

## ABERDEENSHIRE COUNCIL

### BANFF AND BUCHAN AREA COMMITTEE, LEARNING ROOMS 1 AND 2, FRASERBURGH COMMUNITY AND SPORTS CENTRE, MACONOCHIE PLACE, FRASERBURGH 21 AUGUST 2018

**Present:** Councillors A Kille (Chair) C C Buchan, R A Cassie, J B Cox, M A Findlater, D Mair, G Reynolds, M J Roy and B A Topping (except for Items 15A-15E)

**Apologies:** Councillor H Partridge

**Officers:** Mrs K F Wiles, Interim Area Manager; Miss F M Stewart, Senior Solicitor; Mr J D Naismith, Principal Engineer; Mr J Martin, Senior Planner; Mrs A Roe, Policy, Performance and Improvement Manager; Mrs L Mackenzie, Locality Manager; Mr M Simpson, Partnership Manager; Ms C Loney, Waste Support Leader; Mr D Cooper, Environmental Health Manager; Mrs D Burroughs, Team Leader (Environment); Mr G Robertson, Team Leader (Environmental Health); Mr J Gahagan, Estates Manager; Mr R Eunson, Team Leader (Estates); Ms C McCall, Principal Officer (Harbours); Ms P Strachan, Project Manager and Mrs E M Farquhar, Area Committee Officer

**In attendance:** Chief Inspector Neil McDonald, Police Scotland

**Order of Agenda was as follows:**

**1, 2A, 2B, 3A, 3B, 4, 5, 15A, 15B, 15C, 15D, 15E, 16, 14, 12, 6, 7, 8, 9, 10, 11, 13, 17, 18, 19, 20, (21 withdrawn), 22, 23, 24, 25**

#### 1. DECLARATION OF MEMBERS' INTERESTS

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

Item 6 - Councillor Cox **declared an interest** by virtue of being an owner of a licensed premises and left the room and took no part in the consideration of the item.

Item 6 - Councillor Reynolds **declared an interest** by virtue of being a member of the North Aberdeenshire Divisional Licensing Board but, having applied the objective test, concluded that it was so remote and insignificant, he remained and participated in the item.

Item 6 - Councillor Roy **declared an interest** by virtue of being a member of the North Aberdeenshire Divisional Licensing Board but, having applied the objective test, concluded that it was so remote and insignificant, he remained and participated in the item.

Item 6 - Councillor Topping **declared an interest** by virtue of being Chair of the North Aberdeenshire Divisional Licensing Board but, having applied the objective test, concluded that it was so remote and insignificant, he remained and participated in the item.

Item 9 - Councillor Findlater **declared in interest** by virtue of having an interest in one of the applications for funding from the Community Council Project grant and left the meeting and took no part in the consideration of the item.

Item 12 - Councillor Kille **declared an interest** by virtue of being a member of the North East Scotland Preservation Trust but, having applied the objective test, concluded that it was so remote and insignificant, he remained and participated in the item.

Item 12 - Councillor Reynolds **declared an interest** by virtue of being a member of the North East Scotland Preservation Trust but, having applied the objective test, concluded that it was so remote and insignificant, he remained and participated in the item.

Item 18 - Councillor Cassie **declared an interest** by virtue of being Chair of the Macduff Harbour Board but, having applied the objective test, concluded that it was so remote and insignificant, he remained and participated in the item.

Item 18 - Councillor Findlater **declared an interest** by virtue of being a member of the Macduff Harbour Board but, having applied the objective test, concluded that it was so remote and insignificant, he remained and participated in the item.

Item 19 - Councillor Kille **declared an interest** by virtue of being a member of an organisation within the community which had applied for a lease of this land and left the meeting and took no part in the consideration of the item.

Item 19 - Councillor Roy **declared an interest** by virtue of being a member of an organisation within the community which had applied for a lease of this land and left the meeting and took no part in the consideration of the item.

## 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:

1. **noted** that, at the request of officers, Item 21 had been withdrawn from the agenda, and
2. **agreed** 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 17, 18, 19, 20, 22, 23, 24 and 25 of the business on the grounds that these items involved the likely disclosure of exempt information of the class described in Paragraphs 6, 8, 9 and 10 of Part 1 of Schedule 7A of the Act.

### 3. MINUTES OF BANFF AND BUCHAN AREA COMMITTEE MEETINGS

#### A. MINUTE OF MEETING OF 12 JUNE 2018

The minute of meeting of 12 June 2018 had been circulated.

