ABERDEENSHIRE COUNCIL

BUCHAN AREA COMMITTEE

BUCHAN HOUSE, PETERHEAD, 19TH JUNE 2018

Present:
Councillors N Smith (Chair), D Beagrie (Vice Chair), A Allan, A Buchan, M Buchan, S Calder, A Fakley, J Ingram, A Simpson, S Smith and I Sutherland

Officers:
Chris White, Buchan Area Manager (Business Services); Iain Meredith, Solicitor - Governance (Business Services); Sally Wood, Senior Planner (Infrastructure Services); James Hewitt, Planner (Infrastructure Services); James Davidson, Environment Planner (Infrastructure Services); David Naismith, Principal Engineer (Infrastructure Services); Peter MacCallum, Roads Development Manager (Infrastructure Services); Andrew Griffiths, Head of Primary Education and Curriculum Development (Education and Children’s Services); Maxine Booth, Quality Improvement Manager (Education and Children’s Services); Alex Bain, Business Support Officer (Education and Children’s Services); June Cranna, Service Manager (Business Services); Elaine McCarron, Asset Disposal Surveyor (Business Services); Robert McGregor, Area Project Officer (Business Services); and Theresa Wood, Area Committee Officer (Business Services)

In Attendance:
Chief Inspector Neil MacDonald, Police Scotland

PETERHEAD ACADEMY S3 FOOTBALL TEAM

Councillor D Beagrie advised the Committee that Peterhead Academy’s S3 Football Team have won the Aberdeenshire Secondary Schools Cup for the second year running. In addition, this year they also won the Aberdeenshire Secondary Schools S3 League.

The Committee agreed that a letter of congratulations be sent to the Team and to Mr Kinear who has taken them to the games and coached them.

1. DECLARATIONS OF MEMBERS’ INTERESTS

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

(a) Councillor N Smith declared an interest in Items 6c-6o by virtue of him knowing the applicant through the MACBI facility, and advised that he would leave the meeting and take no part in these items;

(b) Councillor N Smith declared an interest in Item 12 by virtue of him being Chairperson of MACBI, and advised that he would leave the meeting for Application 5 (received from MACBI) and take no part in the discussion of this particular application;
(c) Councillor D Beagrie declared an interest in Item 12 by virtue of her being a Trustee of Peterhead Area Community Trust (PACT), and advised that she would leave the meeting for Application 7 (received from PACT) and take no part in the discussion of this particular application;

(d) Councillor A Fakley declared an interest in Item 12 by virtue of him being a Trustee of Peterhead Area Community Trust (PACT) and a Member of the Family History Society of Buchan (FHS), and advised that he would leave the meeting for Application 7 (received from PACT) and Application 11 (received from FHS) and take no part in the discussion of these two applications;

(e) Councillor A Allan declared an interest in Item 12 by virtue of her being a Member of the Family History Society of Buchan (FHS) and a Member of Hatton Area Residents Association (HARA), and advised that she would leave the meeting for Application 11 (received from FHS) and Application 15 (received from HARA) and take no part in the discussion of these two applications;

(f) Councillor J Ingram declared an interest in Item 12 by virtue of him being a Trustee of Mintlaw Hall Committee and advised that he would leave the meeting for Application 8 (received from Mintlaw Hall Committee) and take no part in the discussion of this particular application;

(g) Councillor A Buchan declared an interest in Items 6a and 6b by virtue of the applicant being a customer of Councillor Buchan's, but having applied the objective test he concluded the interest to be remote and insignificant. Therefore Councillor Buchan would remain and participate in these two items; and

(h) Councillor I Sutherland declared an interest in Item 6c by virtue of the applicant being a personal friend and advised that he would leave the meeting and take no part in the discussion of this item

2(a) STATEMENT ON EQUALITIES

In making decisions on the following items of business, the Committee noted the requirement, 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

2(b) RESOLUTION

The Committee agreed in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of the items specified below so as to avoid disclosure of exempt information of the class described in the undernoted paragraphs of Part 1 of Schedule 7A of the Act.
3. MINUTE OF MEETING OF 29TH MAY 2018

The Minute of the Meeting of 29th May 2018 had been circulated and was approved.

4. POLICE SCOTLAND –
PERFORMANCE REPORTING AND OPERATIONAL UPDATE

A report by the Director of Business Services had been circulated providing the Committee with performance monitoring information relating to the Aberdeenshire component of the North East Division of Police Scotland.

