ABERDEENSHIRE COUNCIL

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

Present: Councillors A Kille (Chair) C C Buchan, R A Cassie, J B Cox, M A Findlater, D Mair, H Partridge (until Item 16), G Reynolds, M J Roy

Apologies: Councillor B A Topping

Officers: Mrs K F Wiles, Interim Area Manager; Miss F M Stewart, Senior Solicitor; Mr J D Naismith, Principal Engineer; Mr A Murphy, Senior Planner; Mr I Scott, Planner; Ms J Cranna, Service Manager (Finance); Ms N Greenland, Project Officer; Mr A Horberry, Head Teacher (Banff Academy); Mr Andrew Griffiths, Head of Primary Education and Curriculum Development (by Skype); Mr A Millar, Senior Roads Engineer; Mr J Davidson, Environment Planner; Ms Sally Davis, Strategic Development Officer; Ms J Stewart, Strategy Development Officer; Mr K Abel, Quantity Surveying Manager; and Mrs E M Farquhar, Area Committee Officer

Order of agenda was as follows:

Items 1, 2a, 2b, 3, 4, 5, 6, 7, 8, 19A, 19B, 19C, 19D, 9, 13, 14, 16, (break for lunch 1.00pm - 1.30pm) 15, 10, 11, 12, 17, 18, 20.

1. DECLARATION OF MEMBERS’ INTERESTS

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

Councillor Reynolds declared an interest in Item 10 by virtue of the fact that he is a Trustee of North East Scotland Preservation Trust and left the meeting and took no part in the item.

Councillor Kille declared an interest in Item 10 by virtue of the fact that he is a Trustee of North East Scotland Preservation Trust and left the meeting and took no part in the item.

Councillor Cox declared an interest in Item 10 by virtue of the fact that he had a personal interest in one of the applications and left the meeting and took no part in the item.

Councillor Findlater declared in interest in Item 11 by virtue of the fact that he had an interest in one of the projects and left the meeting and took no part 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:

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 Item 20 of the business on the grounds that these items involved the likely disclosure of exempt information of the class described in Paragraphs 8 and 10 of Part 1 of Schedule 7A of the Act.

3. MINUTE OF MEETING OF 22 MAY 2018

The minute of meeting of 22 May 2018 had been circulated.

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

4. LIST OF OUTSTANDING BUSINESS AT 12 JUNE 2018

A list of outstanding business at 12 June 2018 had been circulated.

The Committee noted the Outstanding Business List.

5. CIVIC GOVERNMENT (SCOTLAND) ACT 1982

APPLICATION FOR GRANT OF TEMPORARY PUBLIC ENTERTAINMENT LICENCE - REQUEST FOR EXTENSION OF OPERATING HOURS FOR FAIRGROUND EQUIPMENT AT FRASERBURGH INDOOR LEISURE CENTRE, NORTH INKS, FRASERBURGH

A report from the Director of Business Services had been circulated to ask the Committee to approve an extension of the operating hours of the above funfair.

The Committee agreed to an extension of the operating hours for the above temporary public entertainment licence as follows:

Saturday 30 June, 2018 12:00 - 17:00
Sunday 01 July, 2018 12:00 - 17:00

6. CIVIC GOVERNMENT (SCOTLAND) ACT 1982

APPLICATION FOR GRANT OF TEMPORARY PUBLIC ENTERTAINMENT LICENCE - REQUEST FOR EXTENSION OF OPERATING HOURS FOR FUNFAIR AT MCROBERT PARK, ABERCHIRDER

A report from the Director of Business Services had been circulated to ask the Committee to approve an extension of the operating hours of the above funfair.

The Committee agreed to an extension of the operating hours for the above temporary public entertainment licence as follows:

Thursday 05 July 2018 17:00 - 21:00
Friday 06 July 2018 17:00 - 22:00
Saturday 07 July 2018 12:00 - 22:00
7. UNIVERSAL CREDIT FULL SERVICE IN NORTH ABERDEENSHIRE

A report dated 22 May 2018 had been circulated to provide an update on the rollout of Universal Credit.