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

#### B. MINUTE OF MEETING OF SPECIAL MEETING OF 26 JUNE 2018

The minute of the special meeting of 26 June 2018 had been circulated.

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

### 4. LIST OF OUTSTANDING BUSINESS AT 21 AUGUST 2018

A list of outstanding business at 21 August 2018 had been circulated.

The Committee **noted** the list of outstanding business.

### 5. POLICE SCOTLAND - PERFORMANCE MONITORING AND OPERATIONAL UPDATE

A report dated 09 August 2018 from the Director of Business Services had been circulated to advise Members of the performance of the police service for Quarter 4 2017/2018.

The Committee **noted** the terms of the report and congratulated the Chief Constable on the successful and positive performance statistics within the report.

### 6. LICENSING (SCOTLAND) ACT 2005 - SECTION 6 AND SECTION 7 - REVIEW OF ABERDEENSHIRE NORTH, CENTRAL AND SOUTH DIVISIONAL LICENSING BOARDS' LICENSING POLICY STATEMENTS AND OVERPROVISION POLICY STATEMENTS

A report dated 25 July 2018 from the Director of Business Services had been circulated to ask the Committee to consider the terms of the Aberdeenshire Divisional Licensing Boards' draft Policy Statement and determine whether to make comments to the appropriate divisional licensing board(s) in relation thereto.

The Committee **agreed** that the changes being made to the Policy Statement, as detailed in the report, were moving in the right direction and welcomed the fact that the licensing boards were moving towards uniformity.

### 7. BRITISH SIGN LANGUAGE LOCAL PLAN 2018-2024

A report dated 27 July 2018 had been circulated to ask the Committee to note the progress and provide comments on the Aberdeenshire British Sign Language (BSL) Local Plan 2018-2024.

The Committee:

1. **noted** that comments received from Area Committees would be reviewed by services before the final draft of the plans considered by the Business Services Committee in September 2018, and
2. **agreed** to make the following comments:
  1. Makaton should be used as part of the activities supporting the plan,

2. Councillors should have access to any courses that are made available to help to raise their awareness in regard to sign language.

***The Committee, having commenced consideration of the following item, agreed to suspend Standing Order 2.1.3 in order to complete it.***

### **8. ABERDEENSHIRE HEALTH AND SOCIAL CARE PARTNERSHIP (HSCP) PERFORMANCE AND OUTCOMES FRAMEWORK QUARTER 4 REPORTING - JANUARY TO MARCH 2018**

A report dated 02 August 2018 from the Partnership Manager (North), Aberdeenshire Health and Social Care Partnership had been circulated to ask the Committee to provide feedback for consideration by the Integrated Joint Board (IJB).

The Committee:

1. **noted** the terms of the IJB Performance Q4 Report, and
2. **agreed** to make the following comments for consideration by the IJB:

Committee was concerned:

1. that there were more “red” than “green” indicators.
2. about the number of Council staff absent to due sickness and interested in corresponding numbers of NHS staff.
3. about how staff absences are being managed?
4. L09 - why the number of emergencies relating to people over 65 is so much higher in this quarter?
5. that the percentages of people with anticipatory and emergency care plans are very low.
6. that it is difficult to make assessments when there is a lack of local information.
7. that carers’ hours were being reduced but agency staff hours appeared to be increasing.
8. about continuing issues with lack of sufficient GP services in the area.

### **9. COMMUNITY COUNCIL PROJECT GRANT ALLOCATIONS (SECOND TRANCHE)**

With reference to Branch 11 of the Minute of Meeting of 12 June 2018, a report from the Director of Education and Children’s Services had been circulated to ask the Committee to consider the three second tranche applications received in relation to the Community Council Project Grant 2018/2019 and to determine whether, and to what extent, to award funding.

The Committee **agreed**:

1. that the following allocations be made from the remaining budget of £1160.00:

- a) New Aberdour, Tyrie and Pennan Community Council – Purchase of paint, metal sheets and Imagery to enhance two structures in the village of New Aberdour – Amount requested £640.00.

**Award of £640.00 granted.**

- b) Portsoy and District Community Council – Purchase of Christmas lights – Amount requested £300.00.