Having noted the performance data within the report and following a detailed discussion, the Committee agreed to request that Police Scotland continue to monitor and enforce the parking and access restrictions in and around Peterhead town centre.

5. DEFERRED PLANNING APPLICATION

With regard to the deferred planning application, the Committee had before them a report by the Director of Infrastructure Services on a planning application for determination in terms of the Town and Country Planning (Scotland) Acts 1972 and 1997 and agreed to dispose of the application as detailed in Appendix A attached to this Minute.

(a) APP/2018/0577 Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Dikeside, Skelmuir, Mintlaw

6. NEW PLANNING APPLICATIONS

The Committee had before them reports by the Director of Infrastructure Services on planning applications for determination in terms of the Town and Country Planning (Scotland) Acts 1972 and 1997 and agreed to dispose of the applications as detailed in Appendix B attached to this Minute.

(a) APP/2018/0246 Planning Permission in Principle for Erection of Dwellinghouse at Plot 1, Land at Ravenscraig, Inverugie, Peterhead
(b) APP/2018/0247 Planning Permission in Principle for Erection of Dwellinghouse at Plot 2, Land at Ravenscraig, Inverugie, Peterhead
(c) APP/2017/2547 Planning Permission in Principle for Mixed Use Development – Erection of 500 Dwellinghouses, Business, Community, Services for the Elderly, Retail and 5ha of Employment Land at OP1, Nether Aden, Mintlaw
(d) APP/2017/3119 Planning Permission in Principle for Erection of Dwellinghouse (Plot 3) and Formation of Vehicular Access Roads at Land at Nether Aden, Nether Aden Road, Mintlaw
(e) APP/2017/3120 Planning Permission in Principle for Erection of Dwellinghouse (Plot 7) at Land at Nether Aden, Nether Aden Road, Mintlaw
(f) APP/2017/3121 Planning Permission in Principle for Erection of Dwellinghouse and Associated Infrastructure (Plot 6) at Land at Nether Aden, Nether Aden Road, Mintlaw
(g) APP/2017/3122 Planning Permission in Principle for Erection of Dwellinghouse and Associated Infrastructure (Plot 5) at Land at Nether Aden, Nether Aden Road, Mintlaw
7. APPEAL DECISION NOTICE

The Committee noted the Appeal Decision Notice, from the Scottish Government’s Planning and Environmental Appeals Division, Reference PPA-110-2355, to dismiss the appeal and Refuse Planning Permission for the Erection of an Agricultural Building and Installation of Two Biomass Boilers (Part Retrospective) at Craigshowdie Farm, Ardallie, Peterhead.

8. ABERDEENSHIRE COUNCIL OUTDOOR ACCESS STRATEGY 2018-2021

A report by the Director of Infrastructure Services had been circulated asking that the Committee consider the aims and key priorities of the Outdoor Access Strategy 2018-2021 and associated Team Action Plan.

The Committee, having considered the Strategy which outlines the work of Planning and Building Standards in relation to non-motorised public access in Aberdeenshire, agreed to recommend to Infrastructure Services Committee approval of the Outdoor Access Strategy 2018-2021.

9. SCOTTISH WATER CONSULTATION – ‘SHAPING THE FUTURE’

A report by the Director of Infrastructure Services had been circulated advising that Scottish Water has recently embarked on a major consultation, ‘Shaping the Future’, and are looking for Aberdeenshire Council’s opinions on their proposed ambitions and priorities for the future. The Committee was asked to provide comments for consideration by Infrastructure Services Committee, which will formulate part of Aberdeenshire Council’s response to the Scottish Water Consultation.

Having considered the consultation and in particular the three ambitions and the improvement priorities identified, the Committee agreed to provide the following comments to Infrastructure Services Committee:-

(1) to highlight the value in continuing to have a Water Service that remains in public ownership,
(2) Rural Provision (page 25) – having noted that the document states ‘Serving rural communities that are not currently connected to the public water and waste water systems presents difficult challenges, …’, to request that detail of what the challenges are and how they are being addressed be provided to the Council,

(3) to request that an indication of investment plans for the Buchan area be provided given ‘Buchan’ is an area of growth,

(4) to highlight that low water pressure is a constant issue within the Peterhead North and Rattray Ward and that this issue should be addressed as a priority by Scottish Water, and

(5) having noted from the documentation that “over 10% of the residents of Aberdeenshire are currently using a private water supply system”, to request that specific figures for the Buchan area be provided by Scottish Water

10. HOUSING SERVICE QUARTERLY PERFORMANCE EXCEPTION REPORTING JANUARY-MARCH 2018 (ABERDEENSIRE PERFORMS)

A report by the Director of Infrastructure Services had been circulated advising the Committee of how the Service is performing against key performance measures and associated targets as set out in the Infrastructure Services Business Plan.

