

ABERDEENSHIRE COUNCIL

BANFF AND BUCHAN AREA COMMITTEE, LEARNING ROOMS 1 AND 2, FRASERBURGH COMMUNITY AND SPORTS CENTRE, MACONOCHIE PLACE, FRASERBURGH 06 MARCH 2018

Present: Councillors A Kille (Chair) C C Buchan, R A Cassie, J B Cox, M A Findlater, D Mair, H Partridge, G D Reynolds, M J Roy and B A Topping

Officers: Mrs K F Wiles, Interim Area Manager; Miss F M Stewart, Senior Solicitor; Mr J Martin, Senior Planner; Mr J D Naismith, Principal Engineer; Ms M Manson, Quality Improvement Officer; Mr D Clark, Head Teacher, Fraserburgh Academy; Mr A Horberry, Head Teacher, Banff Academy; Mr G Penman, Projects Manager, Mr A Bain, Business Support Officer; Mr T Buchan, Facilities Manager (by Skype for Item 11); Mr D Murray, Roads and Landscape Services Manager; Mr J Sharp, Roads Engineer; and Mrs E M Farquhar, Area Committee Officer

1. DECLARATION OF MEMBERS' INTERESTS

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

No Councillors' interests were stated.

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 11, 12 and 13 of the business on the grounds that these items involved the likely disclosure of exempt information of the class described in Paragraph 8 of Part 1 of Schedule 7A of the Act.

3. MINUTE OF MEETING OF 13 FEBRUARY 2018

The minute of meeting of 13 February 2018 had been circulated.

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

4. LIST OF OUTSTANDING BUSINESS AT 06 MARCH 2018

A list of outstanding business at 06 March 2018 had been circulated.

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

5. LITERACY STRATEGY

A report dated 26 January 2018 from the Director of Education and Children's Services had been circulated to ask the Committee to comment on the above strategy.

The Committee **agreed** to make the following comments to be considered by the Education and Children's Services Committee in March 2018:

1. The use of the Doric language should be a consideration in any literacy strategy,
2. The correlation between child mental health and literacy standards should be noted,
3. The correlation between poverty and literacy standards should be noted,
4. The importance of early intervention should be highlighted.
5. All of the above should be explicitly mentioned in the Literacy strategy so that problems can be identified and dealt with at an early stage.

6. ANALYSIS OF ATTAINMENT AND ACHIEVEMENT OF YOUNG PEOPLE IN BANFF AND BUCHAN SECONDARY SCHOOLS IN ACCREDITED AWARDS, YEAR ENDING JUNE 2017

A report dated 16 February 2018 from the Director of Education and Children's Services had been circulated to ask the Committee to consider and comment on the report.

The Committee heard Mr Alan Horberry, head teacher of Banff Academy and Mr David Clark, head teacher of Fraserburgh Academy.

Thereafter, the Committee **noted** the terms of the Director's report and thanked and congratulated both head teachers and their staff for the significant improvement realised in both schools, specifically over the last year, but also for the continuing improvement over several preceding years.

7. PLANNING APPLICATIONS FOR CONSIDERATION

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

A	Reference No APP/2017/2935	Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Highlandman's Croft, Cornhill, Banff
---	----------------------------	---

B	Reference No APP/2017/2462	Full Planning Permission for Alterations and Replacement Windows and Doors at 56 Main Street, Aberchirder
C	Reference No APP/2017/3158	Full Planning Permission for Formation of Campsite, siting of 5 Yurts, 1 Portable Toilet, Erection of Reception Building with Camping Facilities and Associated Parking and Access at Beech Glen, Silverstripe, Forglen, Turriff

8. PLANNING APPEAL

A LOCAL REVIEW BODY DECISION REF 389 - REFERENCE NO APP/2016/2448 – FULL PLANNING PERMISSION FOR ERECTION OF WIND TURBINE (HUB HEIGHT 23.4 METRES) TOTAL HEIGHT 22.47 METRES AT LOGIEFAIR, GAMRIE, BANFF

A report dated 13 February 2018 from the Director of Business Services had been circulated to advise the Committee of the decision of the Local Review Body (LRB) in relation to the above planning application appeal.