The Committee:

1. noted the work that is being carried out in respect of the Universal Credit Full Service rollout in North Aberdeenshire, and

2. agreed that a report giving details of the impact of universal credit on Banff and Buchan, be submitted to the Banff and Buchan Area Committee in six months.

8. EDUCATION SCOTLAND “FOLLOW THROUGH” INSPECTION - BANFF ACADEMY

A report dated 29 May 2018 from the Director of Education and Children’s Services had been circulated to advise the Committee on the outcome of Education Scotland’s “follow through” inspection of Banff Academy.

The Committee congratulated the Head Teacher on the excellent report and the fact that Education Scotland is confident that the school has the capacity to continue to improve and so will make no more visits in connection with the current inspection.

Thereafter, the Committee:

1. noted the terms of the report,

2. agreed that the Head Teacher pass on the congratulations of the Committee to parents, teachers and pupils for all the work involved to achieve this excellent report from Education Scotland.

3. agreed 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 in all aspects of school life.

9. NORTHERN ALLIANCE REGIONAL IMPROVEMENT PLAN: CONSULTATION

A report dated 25 April 2018 from the Director of Education and Children’s Services had been circulated to allow the Committee to consider and comment on the above plan.

The Committee:

1. noted the draft plan for the Northern Alliance,

2. agreed to make the following comments for consideration by the Education and Children’s Services Committee,

   a) The Committee welcomed the report and commended the service on the success of the Northern Alliance thus far and the fact that this was a sharing of best practice rather than another layer of governance,

   b) Greater emphasis should be placed on developing family learning and engagement with parents, and
3. noted that the final version of the plan would be reported to the Education and Children’s Services Committee on 30 August 2018.

10. BANFF AND BUCHAN AREA COMMITTEE BUDGET 2018/2019 - APPLICATIONS

With reference to Branch 7 of the Minute of Meeting of 27 March 2018, a report dated 23 May 2018 from the Director of Education and Children’s Services had been circulated to ask the Committee to consider the applications received in relation to the Area Committee budget and to determine whether, and to what extent, to award funding.

The Committee agreed that the following allocations be made from the £80,000 Area Committee Budget which had been set aside for the Area Initiatives Fund.

a) **1st Portsoy and Fordyce Scout Group** - Purchase of new mini bus – Amount requested £5,000.00.
   *Award of £5,000.00 granted.*

b) **Aberchirder and District Community Association** – Community Garden - Amount requested £6,400.00.
   *Award of £6,400.00 granted.*

c) **Aberchirder and District Men’s Shed** - Purchase and installation of security cameras - Amount requested £950.00
   *Award of £950.00 granted.*

d) **Alvah and Forglen Community Council** - Flower tubs - Amount requested £720.00
   *Award of £720.00 granted.*

e) **Boyndlie Community Hall** - Fire Retardant Lacquer for Hall – Amount requested £1,872.00.
   *Award of £1,872.00 granted.*

f) **Buchan Battalion boys Brigade** – Venue, Catering and Transport for NSA Conference - Amount requested £1,500.00.
   *Award of £1,500.00 granted.*

g) **Gardenstown Harbour Trustees** - Update Gardenstown Heritage Centre - Amount requested £4,500.00.
   *Award of £4,500.00 granted.*

h) **Home-Start Deveron** - IT Equipment – Amount requested £2,072.00.
   *Award of £2,072.00 granted.*

i) **Invercairn Bowling Club** - Paving next to Bowling Green - Amount requested £3,400.00.
   *Award of £3,400.00 granted.*

j) **Macduff Primary School** - Sound System – Amount requested £1,200.00.
Award of £1,200.00 granted.

k) North East Scotland Preservation Trust - Structural Survey of Gardern and Glasshouses and fully costed report detailing repairs - Amount requested £2,400.00

Award of £2,400.00 granted.

l) Portsoy Community Enterprise (Formerly Scottish Traditional Boat Festival) - Amount requested £5,299.00

Award of £5,299.00 granted.

m) Portsoy and District Community Council - Telescope - Amount requested £6,035.00.

