

## **ABERDEENSHIRE COUNCIL**

### **MARR AREA COMMITTEE**

**STEWARTS HALL, HUNTLY, 1 MAY, 2018**

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

**Officers:** J Clark, Area Manager (Marr); P Boath, Adult Learning Team Manager; L Dougall, Affordable Housing Officer; P Whalley, Early Years Estate Manager; N Mair, Senior Planner; J Joss, Senior Solicitor; and K Macleod, Area Committee Officer (Marr).

### **COUNCILLOR ALASTAIR ROSS**

The Chair paid tribute to former Councillor Alastair Ross who had recently passed away. She spoke of him as an active member of the community who had been committed to serving his ward and Marr and as a gentleman with a lovely smile. The Chair expressed sadness at the loss of such a well-respected colleague.

#### **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 Ross declared an interest in item 8A by virtue of knowing the applicant and advised that she would leave the meeting and take no part 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 the following item of the business on the grounds that it 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**  
9

**Paragraph No. of Schedule 7A**  
8

### 3. MINUTE OF MEETING OF MARR AREA COMMITTEE OF 27 MARCH, 2018

The Committee had before them, and **approved** as a correct record, the Minute of Meeting of the Committee of 27 March, 2018.

### 4. COMMUNITY LEARNING AND DEVELOPMENT (CLD) PLAN REFRESH (2018-21)

There had been circulated a report dated 13 March, 2018, by the Direction of Education and Children's Services, which provided the Committee with information on the delivery of the Community Learning and Development (CLD) Plan 2015-2018 and sought comments, for consideration by the Education and Children's Services Committee and the Community Planning Partnership Board, on the proposed improvement priorities for the CLD Plan 2019-2021.

The Adult Learning Team Manager introduced the report and responded to Members' questions in relation to mental health as a thread running through all the priorities; data collection; ensuring access to college was available to everyone, effective transitions, and social capital.

The Committee **agreed**:-

- (1) to note the work undertaken by the Aberdeenshire Learning Community Partnership (ALCP) in leading on the CLD Plan 2015-18 to co-ordinate the delivery of community learning and development activity in Aberdeenshire;
- (2) to support the proposed improvement priorities identified by the Aberdeenshire Learning Community Partnership (ALCP) for the three year CLD Plan for the period September 2018 – August 2021; and
- (3) to request an informal briefing from the Service once the refreshed CLD Plan had been drafted.

### 5. ASSET DISPOSAL AND REINVESTMENT

There had been circulated a report dated 1 March, 2018, by the Director of Infrastructure Services, which sought comments, for consideration by the Communities Committee, on a proposed strategy to dispose of poorly performing assets on the Housing Revenue Account on a case by case basis following a process set out in the report and to reinvest the proceeds from any disposals to enable the delivery of affordable housing in the local area.

In response to questions from Members, the Affordable Housing Officer advised that two properties in Marr had been identified for disposal; that the majority of cases related to minority ownership in a block of flats; that in most cases proceeds would be invested in social rented housing; and that tenants would be only be relocated as a last resort. The Affordable Housing

Officer also responded to questions in relation to housing for particular needs and the possibility of communities purchasing properties to be disposed.

The Committee **agreed**:-

- (1) to provide the following comments to the Communities Committee on the proposed strategy to dispose of poorly performing assets on the Housing Revenue Account, to be approved on a case by case basis following the process set out in paragraphs 2.4 – 2.8 of the report:-
  - (a) All proposed disposals should be brought to Committee for decision.
  - (b) Should there be any need for re-location this should be on a like-for-like basis subject to the tenant's wishes.
- (2) to provide the following comment to the Communities Committee on the proposal to reinvest the proceeds from any disposals to enable the delivery of affordable housing in the local area:-
  - (a) Proceeds from any disposals should be reinvested in the same area i.e. proceeds from disposals in Marr should be reinvested in affordable housing in the Marr area.
- (3) to request further information on properties in Marr purchased through the 'Fast Track' process.

## **6. PROPOSED COMMUNITY COUNCIL BOUNDARY CHANGE – FEUGHDEE WEST AND MID DEESIDE COMMUNITY COUNCILS**

There had been circulated a report dated 13 April, 2018, by the Director of Infrastructure Services, which sought consideration of a request to change the boundary between Feughdee West and Mid Deeside Community Councils, resulting in the move of an area of land at Bridge of Canny, currently within the Mid Deeside Community Council area, to the Feughdee West Community Council area.

The Committee **agreed** to approve the proposed change to the boundary of Feughdee West Community Council and Mid Deeside Community Council as detailed in Appendix 1 to the report.

