated advising that in June 2016 the Heritage Lottery Fund (HLF) advised that the Aden Country Park Restoration and Redevelopment Project Funding Stage 1 (Delivery Stage) application had been successful. The Stage 2 application requires fully detailed and costed proposals, and the Aden Country Park Working Group, who is leading on the submission of the Round 2 application, has been working on the various proposals to ensure that the application is submitted by 28<sup>th</sup> February. The Committee was asked to consider and comment on the various documents attached in respect of this submission.

The Committee **agreed**:-

- (1) to welcome and commend the work that has been done in bringing these proposals forward and in particular to recognise the work done by the Project and Funding Officer, Friends of Aden, Buchan Development Partnership and Council Officers,
- (2) the Aden Masterplan, Design Report, Activity Plan, the Management and Maintenance Plan and the Conservation Management Plan as providing a sound basis for the future development of Aden Country Park and for the submission of the Round 2 funding application to HLF and other funding bodies, and
- (3) to encourage Officers to further develop working relationships with other surrounding tourist attractions, such as Deer Abbey and Pitfour Estate

**10. COMMUNITY ASSET TRANSFER STAGE TWO:  
MINTLAW LIBRARY AND ON-SITE PARKING –  
MINTLAW AND CENTRAL BUCHAN INITIATIVE (SCO36725)**

The Chairman advised that, due to an administrative error, this report would be taken in public session.

A report by the Director of Business Services had been circulated advising that in 2017 the Buchan Area Manager had received an expression of interest from MACBI to take ownership of the Mintlaw Library building in order to develop their community offer. Following extensive discussions in respect of the proposals, MACBI now wishes to secure the full transfer of the existing Library, the land on which it sits and the on-site car park by means of a Community Asset Transfer.

The representing Officer advised that the Community and Sport Service had undertaken a community engagement exercise to ensure that the proposal is welcomed by users. This resulted in 75% being supportive, and 18% indicating some concerns in relation to the Library being relocated within MACBI.

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

- (1) the Business Plan provided by Mintlaw and Central Buchan Initiative (MACBI) as providing a sound basis for relocating the Library Service within the MACBI facility and redeveloping the Library site,
- (2) that MACBI is an appropriate body with which to enter into a Community Asset Transfer agreement,
- (3) having heard that there is broad based community support for the proposal, to approve the application from MACBI for the Asset Transfer Request of the Mintlaw Library and on-site parking in Mintlaw, subject to confirmation that the new Library Service can be delivered within its existing budget,
- (4) in principle that the site be transferred by way of sale at a discounted value of £1 subject to the terms outlined in para 2.17 of the report, and that Officers conclude negotiations in a timely manner,

- (5) to request that contingency plans be put in place, either within the MACBI facility or via a Council facility, to provide a Library Service during the transition period, and
- (6) to request that Officers note that the Stage 2 Application Form has the wrong address for Mintlaw Library

## APPENDIX A

### DEFERRED PLANNING APPLICATIONS

(a) **Full Planning Permission for Erection of Dwellinghouse and Formation of Footpath at Site at Glebefield, Longside**

For: Mr Leslie Alexander, Mains of Ludquharn, Longside

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

**Reference No: APP/2017/1504**

The Committee unanimously **agreed** to Refuse Full Planning Permission as the proposed house will be out of keeping with the surrounding area due to the size, scale and materials to be used and will cause overlooking issues

(b) **Full Planning Permission for Erection of Dwellinghouse (Change of House Type for Plot 173 to Planning Permission Reference APP/2016/0720)**

**at Plot 173, Phase 5 Greenacres, Wester Clerkhill, Peterhead**

For: Claymore Homes, Bridgend, Longside, Peterhead

**Reference No: APP/2017/2378**

Councillor S Smith moved as a motion, seconded by Councillor Buchan, that Full Planning Permission be Granted subject to relevant planning conditions as the site is an appropriate site for a house of this type.

As an amendment, Councillor Allan, seconded by Councillor Calder, moved that Full Planning Permission be Refused for the reasons stated in the report.