Award of £6,035.09 granted.

n) Portsoy and District Community Council - Motorised Wheelbarrow – Amount requested £1,748.00

Award of £1,748.00 granted.

o) Rathen, Memsie and Cortes Community Council - Swing Park Equipment – Amount requested £10,000.00

Award of £10,000.00 granted.

p) Rathen Memsie and Cortes Community Council - Educational Equipment for toddler groups who use the village hall – Amount requested £5,000.00

Award of £4,793.00 granted.

q) Rotary Club of Fraserburgh - Christmas Lights – Amount requested £1,500.00

Award of £1,500.00 granted.

r) Sandend Amenities Council - Replace heaters in Sandend village hall – Amount requested £2,096.00

Award of £2,096.00 granted.

s) 1st Fraserburgh Scout Group - Purchase of mini bus – Amount requested £10,000

Award of £10,000 granted.

t) Jarvis Court Amenities Fund - Garden Amenities - Amount requested £5,000.00

Award of £5,000.00 granted (subject to receipt of audited accounts).

u) Portsoy District Community Association (SCIO) - Floodlights for football pitch at Portsoy – Amount requested £3,024.00

Award of £3,024.00 granted (subject to receipt of audited accounts).

The Committee further agreed that:
1. no award be made to the following organisations:-

a) Banff Sailing Club – Replacement of Flat Roof

Amount requested £5,000.00 – The Committee recognised the good work of the club but did not wish to support this application as Banff Sailing Club is a private members’ club and it was felt that any benefit would be restricted to a limited section rather than benefiting the wider community.

b) Gardenstown Playschool – Funding gap for running costs

Amount requested £3,500.00 – The Committee praised the work of the playschool which they considered to be a valuable contributor to the community. However, the Committee had taken a decision on 27 March 2018 not to award funding for core activities. Also, in order that groups did not become dependent on this fund, the Committee did not wish to continue to fund applications for the same purpose, in successive years, and the playschool had received core funding last year.

c) Modo Circus with Purpose - Staff costs/Transportation

Amount requested £4,557.00 – The Committee recognised that this group did very good work in terms of promoting physical and mental well-being for young people. However, the Committee had taken a decision on 27 March 2018 not to award funding for core activities.

d) Portsoy Book Festival - Transportation, Accommodation and Fees

Amount requested £4,000.00 - The Committee recognised this as a very good project but had taken a decision on 27 March 2018 not to award funding for core activities. Also, in order that groups did not become dependent on this fund, the Committee did not wish to continue to fund applications for the same purpose, in successive years, and the Portsoy Book Festival had received core funding in previous years.

e) Deveronside Community Social Club - Installation of Chair Lift and upgrading of kitchen

Amount requested £8,000 - The Committee recognised the work of the group but agreed that this was primarily a commercial enterprise and therefore alternative sources of funding should be explored. In terms of the lack of information provided on how the balance of funding would be met, the Committee determined that the application could not competently be considered in terms of the application criteria.

f) Y Suffer in Silence - Training

Amount requested £4,000.00 - The Committee did not support this application as insufficient information had been provided to support the application and the balance of funding for this project was not in place. In terms of the lack of information provided on how the balance of funding would be met, the Committee determined that the application could not competently be considered in terms of the application criteria.

2. that the remaining balance of £491.00 be transferred to the Community Council Project grant.
11. COMMUNITY COUNCIL PROJECT GRANT 2018/2019 - APPLICATIONS

With reference to Branch 8 of the Minute of Meeting of 27 March 2018, a report dated 23 May 2018 from the Director of Education and Children’s Services had been circulated to ask the Committee to consider the three applications received in relation to the Community Council Project Grant and to determine whether, and to what extent, to award funding.