**Award of £300.00 granted.**

- c) Portsoy and District Community Council – Equipment for litter-pickers – Amount requested £615.00

**Award of £615.00 granted, and**

2. that the £105.00 remaining in the project grant be re-advertised as a third tranche and applications received be reported to Committee on 27 November 2018.

## **10. WASTE ORGANISATION RECYCLING AND WASTE COLLECTIONS POLICY AND PROCEDURES**

A report dated 12 July 2018 from the Director of Infrastructure Services had been circulated to invite the Committee to comment on the effectiveness of the 11 procedures which define the standards for recycling and waste collections in Aberdeenshire and to identify any improvements as appropriate.

The Committee **agreed** to make the following comments for consideration by the Infrastructure Services Committee:

1. The service should be commended on the very comprehensive report which they felt was on the right track,
2. The recycling instructions were extremely complicated and difficult to follow, e.g. there were so many different categories of glass and plastic, some of which could be recycled and others which could not.
3. Some recycling points were quite a distance from many homes and some people did not have access to vehicles to transport glass, etc.
4. More education was necessary to help and encourage people to recycle and, in addition to individual members of the public, information should be sent to community bodies/groups.
5. It was felt that bullet point 2 on the Charter for Household Recycling in Scotland “To encourage our citizens to participate.....” was too weak as it needed to impress upon citizens, their responsibility to take part.

## **11. CONSULTATION ON DOGS IN SCHOOL GROUNDS, COUNCIL PLAYPARKS, SPORTS PITCHES AND CEMETERIES AND BEACHES MEMBER PROMOTED ISSUE**

A report dated 13 June 2018 from the Director of Infrastructure Services had been circulated to consider various options regarding the presence of dogs in specified locations and select a preferred approach for recommendation to the Infrastructure Services Committee.

Councillor Findlater, seconded by Councillor Topping, **moved** that the Option 6 be recommended to the Infrastructure Services Committee.

**As an amendment**, Councillor Cox, seconded by Councillor Buchan **moved** that Option 1 be recommended to the Infrastructure Services Committee.

Members of the Committee voted:

For the motion	3	Councillors Findlater, Roy and Topping
For the amendment	6	Councillors Buchan, Cassie, Cox, Kille, Mair, Reynolds, Roy and Topping

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

That Option 1 be recommended to the Infrastructure Services Committee as the Banff and Buchan Area Committee's preferred option.

## 12. ABERDEENSHIRE COUNCIL BUILT HERITAGE STRATEGY 2018-2021

A report dated 02 July 2018 from the Director of Infrastructure Services had been circulated to ask the Committee to consider and discuss the aims and key priorities of the Built Heritage Strategy 2018-2021 and associated Action Plan.

The Committee:

1. **noted** the terms of the report and
2. **agreed** to make the following comments to be considered by the Infrastructure Services Committee:

The Area Committee:

1. was pleased that the Strategy appeared to be going in the right direction.
2. asked that a sympathetic and flexible approach be taken to allow the installation of UPVC windows in certain instances rather than insisting on wooden windows every time.
3. noted the low budget for Compulsory Purchase Orders and suggested that the service consider requesting a higher sum.

## 13. INFRASTRUCTURE SERVICES QUARTER 4 2017-2018 PERFORMANCE REPORT (ABERDEENSHIRE PERFORMS)

A report dated 06 August 2018 from the Director of Infrastructure Services had been circulated to provide the Committee with a summary of performance for Quarter 4 (January-March) 2018.

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

1. to acknowledge the good performance achieved January-March 2018 (Quarter 4),
2. to consider those measures where performance is below expectations January-March 2018,

3. to note the publication of the complete January-March 2018 Performance Report on Ward Pages on the Council's website, and
4. that the Director of Infrastructure Services continue to report, by exception, to the Area Committee quarterly on performance measures against service objectives.

#### 14. LADYSBRIDGE VILLAGE - REVISED DEVELOPMENT BRIEF

A report dated 02 August 2018 from the Director of Infrastructure Services had been circulated to present a revised Development Brief relating to the Ladysbridge Village development.

The Committee **agreed to** approve the revised Ladysbridge Development Brief as the context for subsequent planning applications.

