

ABERDEENSHIRE COUNCIL

BANFF AND BUCHAN AREA COMMITTEE, COUNCIL CHAMBER, COUNTY HALL, LOW STREET, BANFF 11 SEPTEMBER 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

Officers: Mrs K F Wiles, Head of Legal and Governance, Mr I Meredith, Solicitor; Mr J D Naismith, Principal Engineer; Mr J Martin, Senior Planner; Mr M Davis, Waste Team Manager; Ms Y D'Ambruoso, Waste Support Leader; Mr A Rhind, Strategic Regeneration Executive; Mrs I Sharp, Quality Improvement Officer; Mrs S Mellin, Head Teacher, Fraserburgh North School; Ms K Black, Project Officer and Mrs E M Farquhar, Area Committee Officer

In attendance: Mr Andrew Stewart; Halliday Fraser Munro
Mr David Foote; Halliday, Fraser, Munro

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 9 Councillor Topping **declared an interest** by virtue of the fact that he is a member of the Fraserburgh Community CCTV Working Group and left the room and took no part in the consideration of the item.

Item 13 Councillor Cox **declared an interest** by virtue of the fact that he is the owner of property in Bridge Street, Banff and left the room and took no part in the consideration of the item.

Item 13 Councillor Reynolds **declared an interest** by virtue of the fact that he is a Member of the CARS Project Board but, having applied the objective test, concluded that it was so remote and insignificant that he remained and participated in the item.

Item 13 Councillor Roy **declared an interest** by virtue of the fact that he is a Member of the CARS Project Board but, having applied the objective test, concluded that it was so remote and insignificant that he remained and participated in 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 **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 Item 13 of the business on the grounds that this item involved the likely disclosure of exempt information of the class described in Paragraphs 6, 8 and 9 of Part 1 of Schedule 7A of the Act.

3. MINUTE OF MEETING OF 21 AUGUST 2018

The minute of meeting of 21 August 2018 had been circulated.

Branch 1 - Declaration of Councillors' Interests - 8th & 9th Paragraphs - Replace "Harbour Board" with "Harbour Advisory Committee".

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

4. LIST OF OUTSTANDING BUSINESS AT 11 SEPTEMBER 2018

A list of outstanding business at 11 September 2018 had been circulated.

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

5. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - APPLICATION FOR GRANT OF STREET TRADER'S LICENCE

The Committee **noted** that this item had been withdrawn.

6. PLANNING APPLICATION FOR DECISION

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

| | | |
|---|----------------------------|--|
| A | Reference No APP/2018/0476 | Full Planning Permission for Alterations and Extension to dwellinghouse and Erection of Garage at North Luaves, New Pitsligo |
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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/2018/1400 | Listed Building Consent for Alterations and Extension to Dwellinghouse at Woodhead Cottage, Carnousie, Turriff |
| B | Reference No APP/2018/1411 | Full Planning Permission for Alterations and Extension to dwellinghouse (Renewal of Planning Permission APP/2014/4214) at Woodhead Cottage, Carnousie, Turriff |

8. WASTE STRATEGY CONSULTATION

A report dated 23 August 2018 from the Director of Infrastructure Services had been circulated to ask the Committee to consider the draft Waste Strategy Consultation and make recommendations to the Infrastructure Services Committee.

The Committee heard Mr Rod Lovie on behalf of Portsoy and District Community Council. The Committee thanked Mr Lovie for his concise and helpful presentation and commended the people of Portsoy and district for their constructive attitude and the manner in which they had conducted their consultation and information-gathering with the local community.

The Committee, following extensive consideration, **agreed**:

1. to recommend to the Infrastructure Services Committee that Option B would be the kerbside service option that would best deliver the objectives of the strategy, and
2. to make the following comments to the Infrastructure Services Committee:
 - a) There had been poor engagement with the public in the building up of the strategy,
 - b) Insufficient financial details had been received both in terms of Capital and Revenue implications,
 - c) The recycling centre at Portsoy should be kept open and consideration given to extending the facility and its opening hours, and the Council should work with the community to find the best options including how to increase local recycling,
 - d) Gardenstown should be included in the list of locations where seasonal village garden waste collection points are to be provided, as the village has more than 400 domestic properties and is more than seven miles from a household waste recycling centre.
 - e) The Equalities Impact Assessment was inadequate and should be reviewed, and
 - f) there has been no Environmental Impact Assessment and the potential CO₂ emissions following local site closures had not been considered.

9. REGENERATION FUNDING REQUEST FOR THE UPGRADE AND EXPANSION OF THE COMMUNITY CCTV SYSTEM IN FRASERBURGH

A report dated 28 August 2018 from the Director of Infrastructure Services had been circulated to ask the Committee to approve a grant contribution to the Fraserburgh Community CCTV Working Group.

The Committee **agreed** to approve a grant contribution of £60,000 towards the upgrade and expansion of the community CCTV system in Fraserburgh town centre.