The Committee **noted** the decision of the LRB to vary the decision reviewed by it, by

- 1) removing condition No 6 (requirement for decommissioning bond) and,
- 2) amending condition No 10 (noise ratings and monitoring) on planning permission APP/2016/2448 as defined in the report.

9. CROVIE LANDSLIP

A report dated 16 February 2018 from the Director of Infrastructure Services had been circulated to ask the Committee consider the findings of the Geotechnical Base report and make a decision on its outcome.

The Committee welcomed the report and the public exhibition planned for 08 March 2017. The Committee expressed concern at the length of time it had taken from the landslip in September 2017 until the tendering process was due to start in May 2017, and the time it would take to complete the work, but noted that due process needed to take place to ensure that the work was completed safely and to the required standard.

Thereafter, the Committee **agreed**:

1. to the preferred remediation option of soil nailing the lower slope, and
2. that officers ensure that the public are informed quickly and honestly about the realistic timescales for the work to be carried out so that they could plan for the future.

10. GARDENSTOWN LANDSLIP

A report dated 19 February 2018 from the Director of Infrastructure Services had been circulated to advise the Committee of the latest developments in relation to the landslip at Gardenstown.

The Committee **noted** the development of the landslip, the approach to be adopted, and the plans for the Area Manager to meet with representatives of interested parties within the village to keep the best lines of communication open and to enable informed solutions going forward.

11. ANNUAL WORK PLAN 2018/2019 FOR BUSINESS SERVICES DIRECTORATE – PROCUREMENT APPROVAL

A report dated 22 February 2018 from the Director of Business Services had been circulated to ask the Committee to consider the Directorate Work Plan for 2018/2019.

The Committee:

1. **agreed to approve** the item on the work plan identified as falling within the remit of the Committee, and
2. **noted** that the Committee would receive the Business Case for approval for any item on the Work Plan which is within the Committee's remit and the value of the matter is over £1,000.000.

12. ANNUAL WORK PLAN FOR EDUCATION AND CHILDREN'S SERVICES DIRECTORATE – PROCUREMENT APPROVAL

A report dated 12 January 2018 from the Director of Education and Children's Services had been circulated to ask the Committee to consider the Directorate Work Plan for 2018/2019.

The Committee **noted** the terms of the report and **agreed**:

1. **to approve** the item on the work plan identified as falling within the remit of the Committee,
2. **to note** that the Committee would receive the Business Case for approval for any item on the Work Plan which is within the Committee's remit and the value of the matter is over £1,000.000,
3. **to approve** the business cases contained in the report, and
4. that future reports should contain more detailed information, with visual prompts, where appropriate, on the work to be carried out, and that all attempts be made to ensure that Councillors are aware of plans as early as possible.

13. SUPPLEMENTARY WORK PLAN – U16S CLOCHFORBIE ROAD, VERGE STABILISATION WORKS

A report dated 18th February 2018 from the Director of Infrastructure Services had been circulated to ask the Committee to approve a supplementary work plan.

The Committee **agreed** to approve the supplementary work plan for U16S Clochforbie Road Verge Stabilisation Works as outlined in the report.