The Committee agreed:

1. that the following allocations be made from the total budget of £3,288.00:-
   a) New Aberdour, Tyrie and Pennan Community Council – Improving facilities in an ante-room at Boyndlie Community Hall – Amount requested £643.00.
      Award of £643.00 granted.
   b) Portsoy Community Council – Provision of seated area and table – Amount requested £476.00
      Award of £476.00 granted.
   c) Rathen, Memsie and Cortes Community Council – Purchase of defibrillator – Amount requested £1,000.00
      Award of £1,000.00 granted, and

2. that the balance remaining in the project grant fund be advertised as a second tranche, with a closing date for further applications of 27 July 2018 and these will be submitted to the Committee for consideration on 21 August 2018.

12. SCOTTISH WATER CONSULTATION - “SHAPING THE FUTURE”

A report dated May 2018 from the Director of Infrastructure Services had been circulated to ask the Committee to consider and give comment on the Scottish Water consultation.

The Committee considered, in particular, the three ambitions and the improvement priorities identified in the consultation and agreed to provide the following comments to be considered by the Infrastructure Services Committee on 23 August 2018.

1. Work is needed to ensure that the capital investment by Scottish Water aligns with the Council’s development plan as this did not appear to be the case currently and this could inhibit development as people would not know when infrastructure would be in place,

2. Communication requires to be improved as this had been poor in the past, and much more dialogue between parties was necessary,

3. Explanation required on why Anglian Waters is involved.

13. SEAFIELD STREET, PORTSOY: PROPOSED GATEWAYS AND WAITING RESTRICTIONS

A report dated 30 May 2018 from the Director of Infrastructure Services had been circulated to ask the Committee to authorise the installation of signage and road markings and the commencement of the making of a traffic management order.
The Committee commended officers for the great deal of work that had been done to come to this stage and agreed to:

1. authorise the installation of the proposed gateway signage and white line road markings,
2. authorise the commencement of the statutory procedures for the making of “The Aberdeenshire Council (Portsoy) (Traffic Management) Order, 2018”,
3. delegate authority to the Head of Legal and Governance to make and implement “The Aberdeenshire Council (Portsoy) (Traffic Management) Order, 2018”, in the event that no valid objections are received, or if any are received they are resolved and withdrawn, and
4. instruct the submission of a further report(s) to Committee in the event that any valid objections received are not resolved and not withdrawn, or the proposals are amended following consideration of valid objections.

14. DISABLED PERSONS PARKING PLACES

A report dated 30 May 2018 from the Director of Infrastructure Services had been circulated to ask the Committee to authorise the commencement of the statutory procedure for the making of the Aberdeenshire Council (Disabled Street Parking - Banff and Buchan Area) Order 2018.

The Committee agreed to:

1. authorise the commencement of the statutory procedure for the making of The Aberdeenshire Council (Disabled Street Parking - Banff and Buchan Area) Order 2018,
2. delegate authority to the Head of Legal and Governance to make and implement the Aberdeenshire Council (Disabled Street Parking - Banff and Buchan Area) Order 2018, in the event that no valid objections are received or if any are received they are resolved and withdrawn, and
3. instruct the submission of a further report to Committee in the event that any valid objections received are not resolved and not withdrawn or the proposals are amended following consideration of valid objections.

15. ABERDEENSHIRE COUNCIL OUTDOOR ACCESS STRATEGY

A report dated 28 May 2018 from the Director of Infrastructure Services had been circulated to ask the Committee to consider and comment on the above strategy.

