

**ABERDEENSHIRE COUNCIL**

**MARR AREA COMMITTEE**

**ALFORD PUBLIC HALL, ALFORD, 6 MARCH, 2018**

**Present:** Councillors M Ingleby (Chair), J Latham (Vice Chair), P Argyle, R Bruce, E Durno, G Petrie, A Ross and R Withey.

**Apologies:** Councillors G Blackett and P Gibb.

**Officers:** J Clark, Area Manager (Marr); L Scott, Head Teacher, Aboyne Academy; M Milne, Head Teacher, Alford Academy; J Wight, Rector, Banchory Academy; P Gaiter, Rector, The Gordon Schools; J Rogers, Head Teacher (Acting), Logie Coldstone School; A Hendry, Lead Officer, Primary Education; F McCallum, Team Manager – Hard FM; M Mitchell, Programme Delivery Officer (Learning Estates); Gillian Bowie, Facilities and Funding Manager; N Mair, Senior Planner; J Joss, Senior Solicitor; and K Macleod, Area Committee Officer (Marr).

**In Attendance:** Colin Westwood, Station Manager, Scottish Fire and Rescue Service.

**1. DECLARATION OF MEMBERS' INTERESTS**

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

Councillor Bruce declared an interest in Item 5 as her daughter would be included in the statistics on school results but as the interest was not substantial she would remain and participate in the item.

**2A. STATEMENT ON 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; and
- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching a decision.

**2B. RESOLUTION**

The Committee **agreed**, in terms of 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 10 and 11 of the business on the grounds that they involved the likely disclosure of exempt information of the class described in the relevant paragraph of Part 1 of Schedule 7A of the Act.

Item No	Paragraph No. of Schedule 7A
10	8
11	8

### **3. MINUTE OF MEETING OF MARR AREA COMMITTEE OF 13 FEBRUARY, 2018**

The Committee had before them, and **approved** as a correct record, the Minute of Meeting of the Committee of 13 February, 2018.

### **4. SCOTTISH FIRE AND RESCUE SERVICE PERFORMANCE REPORT FOR QUARTER 3, 1 OCTOBER – 31 DECEMBER 2017**

There had been circulated a joint report by the Local Senior Officer, Scottish Fire and Rescue Service, and the Director of Business Services which informed Members how the Scottish Fire and Rescue Service had performed against key performance measures and associated targets, as set out in the Aberdeenshire Local Fire and Rescue Plan 2014-17 and the Marr Multi Member Ward Plan, during the period from 1 October to 31 December, 2017.

The Station Manager provided the Committee with an overview of Scottish Fire and Rescue Service activity in the Marr area and responded to questions in relation to the Out of Hospital Cardiac Arrest trial and the 'Firesetters' intervention programme.

The Committee **agreed**:-

- (1) to acknowledge the Scottish Fire and Rescue Service performance report; and
- (2) to acknowledge local operational matters arising, together with key resource issues, as detailed within the report.

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

There had been circulated a report dated 19 February, 2018, by the Director of Education and Children's Services, which provided an analysis of attainment and achievement of young people at Aboyne, Alford and Banchory Academies and The Gordon Schools, Huntly, in accredited awards.

The Committee heard from the head teachers of the four secondary schools on young people's extensive achievements and the Chair highlighted that the Committee would be visiting the schools in the forthcoming months to hear more.

The Committee **agreed** to note the contents of the report on attainment and achievement of young people in Marr secondary schools in accredited awards in the year ending June, 2017.

### **6. EDUCATION SCOTLAND INSPECTION - LOGIE COLDSTONE PRIMARY SCHOOL**

There had been circulated a report dated 16 February, 2018, by the Director of Education and Children's Services, which advised the Committee of the findings of a continuing engagement visit by HM Inspectors to Logie Coldstone Primary School in 2017, following an inspection in May, 2016.

The Head Teacher provided the Committee with further information related to the inspectors' visit including the strengths identified and areas of focus for continued improvement.

The Committee **agreed**:-

- (1) to note the contents of the report on the Education Scotland inspection of Logie Coldstone Primary School;
- (2) to endorse the Service's continuing efforts in support of its schools in the Education Scotland inspection process and in the raising of standards of attainment and achievement in all aspects of school life; and
- (3) to further reports on Education Scotland school inspections being presented.