10. STREET NAMING - HOUSING DEVELOPMENT AT WESTHAVEN, CAIRNBURG

A report dated 20 August 2018 from the Director of Infrastructure Services had been circulated to ask the Committee to consider and approve the names for three streets at the above development.

The Committee considered the various names that had been suggested by the developer and Invercairn Community Council and **agreed** that Street 1 be named Mathieson Road and Street 3 be named Wastbye Way.

Thereafter, Councillor Kille, seconded by Councillor Mair **moved** that Street 2 be named Centenary Crescent.

As an amendment, Councillor Topping, seconded by Councillor Buchan **moved** that Street 2 be named Tershiny Crescent.

Members of the Committee voted:

| | | |
|-------------------|---|--|
| For the motion | 5 | Councillors Cox, Findlater, Kille, Mair and Roy, |
| For the amendment | 2 | Councillors Buchan and Topping |
| No vote | 2 | Councillors Cassie and Reynolds |

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

that Street 2 be named Centenary Crescent.

11. EDUCATION SCOTLAND INSPECTION ORDIQUHILL PRIMARY AND NURSERY SCHOOL

A report dated 04 May 2018 from the Director of Education and Children's Services had been circulated to ask the Committee to consider and comment on the Education Scotland inspection of Ordiquhill Primary and Nursery school.

The Committee was happy that the school had reached the standards required and that no further inspections were necessary at this time, and:

1. congratulated the head teacher, parent council, staff and pupils at Ordiquhill for the real team effort and their vision to move forward, and
2. endorsed 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.

12. EDUCATION SCOTLAND INSPECTION FRASERBURGH NORTH SCHOOL AND NURSERY

A report dated 23 August 2018 from the Director of Education and Children's Services had been circulated to ask the Committee to consider and comment on the above report.

The Committee:

1. commended the officers for the positive report and the steps being taken to support the school,
2. encouraged the Service to support and assist the head teacher and staff in the implementation of the action plan, and
3. encouraged the Service to take cognisance of lessons learned in respect of potential earlier intervention and endorsed 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.

13. BRIDGE STREET PUBLIC REALM IMPROVEMENT DESIGN PROJECT

A report dated August 2018 from the Director of Infrastructure Services had been circulated to ask the Committee to consider the Bridge Street Public Realm Improvement Statement and endorse the proposals therein.

The Committee heard a presentation from the Architects and, thereafter, **agreed:**

1. to endorse the proposals identified,
2. to authorise officers to progress with obtaining the relevant planning permission and seek sources of funding for the project,
3. to authorise officers to publish the Design Statement and carry out further public consultation on the agreed proposals, and
4. that the progress of these actions be monitored and reported back to Committee as part of regeneration updates.

Councillor Presiding over meeting

Print Name

Signature

Date

APPENDIX A

PLANNING APPLICATION FOR DECISION

6A 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

With reference to Branch 15C of the Minute of Meeting of 21 August 2018, and following a visit to the site by Members of the Committee, the Committee resumed consideration of a report from the Director of Infrastructure Services which had been circulated seeking determination of the above planning application by the Area Committee.

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 and would not be very prominent as it would not be bigger than the main dwelling and would be surrounded by the steading and other buildings.

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

1. The proposal is considered contrary to Policy P1 Layout siting and design of the Aberdeenshire Local Development Plan 2017, in that the proposed scale and design of the garage are not considered acceptable and the garage is not considered subordinate to the main dwellinghouse.

Members of the Committee voted:

| | | |
|-------------------|---|---|
| For the motion | 4 | Councillors Cox, Findlater, Mair and Reynolds |
| For the amendment | 3 | Councillors Buchan, Cassie and Roy |
| No vote | 2 | Councillors Kille and Topping |

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

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 and would not have a significant impact on the surrounding area as it would not be bigger than the main dwelling and would be surrounded by the steading and other buildings.

PLANNING APPLICATIONS FOR CONSIDERATION

7A REFERENCE NO APP/2018/1400

LISTED BUILDING CONSENT FOR ALTERATIONS AND EXTENSION TO DWELLINGHOUSE AT WOODHEAD COTTAGE, CARNOUSIE, TURRIFF

Applicant: Mr and Mrs Pat Steele

Agent: D K Meldrum Ltd

A report dated 27 August 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 Steele, applicant, in support of the application.

Thereafter the Committee **agreed to defer** consideration of the application 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 c-listed building and the surrounding area.

7B REFERENCE NO APP/2018/1411

FULL PLANNING PERMISSION FOR ALTERATIONS AND EXTENSION TO DWELLINGHOUSE (RENEWAL OF PLANNING PERMISSION APP/2014/4214) AT WOODHEAD COTTAGE, CARNOUSIE, TURRIFF

Applicant: Mr and Mrs Pat Steele

Agent: D K Meldrum Ltd

A report dated 27 August 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 Steele, applicant, in support of the application.

Thereafter the Committee **agreed to defer** consideration of the application 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 c-listed building and the surrounding area.