Councillor Presiding over meeting

Print Name

Signature

Date

APPENDIX A

PLANNING APPLICATIONS FOR CONSIDERATION

7A REFERENCE NO APP/2017/2935

PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF DWELLINGHOUSE AT SITE ADJACENT TO HIGHLANDMAN'S CROFT, CORNHILL

Applicant: Mr P Grant
Agent: Mantell Ritchie

A report dated 19 February 2018 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

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

Thereafter, the Committee **agreed to refuse** the application for the following reasons:

1. The proposed development is contrary to Policy R2 (Housing and employment development elsewhere in the countryside) as contained in the Aberdeenshire Local development Plan 2017 in that;
 - a) It does not involve the refurbishment or replacement of an existing house or disused building;
 - b) It does not involve the remediation of a redundant brownfield site;
 - c) It is not for a single house associated with the retirement succession of a viable farm holding; and
 - d) It is not for the erection of a single house within an existing cohesive group of at least five existing houses.
2. The development is contrary to Policy RD1 (Providing suitable services) as contained in the Aberdeenshire Local Development Plan 2017 in that insufficient information has been provided to demonstrate that the drainage arrangements for the site are acceptable.

7B REFERENCE NO APP/2017/2462

FULL PLANNING PERMISSION FOR ALTERATIONS AND REPLACEMENT WINDOWS AND DOORS AT 56 MAIN STREET, ABERCHIRDER

Applicant: Mr Gary Murdoch
Agent: Cooper and MacGregor Ltd

A report dated 06 February 2018 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mr Bob MacGregor, applicant's agent, in support of the application.

Thereafter, Councillor Roy, seconded by Councillor Topping, **moved** that the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions including a condition to ensure that only windows of a high quality design and finish are installed.

As an amendment, Councillor Cox, seconded by Councillor Reynolds **moved** that the application be approved, as applied for.

Members of the Committee voted:

For the motion	4	Councillors Buchan, Kille, Roy and Topping
For the amendment	6	Councillors Cassie, Cox, Findlater, Mair, Partridge and Reynolds

The Chairman **declared the amendment carried** in the following terms:

That the application be approved, as applied for.

7C REFERENCE NO APP/2017/3158

FULL PLANNING PERMISSION FOR FORMATION OF CAMPSITE, SITING OF 5 YURTS, 1 PORTABLE TOILET, ERECTION OF RECEPTION BUILDING WITH CAMPING FACILITIES AND ASSOCIATED PARKING AND ACCESS AT BEECH GLEN, SILVERSTRIPE, FORGLEN, TURRIFF

Applicant: Silverstripe Living
Agent: Cooper & MacGregor Ltd

A report dated 06 February 2018 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mrs Marianne Shand, applicant and Mr Bob MacGregor, applicant's agent, in favour of the application.

The Committee then heard objectors to the application, Mr James Bayne, and Mr Barry Clear (representing Mr Andrew Winton who had been unable to attend).

Thereafter, Councillor Mair, seconded by Councillor Reynolds **moved** that consideration of the application be deferred to enable Members of the Committee to visit the site of the application to allow them to familiarise themselves with the site and to appreciate the potential road safety issues.

As an amendment, Councillor Kille, seconded by Councillor Findlater **moved** that the application be refused for the following reasons:

1. The proposal is not considered to be well related to any settlement due to distances of approximately 3.5km and 5km from the closest settlements, the distance from the main road network at the B9121 and the distance from the public transport network. The development does not comply with Policy B3 Tourist facilities of the Aberdeenshire Local Development Plan 2017.
2. The proposal does not represent small scale development due to the site area of approximately 0.7ha which exceeds the 0.5ha generally considered as small scale under this policy. The development does not comply with Policy R2 Housing and business development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017.
3. The proposal has failed to satisfactorily demonstrate that the private access road which serves the development could be brought up to an adoptable standard to meet the requirements of Roads Development. The application does not comply with Policy RD 1 Providing suitable services of the Aberdeenshire Local Development Plan 2017.

Members of the Committee voted:

For the motion	6	Councillors Cassie, Cox, Mair, Partridge, Reynolds and Topping
For the amendment	4	Councillors Buchan, Findlater, Kille and Roy

The Chairman **declared the motion carried** in the following terms:

that consideration of the application be deferred to enable Members of the Committee to visit the site of the application to allow them to familiarise themselves with the site and to appreciate the potential road safety issues.