## 7. LITERACY STRATEGY

There had been circulated a report dated 26 January, 2018, by the Director of Education and Children's Services, which sought comments, for consideration by the Education and Children's Services Committee in March 2018, on the Aberdeenshire Literacy Strategy which aimed to develop good literacy skills across the whole spectrum of learners, from early years to adult literacy.

The Lead Officer, Primary Education, introduced the report and responded to questions from Members.

The Committee **agreed** to provide the following comments on the Aberdeenshire Literacy Strategy for consideration by the Education and Children's Services Committee in March 2018:-

- (1) Opportunities for people with visual impairment were important.
- (2) The majority of good practice examples relate to children and families; there is a gap in examples of best practice relating to workplace literacy. It is important to look at how to get employers involved.
- (3) The language used in the document could be simplified and repetition reduced.
- (4) In the section on 'Blokes on Board' on page 12 of the document, the word 'claimed' should be changed.
- (5) Outcomes and how they would be achieved need to be quantified so that progress could be understood. Being able to see the action plan alongside the strategy was necessary for full consideration.

## 8. AREA COMMITTEE BUDGET APPLICATIONS

There had been circulated a report dated 21 February, 2018, by the Director of Infrastructure Services, which sought consideration of applications for Area Committee Budget funding from Deveron Projects and the Upper Donside Tourism Business Group.

The Committee **agreed:-**

- (1) to approve an award of up to £589 to Deveron Projects towards the cost of materials and storage for community crockery for Huntly;
- (2) to approve an award of up to £400 to the Upper Donside Tourism Business Group towards the cost of setting up a webpage to promote tourism and business in Upper Donside; and

- (3) to note an award of up to £200 to Mar Orienteering Club towards the cost of young people's participation in the British Orienteering Championships in Deeside, approved by the Area Manager following consultation with the Chair and Ward Members.

### 9. PLANNING APPLICATIONS

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

Reference Number	Address
(A) APP/2017/2914	Full Planning Permission for Change of Use from Class 9 (Dwellinghouse) to Class 7 (Hotels & Hostels) including Alterations and Extension at The Boat House, The Boat House Inn, Charlestown Road, Aboyne
(B) APP/2017/3009	Full Planning Permission for Change of Use From Guest House (Class 7) to House of Multiple Occupancy (Sui Generis) and Alterations at Mayfield, 11 Chapel Brae, Braemar, AB35 5YT

### 10. ANNUAL WORK PLAN 2018/19 FOR BUSINESS SERVICES DIRECTORATE – PROCUREMENT APPROVAL

There had been circulated a report dated 22 February, 2018, by the Director of Business Services, which sought approval of items on the Work Plan for the Business Services Directorate identified as falling within the remit of the Committee.

The Committee **agreed**:-

- (1) to note the Directorate Work Plan as detailed in Appendix 1 of the report;
- (2) to approve the items on the Work Plan identified as falling within the remit of the Committee;
- (3) to note that the Committee would receive the Business Case for approval of any item on the Work Plan which was within the Committee's remit and where the value of the matter was over £1,000,000;
- (4) to request that clarification be provided to Ward 14 Members on the current position of the roof at Huntly Primary School and any re-location of pupils; and
- (5) to request that Ward 16 Members be advised when work on the Banchory Primary window replacements had begun.

### 11. ANNUAL WORKPLAN FOR EDUCATION AND CHILDREN'S SERVICES DIRECTORATE – PROCUREMENT APPROVAL

There had been circulated a report dated 12 January, 2018, by the Director of Education and Children's Services, which sought approval of items on the Work Plan for the Education and Children's Services Directorate identified as falling with the remit of the Committee.

The Committee **agreed**:-

- (1) to note the Directorate Work Plan as detailed in Appendix 1 of the report;

- (2) to approve the items on the Work Plan identified as falling within the remit of the Committee; and
- (3) to note that the Committee would receive the Business Case for approval of any item on the Work Plan which was within the Committee's remit and where the value of the matter was over £1,000,000.