#### 15. 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/2017/2047	Full Planning Permission for Alterations, Extension and Change of Use of Hotel (Use Class 7) to form Fishermen's Retreat (Mixed Use); Formation of two Residential Flats; Formation of External Walkway; External Cladding at Bayview Hotel, 37 Shore Street, Macduff
B	Reference No APP/2017/3193	Full Planning Permission for Erection of Dwellinghouse at Site at Yonderton Bungalow, Craigston
C	Reference No APP/2018/0476	Full Planning Permission for Alterations and Extension to dwellinghouse and Erection of Garage at North Luaves, New Pitsligo
D	Reference No APP/2018/1041	Full Planning Permission for Alterations, Sub Division and Change of Use of Unit 3B to Hot Food Takeaway (Sui Generis) at Unit 3, South Harbour Road, Fraserburgh
E	Reference No APP/2018/1024	Full Planning Permission for Installation of 8 Replacement Double Glazed Windows at Craigowan, 3 Main Street, Inverallochy

#### 16. PLANNING APPEAL

##### **LOCAL REVIEW BODY DECISION REF LRB419 - REFERENCE NO APP/2017/3054 - FULL PLANNING PERMISSION FOR FORMATION OF CAMPSITE, ERECTION OF RECEPTION/CAFÉ BUILDINGS, SHOWER/TOILET BLOCK, SITING OF 5 YURTS AND SITING OF RESIDENTIAL CARAVAN AT WOODSIDE OF BYTH WOODSIDE FARM, NEW BYTH**

A report dated 31 July 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, thereby removing condition No 8 but also amending the wording of condition No 9, as detailed below:

1. Remove Condition 8 from Planning Permission APP/2017/3054, and
2. Alter Condition 9 to read as follows:

Planning permission hereby granted to siting of a caravan is for a temporary period only and shall cease to have effect on 01 May 2022 (the 'cessation date'), the relevant area shall be cleared of all works and development approved under the terms of this permission (including any subsequent ancillary works, infrastructure, fixtures, fittings, and any temporary development permitted under Class 14 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

Reason: To ensure the proper control of the use of the site and to prevent establishment of a permanent residency.

### **17. DISPOSAL OF VACANT PROPERTY**

A report dated 04 June 2017 from the Director of Business Services had been circulated to ask the Committee to consider the work regarding disposal of vacant properties and provide comments for consideration by the Business Services Committee on 13 September 2018.

The Committee **agreed** to make the following comments:

1. Consideration should be given to finding a suitable use for the former Fife Street school in Macduff, including potential inclusion in the office-based strategy. This property is in excellent condition and has air-conditioning, disabled access, and good parking facilities.
2. Consideration needs to be given on how to reach a much broader audience when marketing properties and there needs to be sufficient and appropriate resources and manpower in place to make this happen.
3. No action should be taken meantime in relation to the Former Visitor Centre, Beach Promenade, Harbour Road, Fraserburgh until further discussion takes place with local members on how projects at the beach are to progress.

### **18. SUPPLEMENTARY WORK PLAN ALTERATIONS TO THE FISH MARKET AT MACDUFF HARBOUR**

A report dated 13 August 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 alterations to the Fish Market at Macduff Harbour as outlined in the report.

### **19. LAND AT DEVERON TERRACE, BANFF**

A report dated 26 July 2018 from the Director of Business Services had been circulated seeking the Committee's approval of a lease for the occupation of the land at Deveron Terrace, Banff.

The Committee **agreed**:

1. to approve a new 3-year lease for the occupation of the land at Deveron Terrace, Banff on the terms detailed in the report,



2. to ensure that the lease provided will allow sub-letting to other groups, if appropriate, and
2. that the Head of Legal and Governance undertake the appropriate steps to obtain a common Good Order in respect of the lease.

**20. LICENCE TO OCCUPY COLLIE LODGE, LOW STREET, BANFF, AB45 1AU**

A report dated 01 August 2018 from the Director of Business Services had been circulated seeking approval of a Licence to Occupy for the occupation of Collie Lodge, Low Street, Banff.

The Committee **agreed**:

1. to approve a Licence to Occupy for the occupation of Collie Lodge, Low street, Banff on the terms detailed in the report, and
2. that the Head of Legal and Governance undertake the appropriate steps to obtain a Common Good Order in respect of this property in anticipation of being able to offer a longer lease on the property.

**21. ADJUSTMENTS TO AREA LET AT PORTSOY CARAVAN PARK**

The Committee was advised that this item had been withdrawn at the request of officers.

**22. PROPOSED LEASE RENEWAL OF AMENITY AND SPORTS LAND IN FRASERBURGH**

A report from the Director of Business Services had been circulated to seek the Committee's approval of a lease renewal.