The Committee considered and discussed the aims and key priorities of the Outdoor Access Strategy 2018-2021 and associated Team Action Plan and agreed to provide the following comments to be considered by the Infrastructure Services Committee:

1. The importance of early years’ learning should be recognised as this strategy is developed,
2. The possibility of developing distance walks within the area should be explored,
3. Signage needed to be updated to support the strategy,
4. Liaison with Visit Scotland and Visit Aberdeenshire should take place to enable paths, walks, castles, and other key attractions/activities to be properly marketed, especially online.
16. FRASERBURGH INTEGRATED TRAVEL TOWN PROJECT

A report dated 21 May 2018 from the Director of Infrastructure Services had been circulated to ask the Committee to consider and approve the delivery of the proposals included in the Integrated Travel Town Masterplan for Fraserburgh.

The Committee noted that some of the information provided in the report was inaccurate and agreed that once the correct information had been provided, approval of the delivery of the proposals included within the plan be delegated to the Area Manager following consultation with the Local Members.

17. EDUCATION AND CHILDREN’S SERVICES QUARTERLY PERFORMANCE EXCEPTION REPORTING JANUARY-MARCH 2018 (ABERDEENSHIRE PERFORMS)

A report dated 09 May 2018 from the Director of Education and Children's Services had been circulated to advise the Committee of how the Service is performing against key performance measures and associated targets as set out in the Education and Children’s Services Service Plan.

The Committee agreed:

1. to note the performance achieved January-March 2018, referred to in the report,
2. to note those measures where performance was below expectations January-March 2018, referred to in the report,
3. note the publication of the complete January-March 2018 performance report on ward pages, and
4. to make the following comments:
   a) The Committee was pleased that the bar charts shown now had a zero base,
   b) There is an error on Page 5 - Completed complaints - 13/44 is not 70%,
   c) Who are the Managers referred to in the narrative on Page 5?
   d) After suddenly dropping from 100% to 68% in Q3 2017/18, why have the percentages remained so low in Indicator 4.3?,
5. that the Director of Education and Children’s Services continue to report, by exception, to Committee quarterly performance measures against Service objectives.

18. HOUSING SERVICE QUARTERLY PERFORMANCE EXCEPTION REPORTING JANUARY-MARCH 2018 (ABERDEENSHIRE PERFORMS)

A report dated 28 May 2018 from the Director of Infrastructure Services had been circulated to advise the Committee of how the Service is performing against key performance measures and associated targets as set out in the Infrastructure Services Business Plan.

The Committee agreed:

1. to note the performance achieved January-March 2018, referred to in the report,
2. to note those measures where performance was below expectations January-March 2018, referred to in the report,
3. to note the update on work undertaken to alleviate Fuel Poverty as detailed in the report,

4. to acknowledge the publication of the complete January to March Performance Report document for all indicators on ward pages,

5. to make the following comments:
   a) The housing re-lets performance is very poor - there is no mention in the report of houses sitting empty because they cannot be re-let. Why is it taking so long to award contracts and to deliver contracts? This is a very unsatisfactory trend considering current waiting lists and demand for houses,
   b) The narrative is poor. Page 2 (2) is particularly confusing and contradictory.
   c) The narrative is far too general making it difficult to recognise that this is a report relating to the Banff and Buchan Area,
   d) There are no targets/benchmarks to allow realistic assessments/comparisons,
   e) There is very little in the way of positive performance reported.

6. that when the next update on Universal Credit comes to Committee in six months, this should be matched up with performance reporting.