**Councillor Presiding over meeting**

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

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## APPENDIX A

### PLANNING APPLICATIONS

- (A) **Reference No: APP/2017/2914 – Full Planning Permission For Change of Use from Class 9 (Dwellinghouse) to Class 7 (Hotels & Hostels) including Alterations and Extension at The Boat House, The Boat House Inn, Charlestown Road, Aboyne, Aberdeenshire, AB34 5EL**

**Applicant: Neep Shed Ltd, C/o Agent**  
**Agent: Ronald Hay, Auchintarf, Bridgeview Road, Aboyne**

With reference to the Minute of Meeting of the Committee of 13 February, 2018 (Item 5D), when consideration of the application for the change of use from class 9 (dwellinghouse) to class 7 (hotels and hostels), including alterations and extension at the Boat House, Aboyne, had been deferred pending a site visit, there had been circulated a report dated 21 February, 2018, by the Director of Infrastructure Services, which advised that a site visit would take place on 27 February, 2018.

The Committee heard that further requests to speak had been received from Shaeron Smith, an objector and David Haywood, the applicant, who wished to address the Committee in the event that the objector's request to speak was granted. Having already heard from the parties at the meeting on 13 February, 2018, a majority of Members were minded not to hear further from speakers. Therefore, the Committee agreed not to accept the requests to speak.

The Senior Planner confirmed that the site visit had taken place and highlighted a slight change to the proposals in relation to fencing of the green spaces and gates to restrict access to the lane. The Committee heard that the Planning Service were satisfied in terms of amenity impacts and reference was made to it not being competent to condition a noise management plan but the Environmental Health Service being able to use the plan to deal with any nuisance complaints. The Senior Planner reminded the Committee of the details of the application, with reference made to economic benefits and control of the green spaces. The application was recommended for approval subject to the conditions in the report and an additional condition that the hotel annex development not become operational until all fencing was in place.

The Senior Planner then responded to questions from Members on historical access to the property and whether the concerns raised could also arise if the property was used as a dwellinghouse.

During discussion, Members queried the possibility of a condition to require a fence to be erected along the boundary with Finlaggan to increase privacy. Having sought the views of the occupier of that property and the applicant, Members requested the addition of a condition on appropriate screening through planting on that boundary.

After due consideration, the Committee **agreed:-**

- (1) to grant full planning permission subject to:-
  - (a) an additional condition that the hotel annex development not become operational until all fencing was in place;
  - (b) amendment of the following conditions on landscaping to include appropriate screening through planting on the western boundary of the site to the satisfaction of the Planning Service; and
  - (c) the following conditions:-

01. No works in connection with the permission hereby approved shall commence unless a scheme of compensatory tree planting has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:

- (a) The location of the compensatory tree planting;
- (b) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- (c) A programme for the implementation, completion and subsequent management of the proposed compensatory tree planting.

The compensatory tree planting shall be carried out in complete accordance with the approved scheme and any planting which, within a period of 5 years from the completion of the compensatory tree planting, 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.

(The agreed compensatory tree planting scheme MUST be comprehensive and include timescales for the implementation of the works)

Reason: In order to maintain woodland cover in accordance with the aims of local and national planning policies.

02. No works in connection with the development hereby approved shall commence unless a tree protection plan has been submitted to and approved in writing by the planning authority. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- (a) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);
- (b) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction);
- (c) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas;
- (d) An arboricultural impact assessment which evaluates the direct and indirect impacts of the proposed development on the trees to be retained and proposed mitigation;
- (e) An arboricultural method statement to demonstrate that operations can be carried out with minimal risk of adverse impact on trees to be retained;

- (f) A method statement for any works proposed within the root protection areas of the trees shown to be retained.

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.

- 03. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority.

Details of the scheme shall include:

- (a) A tree survey in accordance with BS 5837:2012;
- (b) Existing landscape features and vegetation to be retained;
- (c) Protection measures for the landscape features to be retained;
- (d) Existing and proposed finished levels;
- (e) The location of new trees, shrubs, hedges, grassed areas and water features;
- (f) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- (g) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;
- (h) An indication of existing trees, shrubs and hedges to be removed;
- (i) A programme for the implementation, completion and subsequent management of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.



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

04. The outdoor family area and play area, as noted on the site plan 1722/21 D, shall not be accessible or operate outwith the hours of 0800-2100 on any day, unless otherwise agreed in writing by the Planning Service.

Reason: In order to ensure that the development would not result in undue loss of amenity for surrounding properties.

05. The development hereby approved shall not be brought into use or occupied unless the off-street parking, surfaced in hard standing materials, and pedestrian access between the site and the hotel car park have been provided in accordance with drawing number: 1722-21 Rev. D. Once provided, the approved additional car parking area and pedestrian access shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the car parking area and access to an appropriate standard and to ensure the retention of adequate off-street parking facilities within the site, all in the interests of road safety.