Following considerable discussion, Councillor Kille, seconded by Councillor Cox **moved** to approve the officer's recommendations as detailed in the report.

As an amendment, Councillor Buchan, seconded by Councillor Topping **moved** to delay any signing of the lease until further conversation had taken place with Fraserburgh Feuars Managers.

Members of the Committee voted:

For the motion	5	Councillors Cox, Findlater, Kille, Mair and Roy
For the amendment	3	Councillors Buchan, Reynolds and Topping
No vote	1	Councillor Cassie

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

To approve:

1. the terms proposed for a lease renewal of the various amenity and sports land in Fraserburgh from Fraserburgh Feuars Managers and to delegate power to the Head of Legal and Governance to agree the lease renewal, and
2. that, during the lease extension, consideration be given to alternative arrangements.

Councillor Topping **entered his dissent** in terms of Standing Order 5.2.6.

### **23. SALE OF LAND AT FAIRNEY INDUSTRIAL ESTATE, FRASERBURGH**

A report dated July 2018 from the Director of Business Services had been circulated seeking the Committee's approval for sale of land.

The Committee **agreed** to approve the sale of a site at Fairney Industrial Estate, Fraserburgh on the terms stated in the report.

### **24. MACDUFF - PORCH ROOF UPGRADES 13/14 NORTH (SCAPE) CONTRACT 17553**

A report dated 06 August 2018 from the Director of Business Services had been circulated to ask the Committee to approve the addition of a supplementary item onto the Business Services Workplan.

The Committee **agreed**:

1. to approve the addition of the item on the Supplementary Work Plan detailed in the report in respect of the Port Roof Upgrades and associated upgrade works at Macduff (Contract No 17553),
2. to approve the progression to Gateway Stage 4,
3. to approve the Business Case detailed in the report for the item on the Supplementary Work Plan relating to Porch Roof Upgrades, Macduff, and
4. to authorise acceptance of the tender and associated upgrade works, Macduff, recommended by officers and detailed in the report.

### **25. BANFF - ROOF FINISH UPGRADES 14/15 NORTH (SCAPE)**

A report dated 06 August 2018 from the Director of Business Services had been circulated to ask the Committee to approve the addition of a supplementary item onto the Business Services Workplan.

The Committee **agreed**:

1. to approve the addition of the item on the Supplementary Work Plan detailed in the report in respect of the Port Roof Upgrades and associated upgrade works at Macduff (Contract No 17553),
2. to approve the progression to Gateway Stage 4,
3. to approve the Business Case detailed in the report for the item on the Supplementary Work Plan relating to Porch Roof Upgrades, Macduff, and
4. to authorise acceptance of the tender and associated upgrade works, Macduff, recommended by officers and detailed in the report.

**Councillor Presiding over meeting**

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**Print Name**

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**Signature**

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**Date**

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## APPENDIX A

### PLANNING APPLICATIONS FOR CONSIDERATION

#### 15A REFERENCE NO APP/2017/2047

**FULL PLANNING PERMISSION FOR ALTERATIONS, EXTENSION AND CHANGE OF USE OF HOTEL (USE CLASS 7) TO FORM FISHERMEN'S RETREAT (MIXED USE); FORMATION OF 2 RESIDENTIAL FLATS; FORMATION OF EXTERNAL WALKWAY; EXTERNAL CLADDING AT BAYVIEW HOTEL, 37 SHORE STREET, MACDUFF**

**Applicant: Ms Susie Seui**  
**Agent: Mantell Ritchie**

A report dated 19 July 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 reason:-

1. The proposal does not comply with Policy P4: Hazardous and Potentially Polluting Developments and Contaminated Land, as contained within the Aberdeenshire Local Development Plan 2017 as insufficient information has been provided to confirm whether or not the potential noise emission from the air source heat pumps would cause an unacceptable impact in terms of neighbouring amenity, as detailed in the outstanding objection from Environmental Health.

#### 15B REFERENCE NO APP/2017/3193

**FULL PLANNING PERMISSION FOR ERECTION OF DWELLINGHOUSE AT SITE AT YONDERTON BUNGALOW, CRAIGSTON, TURRIFF**

**Applicant: Mr and Mrs W Strachan**  
**Agent: Mantell Ritchie**

A report dated 22 June 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, Councillor Cox, seconded by Councillor Roy, **moved** that the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions as the proposed development constituted a replacement house, was low-lying and would have no impact on the amenity of the surrounding area, was of an appropriate design and fitted in with an existing pattern of development which had some large scale houses and there were no roads, or other, objections.

