ABERDEENSHIRE COUNCIL

SPECIAL MEETING OF BANFF AND BUCHAN AREA COMMITTEE,
COUNTY HALL, LOW STREET, BANFF
26 JUNE 2018

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

Apologies: Councillor M J Roy

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 and Mrs E M Farquhar, Area Committee Officer

1. DECLARATION OF MEMBERS’ INTERESTS

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

No Councillors’ interests were stated.

2. RESOLUTION

A. STATEMENT OF EQUALITIES

In making decisions on the following items of business, the Committee agreed, in terms of Section 149 of the Equality Act, 2010:-

1. to have due regard to the need to:-

   (a) eliminate discrimination, harassment and victimisation;
   (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
   (c) foster good relations between those who share a protected characteristic and persons who do not share it.

2. where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

3. PLANNING APPLICATIONS FOR DETERMINATION

   FOLLOWING VISITS TO THE SITES

The following planning applications were considered, following visits to the sites by Members of the Committee on 26 June 2018 and dealt with as recorded in Appendix A to this minute.

<table>
<thead>
<tr>
<th>Reference Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<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>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>
</tbody>
</table>
Councillor Presiding over meeting

Print Name

Signature

Date
APPENDIX A

PLANNING APPLICATIONS FOR DETERMINATION

4A 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

With reference to Branch 19B of the Minute of Meeting of 12 June 2018, the Committee resumed consideration of a report from the Director of Infrastructure Services seeking consideration of the above planning application by the Area Committee.

Councillor Topping, seconded by Councillor Buchan moved that the application be refused for the following reasons:

01 The proposed development is contrary to Policy R2: Housing and Employment Development Elsewhere in the Countryside, as contained in the Aberdeenshire Local Development Plan 2017, as the proposed dwelling house fails to meet the criteria set out in the policy, in that:

   a) It is not of a type that would be permissible in the green belt;
   b) It does not contribute to the growth of a settlement identified in Appendix 4;
   c) It is not associated with the retirement succession of a viable farm holding;
   d) It is not for the refurbishment or replacement of an existing or disused building, or remediation of redundant brownfield land opportunities;
   e) It is not a small scale employment proposal;
   f) It is not an appropriate addition to a cluster or group of at least 5 houses.

02 The proposed development is contrary to Policy P1: Layout, Siting and Design, as contained in the Aberdeenshire Local Development Plan 2017, in that the siting of the proposed development is deemed to be unacceptable in principle, whilst the design of the proposed dwellinghouse is not in-keeping with the character of neighbouring dwellinghouses and the surrounding area.

03 The proposed development is contrary to Policy RD1: Providing Suitable Services, as contained in the Aberdeenshire Local Development Plan 2017, in that insufficient information has been provided to demonstrate the proposed development shall be provided with adequate drainage arrangements.

As an amendment, Councillor Cassie, seconded by Councillor Reynolds moved that, in the event of satisfactory conclusion of drainage requirements, the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions.

The reasons for departure from the valid local Development Plan were that the proposed development, although contemporary in design, would mainly be obscured and drainage issues could be dealt with by way of delegated grant.
Members of the Committee voted:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>For the motion</td>
<td>3</td>
<td>Councillors Buchan, Findlater and Topping</td>
</tr>
<tr>
<td>For the amendment</td>
<td>5</td>
<td>Councillors Cassie, Cox, Kille, Mair and Reynolds</td>
</tr>
</tbody>
</table>

The Chairman declared the amendment carried in the following terms:

that, in the event of satisfactory conclusion of drainage requirements, the application be delegated to the Head of Planning and Building Standards to approve on appropriate conditions.

19C REFERENCE NO APP/2018/0635

PLANNING PERMISSION IN PRINCIPLE 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

With reference to Branch 19C of the Minute of Meeting of 12 June 2018, the Committee resumed consideration of a report from the Director of Infrastructure Services seeking consideration 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.

The reasons for departure from the valid Local Development Plan were that the length of the access road was not at odds with the landscape setting and the proposed development is indicative and therefore not contrary to either Policy P1 or E2 of the Local Development Plan.

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

1. The proposed development is contrary to Policy P1: Layout, Siting and Design, as contained in the adopted Aberdeenshire Local Development Plan 2017, in that it would unacceptably detract from the character and visual amenity of the area due to the elevated siting of its proposed dwellinghouse and its unduly long access track, and as the proposed development does not conform to the existing pattern of development in the area whereby it would fail to create well-connected places.

2. The proposed development is contrary to Policy E2: Landscape, as contained in the adopted Aberdeenshire Local Development Plan 2017, in that the elevated siting of the proposed dwellinghouse and the undue length of the proposed access track would unacceptably detract from the quality of the Landscape Character Area named “Sandstone Ridges and Valleys South of Troup”, as that area is highly sensitive to the intrusion of large scale elements and the proposed development would not appear integrated into the landscape.

Members of the Committee voted:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>For the motion</td>
<td>3</td>
<td>Councillors Cox, Findlater and Reynolds</td>
</tr>
<tr>
<td>For the amendment</td>
<td>5</td>
<td>Councillors Buchan, Cassie, Kille, Mair and Topping</td>
</tr>
</tbody>
</table>
The Chairman declared the amendment carried in the following terms:

that the application be refused for the following reasons:-

1. The proposed development is contrary to Policy P1: Layout, Siting and Design, as contained in the adopted Aberdeenshire Local Development Plan 2017, in that it would unacceptably detract from the character and visual amenity of the area due to the elevated siting of its proposed dwellinghouse and its unduly long access track, and as the proposed development does not conform to the existing pattern of development in the area whereby it would fail to create well-connected places.

2. The proposed development is contrary to Policy E2: Landscape, as contained in the adopted Aberdeenshire Local Development Plan 2017, in that the elevated siting of the proposed dwellinghouse and the undue length of the proposed access track would unacceptably detract from the quality of the Landscape Character Area named “Sandstone Ridges and Valleys South of Troup”, as that area is highly sensitive to the intrusion of large scale elements and the proposed development would not appear integrated into the landscape.