06. No development in connection with the planning permission hereby granted shall commence unless full details of any proposed external lighting for the development, and an impact assessment of obtrusive light from the development, have been submitted to and approved in writing by the planning authority. All lighting shall be provided and thereafter retained in accordance both with the approved scheme and the Guidance Notes for the Reduction of Obtrusive Light issued by the Institution of Lighting Professionals (GN01:2011). All non-essential lighting and any illuminated advertisements shall be switched off between the hours of 23:00 and 07:00.

Reason: In order to minimise the amount of obtrusive lighting from the development in the interests of the residential and visual amenity of the surrounding area.

- (2) that the reason for the decision be as follows:-

The proposed development is appropriately sited for tourist accommodation and would provide economic and social benefits in accordance with Policy B3: Tourist Facilities of the Aberdeenshire Local Development Plan 2017. The proposed change of use is an appropriate infill development compatible with the adjacent Boat Inn and would have no significant adverse amenity impacts in line with P3: Infill and Householder Developments within Settlements (Including Home and Work Proposals). The proposal is appropriately designed and scaled and would have no negative effect on the character and setting of the Aboyne Conservation Area in compliance with Policy HE2: Protecting Historic and Cultural Areas. The proposal satisfied all relevant policies of the Aberdeenshire Local Development Plan (2017).

**(B) Reference No: APP/2017/3009 – Full Planning Permission For Change of Use From Guest House (Class 7) to House of Multiple Occupancy (Sui Generis) and Alterations at Mayfield, 11 Chapel Brae, Braemar, Aberdeenshire, AB35 5YT**

**Applicant: Highland Hospitality, Fife Arms, Fife Brae, Braemar**  
**Agent: Moxon Architects Ltd, Ardoch, Crathie**

There had been circulated a report dated 21 February, 2018, by the Director of Infrastructure Services, which sought consideration of an application for full planning permission for change of use of an existing guest house (class 7: hotels and hostels) to a house in multiple occupation, including external alterations. The application was being reported to Committee as there was an unresolved objection from a consultee.

Having heard that a request to speak had been received, the Committee **agreed** to hear from Robert Cameron, on behalf of the applicant.

The Senior Planner reported on the detail of the application and explained that the property would house staff associated with the Fife Arms development. The Committee heard that the main policy consideration related to loss of tourism accommodation and reference was made the guest house not having been operational since 2000; parking; and knock-on tourism benefits in terms of the connection to the Fife Arms. The proposal was compliant with policy and recommended for approval.

The Committee then heard from Robert Cameron, on behalf of the applicant who addressed concerns raised in relation to car parking, character, and lack of guest accommodation. Reference was made to eight parking spaces and overflow parking; making the building more aesthetically pleasing; the property last being used as a guest house in 2000; the Community Action Plan having identified there already being guest house accommodation but a lack of dining outlets; and employees fitting into the local community.

Mr Cameron responded to a question on how many people would be accommodated in the property and then confirmed that he felt he had been given a fair hearing.

The Committee **agreed**:-

(1) to grant full planning permission subject to the following conditions:-

01. The development hereby approved shall not be occupied unless off-street parking for 8 cars, with associated manoeuvring space, surfaced in hard standing materials, as shown on drawing number 649/005 are provided on site. The car parking area shall thereafter be permanently retained as such.

Reason: To ensure adequate car parking to an appropriate standard and to ensure the retention of adequate off-street parking facilities within the site, all in the interests of road safety.

02. No works in connection with the development hereby approved shall commence unless a sample and the specification and colour of the timber cladding to be used in the external finish for the approved development have been submitted to and approved in writing by the planning authority. The house in multiple occupation shall not be occupied unless the external finish has been applied in accordance with the approved details.

Reason: In the interests of preserving or enhancing the character or appearance of the conservation area

(2) that the reason for the decision be as follows:-

The proposal is an appropriate infill development within the Braemar Settlement, and is therefore compliant with Policy 1: New Housing Development, Part 1: Housing in Settlements and Part 8: Conversions, and there would be no adverse impacts on the character and setting of the Conservation Area or surrounding amenity in accordance with Policy 3: Sustainable Design, and Policy 9: Cultural Heritage, Part 2: Conservation Areas of the Cairngorms National Park Local Development Plan 2015.

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