Having noted the performance data, the Committee agreed:

(1) in relation to PI 2b) B – to note that void performance is continuing to deterioriate in Buchan, and to request that Officers provide detail as to why Buchan’s figures are so much worse than other areas, why are properties taking longer to fill, why are the extent of the works to properties taking so long to do, and why is the reliance on energy providers (gas and electric) causing further delays?, and

(2) to request that an informal session be arranged, in due course, re the effectiveness of the new hub system

11. NORTHERN ALLIANCE REGIONAL IMPROVEMENT PLAN: CONSULTATION

A report by the Director of Education and Children’s Services had been circulated asking the Committee to provide their views on the content of the Northern Alliance’s draft Regional Improvement Plan.

Having noted the draft plan, the Committee agreed to provide the following comment to the Education and Children’s Services Committee:

(1) in terms of Priority 3 – to propose that the equalities issues addressed within this improvement activity have a more ambitious target than ‘5% increase’

12. AREA COMMITTEE BUDGET: AREA INITIATIVES FUND

A report by the Director of Business Services had been circulated advising that at their meeting of 13th March 2018 (Item 12) the Buchan Area Committee had agreed to make available £32,000 of the Area Committee Budget to an Area Initiative Fund. The Committee was asked to approve the allocation of the Area Initiatives Fund for 2017/2018.
The Committee agreed:

(1) to approve the allocation of the Area Initiatives Fund as detailed in Appendix C attached to this report, and

(2) to note that three groups have not been awarded a grant and that some awards fall short of the amount requested but that the Buchan Development Partnership will work with these groups to help them identify alternative funding to deliver their projects

13. NEW PETERHEAD COMMUNITY CAMPUS AND OTHER FACILITIES – UPDATE

A report by the Director of Business Services had been circulated providing the Committee with a progress update on the new Peterhead Community Campus Project, incorporating a new Academy and Community Facilities, alongside other key projects being considered in relation to assets and services in Peterhead.

The Committee agreed:

(1) to welcome and note the progress to date,

(2) to receive further updates and to request that informal sessions be arranged so as to ensure that Buchan Area Committee Members are fully consulted and kept up-to-date in all areas related to this project; and

(3) to request that Officers ensure that the impact assessment covers the wider community of Peterhead to include more disadvantaged areas of the town which will also be affected

The Committee agreed to suspend Standing Order 2.1.3 to continue with business beyond 1pm.

14. UNIVERSAL CREDIT FULL SERVICE IN NORTH ABERDEENSHIRE

A report by the Director of Business Services had been circulated providing the Committee with detail of the work that is being carried out in respect of the Universal Credit Full Service rollout in North Aberdeenshire.

Having noted the detail within the report, the Committee agreed to request that, following the system having gone live, that an informal session be provided for Buchan Area Committee Members to learn how matters are progressing within the Buchan area.

15. CIVIC GOVERNMENT (SCOTLAND) ACT 1982

APPLICATION FOR GRANT OF TEMPORARY PUBLIC ENTERTAINMENT LICENCE – REQUEST FOR EXTENSION OF OPERATING HOURS FOR FAIRGROUND EQUIPMENT AT BUCHANHAVEN HARBOUR, BUCHANHAVEN, PETERHEAD

A report by the Director of Business Services had been circulated asking that the Committee consider an application for the grant of a temporary public entertainment licence relating to the operation of a funfair at Buchanhaven Harbour.
The Committee agreed that the extension of hours of operation of the Funfair be granted as sought –

Saturday, 28th July 2018 - 11:00-18:00

16. DISPOSAL OF VACANT PROPERTY

A report by the Director of Business Services had been circulated advising that the Business Services Committee had requested an updated report to identify what efforts are being made to dispose of land or buildings not used or empty for over one year. The Chair and Vice Chair of the Business Services Committee had subsequently requested that the updated report be presented to each Area Committee for comment.