The Members of the Committee voted:-

for the motion           (8)       Councillors N Smith, A Buchan, M Buchan, Fakley, Ingram, Simpson, S Smith and Sutherland

for the amendment   (2)       Councillors Allan and Calder

The motion was therefore carried and the Committee **agreed**:-

(1)   to Grant Full Planning Permission subject to relevant planning conditions, and

(2)   their reason for departing from the Local Development Plan as follows –

(a)   it is an appropriate site for a house of this type

- (c) **Full Planning Permission for Erection of Dwellinghouse (Change of House Type Plot 185 to Planning Permission Reference APP/2016/0720) at Phase 5, Greenacres, Wester Clerkhill, Peterhead**  
For: Claymore Homes, Bridgend, Longside, Peterhead  
**Reference No: APP/2017/2414**

The Committee **agreed** to Refuse Full Planning Permission for the following reason:-

01. The proposal is contrary to Policy P1 Layout siting and design contained within the Aberdeenshire Local Development Plan 2017 and the Wester Clerkhill, Peterhead Masterplan Report agreed January 2013. The proposed amended house type would have an adverse impact on the streetscape and design features of the overall development. By introducing architectural features no longer considered appropriate, the design has regressed to a style typical of previous developments in the area. The proposed house is not of an improved design therefore this is contrary to the agreed Masterplan which seeks design progression for this site.

- (d) **Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Rannoch, Gibseat, Auchnagatt**  
For: Mr & Mrs L Meikle, Windy Hill View, Auchnagatt, Ellon  
Per: Baxter Design Company (Old Deer) Ltd, Adenhall, 9 Kirkgate, Old Deer, Peterhead  
**Reference No: APP/2017/2626**

The Committee unanimously **agreed**:-

- (1) to Grant Planning Permission in Principle subject to -
- (a) all materials on-site being disposed of appropriately, and
  - (b) relevant planning conditions
- (2) their reason for departing from the Local Development Plan as follows –
- (a) there is evidence on the site that there was once a structure and therefore it can be considered to be a brownfield opportunity site

## APPENDIX B

### NEW PLANNING APPLICATION

- (a) **Full Planning Permission for Infill of Sand Dunes, Formation of Retaining Wall and Formation of Turning Head in Association with Change of Use from Public Open Space to Form Extension to Caravan Park (Part Retrospective) at Lido Caravan Park Ltd, The Lido, South Road, Peterhead**  
For: Lido Caravan Park Ltd, The Lido, South Road, Peterhead  
Per: PBP Services (Scotland) Ltd, Harbour Road, Fraserburgh  
**Reference No: APP/2017/2927**

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

01. No works in connection with the development hereby approved shall commence unless a scheme for the protection of the informal paths on the site has been submitted to and approved in writing by the planning authority. The scheme shall include details of:

- a) The location of the existing informal paths;
- b) Details of any proposed amendment to the informal paths;
- c) The location and duration of any temporary diversions or alternative routes during construction of the approved development;
- d) Details of the route protection measures;
- e) Details of and timescales for the implementation and phasing of the protection works;
- f) Details of the proposed maintenance of the informal path.

The route protection works shall be carried out in accordance with the approved scheme.

Reason: In order to ensure the informal path is not obstructed by the development.

02. That the finished floor level (FFL) of the caravans located on sites S1 to S5 shall be no lower than the existing caravans.

Reason: To protect the caravans from the risk of flooding.

03. That no works in connection with the development hereby approved shall take place 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:

- (i) Existing landscape features and vegetation to be retained;  
The location of grassed areas
- (ii) This shall include the requirement for Lyme/marram grass to be planted on the leading (eastward) edge of the site.
- (iii) The location, design and materials of all hard landscaping works;
- (iv) A programme for the completion and subsequent maintenance of the proposed landscaping. All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the

commencement of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

04. 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. 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.

#### Reason for Decision

01. The proposed development will be in keeping with the scale, density and character of the surrounding area and is unlikely to negatively impact on the amenity. It will not impede public access routes through the site and is unlikely to be of wider social and net economic detriment. The proposal is therefore compliant with the relevant policies of the ALDP2017, and as such, is recommended for approval.