19. PLANNING APPLICATIONS FOR CONSIDERATION

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

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<thead>
<tr>
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<th>Reference No</th>
<th>Description</th>
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<tbody>
<tr>
<td>A</td>
<td>APP/2017/2942</td>
<td>Full Planning Permission for Extraction of Soil and Stone (Retrospective) at Westside of Forglen, Forglen, Turriff, AB53 4JT</td>
</tr>
<tr>
<td>B</td>
<td>APP/2018/0351</td>
<td>Full Planning Permission for Erection of Dwellinghouse and Formation of Access at Site at the Linn, Howe of Gellymill, Banff</td>
</tr>
<tr>
<td>C</td>
<td>APP/2018/0635</td>
<td>Full Planning Permission for Erection of Dwellinghouse and Formation of Vehicular Access at Land to South of New Aberdour, Fraserburgh</td>
</tr>
<tr>
<td>D</td>
<td>APP/2017/3230</td>
<td>Full Planning Permission for Erection of Farm Shop, Café and Tourist Information Centre at Site to the South West of Little Burnthill</td>
</tr>
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20. 11-27 NEWTOWN DRIVE, MACDUFF - FIRE DAMAGE REPAIRS AND ASSOCIATED UPGRADE WORKS

A report dated 02 May 2018 from the Director of Business Services had been circulated to ask the Committee to approve the above works and to authorise acceptance of a tender.

The Committee agreed:
1. to approve the addition of the item on the Supplementary Work Plan at Appendix A to the Business Services Directorate’s Annual Work Plan 2018/2019 being the project cost inclusive of associated costs in respect of the fire damage repairs and associated upgrade works at 11-27 Newtown Drive, Macduff, (Contract No 18041),

2. to approve progression to gateway stage 4,

3. to approve the business case attached to the report for the item on the Supplementary Work Plan relating to 11-27 Newtown Drive, Macduff, and

4. to authorise acceptance of the tender submitted by Roberson Construction Eastern Limited per Wilmott Dixon Construction Ltd., for the fire damage repairs and associated upgrade works at 11-27 Newtown Drive, Macduff.

Councillor Presiding over meeting

_____________________________________________________
Print Name

_____________________________________________________
Signature

_____________________________________________________
Date
APPENDIX A

PLANNING APPLICATIONS FOR CONSIDERATION

19A REFERENCE NO APP/2017/2942

FULL PLANNING PERMISSION FOR EXTRACTION OF SOIL AND STONE (RETROSPECTIVE) AT WESTSIDE OF FORGLEN, FORGLEN, TURRIFF, AB53 4JT

Applicant: Neil Murray Housebuilders Ltd
Agent: Cobban Architecture Ltd

A report dated 10 May 2018 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee. The Committee heard the following speakers in respect of the application.

Supporting:
Ms Kimberly Murray, applicant

Objecting:
Mr John Burns (representing Alvah and Forglen Community Council)
Mr Geraint Hughes (representing Mr William Paterson, Mr James Paterson, Mr Stewart Adams and Mr Callum Adams)
Ms Caroline Orpe
Ms Carolyn Cox

Thereafter, Councillor Findlater, seconded by Councillor Roy moved that the application be refused for the following reasons:

1. The application is contrary to Policy R3: Minerals and Hill Tracks, of the Aberdeenshire Local Development Plan 2017, due to the adverse negative impact the development will have upon the local roads network.

2. The application is contrary to Policy RD1: Providing Suitable Services, of the Aberdeenshire Local Development Plan 2017, as the proposed development cannot provide the mitigation required in order to address concerns of the impact of development upon local roads infrastructure.

As an amendment Councillor Cox, seconded by Councillor Partridge moved that the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions. The reasons for approval of the application were that the proposed development complied with many of the Local Development Plan policies, there were no objections to the land use, there were no accidents recorded on the road, there were no restrictions on the existing planning consent outwith the agreed hours and conditions, there was no proof of noise other than that associated with the use of a builder’s yard, refusing the application would initiate the use of contractors and thus increase the use of vehicles on the road.

Members of the Committee voted:

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<tr>
<th>For the motion</th>
<th>3</th>
<th>Councillors Findlater, Kille and Roy</th>
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<tr>
<td>For the amendment</td>
<td>6</td>
<td>Councillors Buchan, Cassie, Cox, Mair, Partridge and Reynolds</td>
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The Chairman declared the amendment carried in the following terms:

that the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions.