## **7. HOUSING SERVICE QUARTERLY PERFORMANCE EXCEPTION REPORTING OCTOBER - DECEMBER 2017 (ABERDEENSHIRE PERFORMS)**

There had been circulated a report dated 9 April, 2018, by the Director of Infrastructure Services, which advised how the Housing Service had performed against key performance measures and associated targets, as set out in the Infrastructure Services Business Plan, during the period from October to December, 2017.

The Committee **agreed**:-

- (1) to acknowledge the positive performance achieved from October to December, 2017 (Quarter 3);
- (2) to note those measures where performances was below expectations from October to December, 2017;

- (3) to acknowledge the publication of the complete October to December Performance Report for all quarterly indicators on Ward Pages; and
- (4) to request further information on:-
  - (a) the total number of properties re-let during the quarter; and
  - (b) the average number of days to re-let in Marr in previous quarters to allow comparison; and
- (5) to request that the report on fuel poverty to be provided with the Quarter 4 performance report look particularly at the impact of fuel poverty in rural Marr.

## **8. 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.

<b>Reference Number</b>	<b>Address</b>
(A) APP/2017/2721	Full Planning Permission for Erection of Dog Boarding Kennels (Retrospective) at Bush Farmhouse, Banchory

## **9. BUSINESS CASE - GORDON PRIMARY SCHOOL NURSERY**

There had been circulated a report by the Director of Education and Children's Services which sought approval of the business case for the project to build a new Gordon Primary Nursery at Gordon Primary School, Huntly.

The Committee **agreed**:-

- (1) to approve the business case for the project to build a new Gordon Primary Nursery at Gordon Primary School, Huntly; and
- (2) to reserve the award of the contract.

**Councillor Presiding over meeting**

**Cllr Moira Ingleby**

**Print Name**

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**Signature**

**22 May 2018**  
**Date**

## APPENDIX A

### PLANNING APPLICATIONS

- (A) Reference No: APP/2017/2721 – Full Planning Permission for Erection of Dog Boarding Kennels (Retrospective) at Bush Farmhouse, Banchory, Aberdeenshire, AB31 5QQ

**Applicant:** Mrs Rosemary Charlish, Bush Farmhouse, Banchory, AB31 5QQ  
**Agent:** No Agent

There had been circulated a report dated 12 April, 2018, by the Director of Infrastructure Services, which sought consideration of an application for full planning permission (retrospective) for the erection of dog boarding kennels. The application was being reported to the Committee as it was a departure from the Development Plan and was recommended for approval.

With reference to item 1 of the Minute, Councillor Ross declared an interest and left the meeting during this item.

The Committee heard that a request to speak had been received and agreed to hear from Mrs Rosemary Charlish, the applicant.

The Senior Planner reported on the detail of the application and made reference to Policy R2 of the Local Development Plan not supporting new business development in the Aberdeen Housing Market Area and encouraging business development to be located in settlements and allocated sites; however, the kennels were a small scale business just outwith the settlement and the nature of the business was unsuitable for an industrial or residential site. Further reference was made to the need for open space; the location within an existing farm cluster; low visual impact; and viability of the business. The application was compliant with all other policies and was recommended for approval as a departure from Policy R2.

The Senior Planner then responded to a question on the distance to the nearest neighbouring property. It was also highlighted that, if approved, the wording of condition one in the report would be amended to reflect that the application was retrospective.

The Committee then heard from Mrs Charlish who spoke of her experience with dogs; the reasons for starting the business; there being no other kennels between Banchory and Aberdeen; providing a place for dogs while their families were on holiday; and living on site and the need for 24 hour attendance per day as a condition of the licence. Mrs Charlish responded to questions on the size of the individual kennels and support to ensure constant on-site attendance. Mrs Charlish then confirmed that she felt she had been given a fair hearing.

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

- (1) to grant full planning permission subject to the following conditions:-
  - (1) Within 3 months from the date of this decision, the vehicular access serving the site shall have visibility of 120 metres in both directions along the channel line of the public road 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 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) Within 6 months from the date of this consent, the surface water drainage system shall be provided in accordance with the drainage report by S.A.McGregor dated March 2018, unless otherwise agreed by the Planning Service. 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.

- (2) that the reason for departing from the Aberdeenshire Local Development Plan (2017) be as follows:-

The scale of the business would be small, and the buildings would have very limited visual impact, located within an existing established grouping of buildings. Furthermore, the nature of the business is best suited to a remote location rather than a more populated/urban area, both in terms of residential amenity and access to open space. The proposal is therefore supported as a departure from Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan (2017).