Having considered the detail of the report, the Committee agreed to make the following comments to Business Services Committee:-

(1) to request that Officers consider reopening the public toilets, for the summer period only, that are on the North East 250 Tourist Route,

(2) to highlight the Buchan Area Committee’s concerns in relation to the time being taken to dispose of vacant properties, and that Council Services need to be more efficient in this respect, including the need for a full list of the Council’s ‘titles’ to be up to date,

(3) to request that consideration be given to the need to anticipate properties becoming vacant to allow Officers to kick-start necessary processes in advance,

(4) to request that consideration be given to employing external agencies in the sale of properties, and

(5) in respect of 9/11 Glebefield Terrace, Peterhead – previously this was two semi-detached properties; to request that consideration be given to converting this property back to two properties

The Committee further agreed to request that Officers provide local Members with an update, via email, following the conclusion of sales on Windmill Street, Glenugie Business Centre and Arbuthnot House.

17. ANNUAL WORK PLAN FOR EDUCATION AND CHILDREN’S SERVICES DIRECTORATE – PROCUREMENT APPROVAL

A report by the Director of Education and Children’s Services had been circulated asking that the Committee approve the item on the Work Plan for Education and Children’s Service Directorate.

Having considered the Directorate Work Plan, the Committee agreed to approve the item on the Work Plan, for Peterhead Academy, as falling within the remit of the Committee.
APPENDIX A
DEFERRED PLANNING APPLICATION

(a) Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Dikeside, Skelmuir, Mintlaw
For: Mr I Grubb, c/o 1 The Square, Mintlaw
Per: Baxter Design Company (Old Deer) Ltd, 1 The Square, Mintlaw
Reference No: APP/2018/0577

The Committee unanimously agreed:

(1) to Grant Planning Permission in Principle subject to relevant planning conditions,

(2) that the proposal does comply with Policy P1 in that it is adaptable for future needs; and given the existing bothy is located within a yard that appears to be used for storage associated with haulage which may therefore have contamination issues
APPENDIX B

NEW PLANNING APPLICATIONS

(a) Planning Permission in Principle for Erection of Dwellinghouse
at Plot 1, Land at Ravenscraig, Inverugie, Peterhead
For: ARD Properties Ltd, 2 St Andrew Street, Peterhead
Per: David Gauld Architect, 6 Whitehouse Way, Gorebridge
Reference No: APP/2018/0246

Following a brief discussion, the Committee agreed to defer consideration of the application to allow Members an opportunity to undertake a site visit and consider if anything further can be done in relation to the flooding issues that have been raised.

(b) Planning Permission in Principle for Erection of Dwellinghouse
at Plot 2, Land at Ravenscraig, Inverugie, Peterhead
For: ARD Properties Ltd, 2 St Andrew Street, Peterhead
Per: David Gauld Architect, 6 Whitehouse Way, Gorebridge
Reference No: APP/2018/0247

Following a brief discussion, the Committee agreed to defer consideration of the application to allow Members an opportunity to undertake a site visit and consider if anything further can be done in relation to the flooding issues that have been raised.

(c) Planning Permission in Principle for Mixed Use Development –
Erection of 500 Dwellinghouse, Business, Community, Services for the Elderly,
Retail and 5ha of Employment Land at OP1, Nether Aden, Mintlaw
For: Bancon Homes Ltd, Burnett House, Banchory Business Centre,
Burn O Bennie Road, Banchory
Reference No: APP/2017/2547

With reference to Item 6 of the Minute, Councillors N Smith and I Sutherland declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

There was a lengthy and detailed discussion in relation to this application, with Members being of the view that, in the event of agreeing to grant permission, Condition 12 should be amended to read “No more than 30 dwellinghouses shall be built and occupied until such a time as the primary access to the site (in the form of a roundabout on the A952 road) … has been delivered …”

With the above amendment, the Committee unanimously agreed that authority to Grant Planning Permission in Principle be delegated to the Head of Planning and Building Standards subject to:

(a) the conclusion of a Section 75 Legal Agreement in order to secure Developer Contributions, and