Thereafter, Councillor Findlater moved that the application be referred to the Infrastructure Services Committee for final decision. In terms of Paragraph 5.5.2 (f) of the Standing Orders and with more than one third (three) members of the Committee present and voting in agreement, the application was referred to the Infrastructure Services Committee for final decision.

In terms of Paragraph 5.2.6 of the Standing Orders, Councillor Cox entered his dissent in relation to the referral to the Infrastructure Services Committee.

19B REFERENCE NO APP/2018/0351
FULL PLANNING PERMISSION FOR ERECTION OF DWELLINGHOUSE AND FORMATION OF ACCESS AT SITE AT THE LINN, HOWE OF GELLYMILL, BANFF

Applicant: Mr John Wilkinson
Agent: Mantell Ritchie

A report dated 06 April 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, the Committee agreed to defer consideration of the application until a special meeting of the Committee to be convened on 26 June 2018 to enable Members of the Committee to visit the site of the application to enable them to consider the issues of design and the potential impact of the proposed development on the amenity of the surrounding area.

19C REFERENCE NO APP/2018/0635
FULL PLANNING PERMISSION FOR ERECTION OF DWELLINGHOUSE AND FORMATION OF VEHICULAR ACCESS TO LAND TO SOUTH OF NEW ABERDOUR, FRASERBURGH

Applicant: Mr & Mrs W Marshall
Agent: Baxter Design Company (Old Deer) Ltd

A report dated 22 May 2018 had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mr Ryan Urquhart, applicant's agent, in support of the application.

Thereafter, Councillor Cassie moved that the consideration of the application be deferred until a special meeting of the Committee to be convened on 26 June 2018 to enable Members of the Committee to visit the site of the application in order to consider the suitability of the site in terms of Policy P1 - Layout, siting and design and Policy E2 - Landscape.

As an amendment, Councillor Findlater, seconded by Councillor Partridge moved that the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions. The reason for approval was that the proposed development was not contrary to either Policy P1 or E2 as the design was in keeping with the surrounding area and, because of the level of the building, would be hidden from view of the road.
Members of the Committee voted:

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<thead>
<tr>
<th>For the motion</th>
<th>6 Councillors Buchan, Cassie, Kille, Mair, Reynolds and Roy</th>
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<tr>
<td>For the amendment</td>
<td>3 Councillors Cox, Findlater and Partridge</td>
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The Chairman *declared the motion carried* in the following terms:

that consideration of the application be deferred until a special meeting of the Committee to be convened on 26 June 2018 to enable Members of the Committee to visit the site of the application in order to consider the suitability of the site in terms of Policy P1 - Layout, siting and design and Policy E2 - Landscape.

**19D REFERENCE NO APP/2017/3230**

**FULL PLANNING PERMISSION FOR ERECTION OF FARM SHOP, CAFÉ AND TOURIST INFORMATION CENTRE AT SITE TO THE SOUTH WEST OF LITTLE BURNTHILL**

Applicant: Colaren Farms Ltd  
Agent: Taylor Architecture and Building Consultants Ltd

A report dated 24 May 2018 had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mr Gary Purves, applicant, in support of the application.

Thereafter, the Committee agreed, in the event of delegated approval of application APP/2018/0786 which seeks full planning permission for the installation of drainage infrastructure to serve the proposed development of application APP/2018/3230, that the application be delegated to the Head of Planning and Building Standards to approve on the following conditions:

1. 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) Existing and proposed finished levels;
   (b) The location of new trees, shrubs, hedges, grassed areas and water features;
   (c) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
   (d) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;
   (e) 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 in the interests of enhancing local biodiversity and to help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

2. No works in connection with the development hereby approved shall commence unless a litter collection policy and plan for the development has been submitted to and approved in writing by the Planning Authority. All the measures identified in the approved policy and plan shall be in place and fully operational before the premises are open to members of the public. Thereafter, the premises shall not operate other than in complete accordance with the approved litter collection policy and plan.