**As an amendment**, Councillor Buchan, seconded by Councillor Kille **moved** that the application be refused as per the planning officer's recommendations.

Members of the Committee voted:

For the motion	3	Councillors Cox, Findlater and Reynolds
For the amendment	5	Councillors Buchan, Cassie, Kille, Mair and Roy
Not in attendance	1	Councillor Topping

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

that the application be refused for the following reasons:

1. The proposal does not comply with Policy R2 (Housing and employment development elsewhere in the countryside) as contained in the Aberdeenshire Local Development Plan 2017, in that;
  - It does not involve the refurbishment or replacement on the same site of an existing house or disused building;
  - It does not involve the remediation of redundant brownfield land;
  - It does not involve the small scale growth of a settlement identified in Appendix 4 of the Local development Plan;
  - It does not constitute an appropriate addition to an existing cluster of at least five houses; and
  - It is not required for the succession of a viable farm holding.
2. The proposal does not comply with Policy P1 (Layout, siting and design) as contained in the Aberdeenshire Local development Plan 2017 in that the scale and design of the proposed house are out of character with the immediate surroundings and existing nearby properties.
3. The proposal does not comply with Policy RD1 (Providing suitable services) as contained in the Aberdeenshire Local Development Plan 2017 in that insufficient information has been submitted to demonstrate that the site can be provided with adequate foul and surface water drainage.

#### **15C REFERENCE NO APP/2018/0476**

#### **FULL PLANNING PERMISSION FOR ALTERATIONS AND EXTENSION TO DWELLINGHOUSE AND ERECTION OF GARAGE AT NORTH LUAVES, NEW PITSLIGO**

**Applicant:** Mr & Mrs A Brooks  
**Agent:** Mantell Ritchie

A report dated 22 May 2018 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, Councillor Cassie, seconded by Councillor Buchan **moved** that the consideration of the application be deferred until the next meeting of the Committee to enable Members of the Committee to visit the site of the application to enable them to assess the potential impact of the proposed development on the amenity of the surrounding area.

**As an amendment**, Councillor Findlater, seconded by Councillor Reynolds **moved** that the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions as the proposed development was not contrary to Policy P1.

Members of the Committee voted:

For the motion	4	Councillors Buchan, Cassie, Mair and Roy
For the amendment	4	Councillors Cox, Findlater, Kille and Reynolds
Not in attendance	1	Councillor Topping

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

that the consideration of the application be deferred until the next meeting of the Committee to enable Members of the Committee to visit the site of the application to enable them to assess the potential impact of the proposed development on the amenity of the surrounding area.

**15D REFERENCE NO APP/2018/1041**

**FULL PLANNING PERMISSION FOR ALTERATIONS, SUB-DIVISION AND CHANGE OF USE OF UNIT 3B TO HOT FOOD TAKEAWAY (SUI GENERIS) AT UNIT 3, SOUTH HARBOUR ROAD, FRASERBURGH**

**Applicant:** Varied Portfolio Assets Ltd  
**Agent:** Ryden LLP

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

The Committee **agreed to approve** the application.

The Committee's reason for departing from the Aberdeenshire Local Development Plan 2017 were that the development can be accepted in the CC1 allocation as the proposed use is not completely at odds with the aims and objectives of such allocation. Furthermore the applicant has undertaken the necessary actions to demonstrate that there are no suitable sites within the town centre for the proposed development in addition to marketing the unit in its current form for a minimum of 12 months with no interest received, indicating that the unit may be unviable in the current economic climate and thus requiring to seek alternatives.

**15E REFERENCE NO APP/2018/1024**

**FULL PLANNING PERMISSION FOR INSTALLATION OF 8 REPLACEMENT DOUBLE GLAZED WINDOWS AT CRAIGOWAN, 3 MAIN STREET, INVERALLOCHY**

**Applicant:** Mr and Mrs G S Noble  
**Agent:** Job Worth Doing Ltd

A report dated 20 June 2018 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee **agreed** to delegate the application to the Head of Planning and Building Standards to approve on appropriate conditions.

The Committee's reason for departure from the valid Local Development Plan was that the proposed development would preserve and enhance the character and appearance of the conservation area.

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