(b) the conditions outlined below –
1) Site wide MSC

Notwithstanding the provisions of the Section 59 of the Town and Country Planning (Scotland) Act 1997, and unless otherwise agreed in writing by the Planning Authority, details of the specified matters listed below, shall be submitted for consideration by the Planning Authority before the expiration of 15 years from the date of the grant of this permission [this 15 year period substitutes the 3 year period referred to in Subsections (2)(a)(i) and (3) of Section 59 of the Town and Country Planning (Scotland) Act 1997]. No development shall begin on the site until all of the details listed in this condition have been submitted to and approved in writing by the Planning Authority, and the development shall be carried out fully in accordance with the details approved in relation to this condition;

a) Phasing Scheme for the entirety of the site which clearly identifies each development block / phase, including proposed land uses.

b) Plan outlining the road hierarchy for the development, demonstrating how each development block/ phase shall be accessed and integrated. This Plan must also demonstrate pedestrian pathways and cycle paths. This shall inform the detailed layout, siting and design of each development block/ phase.

c) Full details of the proposed roundabout on the A952, which shall form the main access point of the development.

d) Full details of the proposed A952/ Nether Aden Road signalisation scheme.

e) Full details of the proposed crossing facilities on Nether Aden Road, including a timescale for delivery.

f) Overarching Public Transport Strategy (OPTS). The OPTS shall outline the principles which shall inform the detailed PTS which shall be submitted with each development block. The OPTS must:

   i. Identify how public transport services shall be delivered into the site;
   ii. Identify how any public transport service shall serve the needs and requirements of all user groups
   iii. Propose service frequency / time range

g) Design Code, outlining the design principles for the development which shall inform the layout, siting and design of each development block/ phase in order to ensure a coherent development.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2) Phased MSC

Notwithstanding the provisions of the Section 59 of the Town and Country Planning (Scotland) Act 1997, and unless otherwise agreed in writing by the Planning Authority, details of the specified matters listed below, for each individual development block/phase (as detailed in the phasing scheme submitted and approved in relation to Condition 1 of this permission) shall be submitted for consideration by the Planning Authority before the expiration of 15 years from the date of the grant of this permission.
[this 15 year period substitutes the 3 year period referred to in Subsections (2)(a)(i) and (3) of Section 59 of the Town and Country Planning (Scotland) Act 1997]. No individual development block/phase shall begin until all of the details listed in this condition for that development block/phase have been submitted and approved by the Planning Authority. The development block/phase shall be carried out fully in accordance with the approved details.

Specified matters:

a) Full details of Layout, Siting and Design. This must include:
   i. Plan clearly marking the location of all dwellinghouses and other structures.
   ii. Elevations, Floor Plans and Cross Sections of any dwellinghouse/buildings.
   iii. Site sections, including the finished floor level of all dwellinghouses/buildings to a fixed datum point.
   iv. A schedule of housetypes and finishes for each plot
   v. Details of public open space, including details of any play equipment and any means of enclosure.
   vi. Details of any water course buffer strips.

b) Full details of means of foul and surface water drainage to include:
   i. Construction details of the SUDS features

c) Full details of Landscaping to include:
   i. A tree survey in accordance with BS 5837: 2012 or any such standard as is in use at the time of submission.
   ii. Existing Landscaping features and vegetation to be retained
   iii. Protection measures for the landscape features to be retained
   iv. Existing and proposed finished levels
   v. The location of new trees, shrubs, hedges, grassed areas and water features
   vi. A schedule of planting to comprise species, plant sizes and proposed numbers and density.
   vii. The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment.
   viii. An indication of existing trees, shrubs and hedges to be removed.
   ix. A programme for the implementation, completion and subsequent management of the proposed landscaping.

d) Full details of the road layout, parking and access arrangements to include:
   i. Street Engineering Review (SER)
   ii. Stage 2 Quality Audit
   iii. Full details of the Roads SUDS & SUDS selection method, demonstrating integration with site drainage impact assessment.
   iv. Any access point which forms a junction with the public road, which shall be completed to an adoptable standard.