Reason: In the interests of the amenities of the surrounding area.

3. No works in connection with the development hereby approved shall commence unless the specification and colour of roof cladding and the stain of Siberian larch wall cladding to be used in the external finish of the approved development have been submitted to and approved in writing by the Planning Authority. The development shall not be brought into use unless the external finish has been applied in accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenity of the area.

4. No development in connection with the planning permission hereby granted shall be commence unless an Energy Statement applicable to that approved farm shop, cafe and tourist information centre has been submitted to and approved in writing by the Planning Authority. The Energy Statement shall include the following items:

(a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
(b) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with Policy C1 of the Aberdeenshire Local Development Plan 2017.

The development shall not be occupied unless it has been constructed in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: To ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and Policy C1 of the Aberdeenshire Local Development Plan 2017.

5. The development hereby approved shall not be brought into use unless full details of ancillary structures on site, comprising the approved cycle stall and bin store, have been submitted to and approved in writing by the Planning Authority. The submitted details shall consist of elevational drawings or brochure information which detail the dimensions and finish of the ancillary structures. The ancillary structures shall thereafter be provided in accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenity of the area; to ensure the provision of appropriate active travel infrastructure in compliance with Scottish Planning Policy; and to ensure the provision of secure waste bin storage facilities.
6. The development hereby approved shall not be brought into use unless its internal access road, turning areas and car park with no fewer than 38 spaces) have been provided as shown on the approved plans and surfaced in hardstanding materials in accordance with the approved plans and landscaping scheme approved subject to condition 1 of this permission. Once provided, the internal access road, turning areas and car park shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of vehicular access arrangements to an adequate standard and to ensure the proposed development is provided with off-street car parking facilities which accord with Aberdeenshire Council Car Parking Standards.

7. The development hereby approved shall not be brought into use unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans and details of planning permission reference APP/2018/0768 or any subsequent grant of planning permission amending or extending that approved development. The approved foul and surface water drainage systems shall thereafter be permanently retained as such.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

8. The development hereby approved shall have a minimum finished floor level of +39.2m AOD or greater. The approved development shall not be brought into use unless the approved development has been carried out in accordance with the minimum finished floor level required by this condition.

Reason: To ensure that there is no increased risk of flooding as a result of the development, in the interests of the welfare of the occupants of the development.

9. The development hereby approved shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without a separate grant of planning permission by the Planning Authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

10. No works in connection with the development hereby approved, other than that required to provide drainage infrastructure, shall take place within 6 metres of any established watercourses unless otherwise agreed through a separate grant of planning permission by the Planning Authority. Excluding the presence of proposed drainage, any such 6 metre-wide buffer strips shall remain undisturbed following the completion of the development hereby approved unless otherwise agreed through a separate grant of planning permission by the Planning Authority.

Reason: To ensure no works occur in the vicinity of existing watercourses in the interests of protecting the local water environment against potentially contaminative run-off and in the interests of preserving the biodiversity of the area.

11. The development hereby approved shall have a gross internal floor area not exceeding 330 square metres in accordance with the approved plans, unless otherwise agreed through a separate grant of planning permission by the Planning Authority.

Reason: To restrict the scale of development to that assessed not to present a significant impact on the vitality and viability of Fraserburgh Town Centre.
The Committee’s reason for departure from the Aberdeenshire Local Development Plan 2017 was that the proposed development in the countryside is an acceptable departure from Policy R2 of the Aberdeenshire Local Development Plan 2017 as it is determined that this proposal would provide net social and economic benefits, public amenities, employment opportunities and a local tourist attraction in the Aberdeenshire Regeneration Priority Area, without significantly undermining the viability and viability of Fraserburgh Town Centre. The proposed development complies with all other relevant policies of the Aberdeenshire Local Development Plan 2017 and there are no other material considerations which suggest that permission should be refused.