e) Full details of Pedestrian and Cycle Access, to include:
   i. The location of any footpath and cycle ways.
   ii. A Safe Routes to school Audit providing safe and lit routes between each residential area and each of the schools, as proposed in section 3.2 of the Transport Assessment (Mintlaw Masterplan Transport Assessment, Arcadis – November 2016)
   iii. The audit should address surface condition, suitability for a range of difference user groups, year round maintenance, pedestrian desire lines, potential vehicle conflicts, street lighting and parking for each route.
f) Detailed Public Transport Strategy, which must:
   i. Identify how public transport services shall be delivered into the
development block/phase;
   ii. Identify how any public transport service shall serve the needs and
requirements of all user groups
   iii. Propose the proposed network of stops and shelters
   iv. Propose service frequency/time range
   v. Include a plan for the staged introduction of new or extended services in
line with the development phases.
   vi. Provide details of the Park and Ride Proposal, including the number of
parking places.

g) Full details of Affordable Housing provision, or parcels of land for Affordable
Housing if agreed. This must include:
   i. The means of accessing any parcels of land
   ii. Demonstrate any parcel of land is sufficient to accommodate the required
number of units.

Reason: Permission for the development has been granted in principle only and
subsequent approval is required for these matters in accordance with section 59 of the
Town and Country Planning (Scotland) Act 1997 (as amended) and to allow a for a
reasonable period of time to plan and implement the development.

3) Building Rate + Toll of Birness (Long Term)

No more than 200 dwellinghouses shall be built and occupied within the site (as per
‘Site Plan’, Drawing No. Mintlaw/01 Rev C, dated May 2017) until such a time as:

a) The transportation interventions outlined in Sections 3 and 4 of the ‘Transport
Assessment Addendum, Arcadis dated April 2018’ have been put in place, or
an alternative scheme (agreed by the Planning Service in consultation with
Infrastructure Services (Transportation) and Transport Scotland) has been
implemented. OR;

b) It can be demonstrated to the satisfaction of the Planning Service in
consultation with Infrastructure Services (Transportation) and Transport
Scotland that the construction and occupation of additional dwellinghouses
would not have an unacceptable impact upon traffic flows.

For the avoidance of doubt the Long Term Intervention referenced in this condition
relates to a roundabout layout as outlined in Sections 3 and 4 of the ‘Transport
Assessment Addendum, Arcadis dated April 2018’.

Reason: In the interests of Road Safety and in order to ensure that the A90 / A952
Junction remains within capacity.

4) Toll of Birness (Short Term)

Prior to the occupation of any dwellinghouses within the site, transport interventions
shall be put in place at the A90 / A952 ‘Toll of Birness’ Junction as outlined in section
4.3 and shown in figure 4.2 of the ‘Transport Assessment Addendum, Arcadis dated
April 2018’ or such other scheme as may be agreed in writing with the Planning Service
in consultation with Infrastructure Services (Transportation) and Transport Scotland.
For the avoidance of doubt the Short Term Intervention referenced in this condition relates to the package of additional signage as outlined in Section 4.3 and shown in figure 4.2 of the 'Transport Assessment Addendum, Arcadis dated April 2018'.

Reason: In the interests of Road Safety and in particular the safety of the A90 / A952 Junction.

5) Public Water Supply

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 the separate express grant of planning permission.

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

6) Public Sewer Connection

Waste water from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means without the separate express grant of planning permission.

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

7) Water Features Protection

No works in connection with any development block/ phase of this development (as per the phasing scheme to be agreed under condition 1) shall commence unless full details of any proposed or existing water features and their protection (if appropriate) within that development block/ phase have been submitted to and agreed by the Planning Authority. This must include:

a) A phase 1 habitat survey to identify whether there are any Groundwater Dependent Terrestrial Ecosystems within the site and 250m of the site boundary.

b) Private water supply source locations and whether any sources fall within the 100m or 250m buffer zone of proposed roads, excavation and other works as stated in LUPS-GU31 section 2.6.

c) Full details of the existing wells and hydraulic pump located in the Phase 2B Industrial area of the site as shown within 'Fig 22 – Phasing Proposals' of the agreed Masterplan (Mintlaw Sites M1/EH3 Masterplan, dated November 2016). This must include confirmation of whether they are in use and/ or details of decommissioning. Any decommissioning of these feature must be carried out in a manner and with materials which will not impact on the groundwater;

d) A site layout clearly showing all proposed infrastructure, overlain with details of the extent and depths of all proposed excavations and showing relevant buffer zones.

Relevant buffer zones are:
  i.  100m for excavations less than 1m;
  ii.  250m for excavations greater than 1m
Further guidance can be found in LUPS-GU31 section 2.4 Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems:

e) A plan highlighting a minimum 8m buffer strip (either side) along the watercourse (shown as a drain on the OS map) which runs from north to south at the eastern boundary of the site.

f) Any other drains, which may also require buffer strips and restoration for ecological benefit and amenity value;

This condition refers to LUPS-GU31 (Land Use Planning System – SEPA Guidance Note 31 – Guidance on assessing the impacts of development proposals on groundwater abstractions and groundwater dependant terrestrial ecosystems).

Reason: In the interests of biodiversity and in order to ensure the development would not have an unacceptable impact upon the groundwater component of any private water supplies.

8) CEMP

No works in connection with any development block/phase of this development (as per the phasing scheme to be agreed under condition 1), including demolition, ground works and vegetation clearance shall commence unless a construction environmental management plan (CEMP) for that development block/phase has been submitted to and approved in writing by the planning authority. The CEMP shall include the following:

(a) Risk assessment of potentially damaging construction activities;
(b) Identification of biodiversity protection zones;
(c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
(d) The location and timing of sensitive works to avoid harm to biodiversity features;
(e) The times during construction when specialist ecologists need to be present on site to oversee works;
(f) Responsible persons and lines of communication;
(g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
(h) Use of protective fences, exclusion barriers and warning signs.

All works carried out during the construction period shall be undertaken strictly in accordance with the approved CEMP.

Reason: In the interests of protecting the biodiversity of the environment.

9) Protection Plan

No works in connection with any development block/phase of this development (as per the phasing scheme to be agreed under condition 1) shall be carried out until a Species Protection Plan has been submitted for that development block/phase and agreed with the Planning Authority. The species protection plan shall:

a) Require and be informed by up to date survey work;
b) Outline measures to prevent the destruction or disturbance of the habitats of protected species where possible;
c) Outline mitigation measures for the loss of habitats where said loss is unavoidable.

Thereafter the scheme shall be carried out in accordance with the agreed Species Protection Plan.

Reason: In the interests of safeguarding the habitats of a protected species.

10) Carbon Neutrality

No individual dwellinghouse or building shall be erected onsite unless an Energy Statement applicable to that dwellinghouse or building 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.

11) Parking Spaces

No individual dwellinghouse or unit shall be occupied or otherwise brought into use unless sufficient parking spaces have been provided for that dwellinghouse or unit in line with Aberdeenshire Councils Parking Standards.

All areas of public or visitor parking shall be in place by the completion of the penultimate dwellinghouse or unit of each development block/phase.

Parking provision shall be in accordance with details approved under condition 2 for each development block/phase.

Reason: In order to ensure that adequate parking both in terms of quantity and quality is incorporated into the development and in order to ensure the flow of traffic is not impeded by parked vehicles.

12) A952 access upgrades

No more than 30 dwellinghouses shall be built and occupied until such a time as the primary access to the site (in the form of a roundabout on the A952 road (details to be agreed under condition 1)) has been delivered or such other scheme as may be agreed in writing with the Planning Service in consultation with Infrastructure Services
(Transportation) and Infrastructure Services (Roads Development) and thereafter shall be retained in perpetuity.

Reason: In the interests of Road Safety and in order to ensure the site is served by an appropriate means of access.

13) A952/ Nether Aden Road signalisation

No individual dwellinghouse or unit within the development shall be occupied unless, the scheme for the signalisation of the A952/ Nether Aden Road (details to be agreed under condition 1) has been implemented or such other scheme as may be agreed in writing with the Planning Service in consultation with Infrastructure Services (Transportation) and Infrastructure Services (Roads Development). Thereafter the signalisation scheme (or other intervention as agreed) shall be retained and operated in accordance with the scheme.

Reason: In the interests of road safety and in particular the safety of the A952 / Nether Aden Road Junction.

14) Footpaths

No individual dwellinghouse or unit shall be occupied or otherwise brought into use unless a continuous formal shared footway, in line with the proposals set out in paragraph 3.2 of the Transport Assessment (Mintlaw Masterplan Transport Assessment, Arcadis – November 2016) has been provided for that development block/ phase.

Details of the footway shall be approved under condition 2, and construction shall be in accordance with those details. Thereafter the footway shall be retained in perpetuity.

Reason: In the interests of road safety and encouraging active transport.

DIRECTION UNDER SECTION 59 OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997:

That subsection (2)(a)(i) of section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall apply as respects of the permission with the substitution for the period of 3 years referred to in that subsection of 15 years, as is considered appropriate by the Planning Authority in this instance on the basis of the scale of the development. The provisions of section 59(2) shall therefore be read as follows:

That this planning permission in principle shall lapse unless a further application or applications for approval of the matters specified in all condition(s) attached to this grant of planning permission in principle across the entire site has been made before whichever is the latest of the following:

(i) The expiration of 15 years from the date of this grant of planning permission in principle;
(ii) The expiration of 6 months from the date on which an earlier application for the requisite approval of matters specified in conditions was refused;
(iii) The expiration of 6 months from the date on which an appeal against the direction at the end of the conditions such refusal was dismissed.

Pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2005.
Reason for Decision –

It is considered that the proposed development broadly complies with the policies and principles outlined in the Aberdeenshire Local Development Plan 2017. The development would be in keeping with the site allocation and therefore the principle of development can be established.

The Committee further agreed:-

(1) to request that the Planning Service discuss with the applicant the need for the footpaths within the scheme, as a whole, to link into the village of Mintlaw, and

(2) that the outstanding matters relating to road safety issues, education services, NHS delivery etc be given due consideration

(d) Planning Permission in Principle for Erection of Dwellinghouse (Plot 3) and Formation of Vehicular Access Roads at Land at Nether Aden, Nether Aden Road, Mintlaw
For: David Barron & Rural Projects & Dev (Aberdeen) Ltd, per Agent
Per: NORR, 3 Bon Accord Crescent, Aberdeen
Reference No: APP/2017/3119

With reference to Item 6 of the Minute, Councillor N Smith declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from the Agent, Mr Daniel Harrington, Head of Planning for NORR. Mr Harrington advised that he wished to address Committee once in relation to all applications for Nether Aden, Mintlaw (6d through to 6o).

The Committee was asked if they wished to hear the representation. The Committee unanimously agreed.

The Committee first heard from the Senior Planner, who also addressed the Committee in relation to all applications for Nether Aden, Mintlaw (6d through to 6o).

Having heard from the Senior Planner, Councillors J Ingram, A Fakley, A Simpson, M Buchan and S Calder entered their dissent in relation to the requirement for the application to be referred to Infrastructure Services Committee should the Committee be minded to approve the application.

The Committee then heard from Mr Harrington –

“I am here along with Bill Beattie, representing Rural Projects and Developments Ltd. We have a different opinion on the assessment of these applications against the Local Development Plan and believe that this is not a significant departure from Policy PR2 and does not require to be referred to Infrastructure Services Committee. We also believe that there are material considerations that would allow these applications to be supported.

These applications for 12 houses form part of a wider development totalling 15 homes. Development having already commenced and approval granted for 3 plots.
Additional costs have arisen from a requirement for a pumping station for the development and it has been necessary to re-evaluate the development to make it work financially to ensure the road and drainage can be provided. Should planning permission be granted for the 12 plots by the Council then this will provide the necessary assurance to allow the works to be completed on the spine road.

To be clear, we require approval of all 12 plots to provide a financially viable development.

In discussion with Planning and consultees there is no concern regarding the layout provided for the development and the access arrangements have been deemed as technically acceptable, and already have roads construction consent.

The reason that the applications have been recommended for refusal relate to the fact that the application for this residential development overlaps with the masterplan boundary of the residential allocation OP1.

The area is now no longer part of the masterplan option area and has been formally removed via the land owners legal agents.

The whole masterplan area extends to 55ha and the site overlaps the masterplan area by 0.4ha, less than 1% of the total site.

A summary of the expectations for the masterplan area is that it provides –

Land for primary school
Retained woodland
Access from the east via a new roundabout and Nether Aden Road to the north, as heard
Maximised connectivity with pedestrian links
Affordable homes

The removal of this small area from the masterplan area does not restrict access to the site nor does it jeopardise the ability to deliver any of these expectations.

The only area of minor concern is the care home location that is identified within the indicative masterplan. Policy PR2 referenced in the reports seeks to protect land that “may reasonably be needed in the future for other community infrastructure”.

Masterplans set the general layout and context for subsequent planning applications and are useful tools to guide development. An element of judgement is necessary as development evolves and the requirements change over time. It should be noted that there was no longer a requirement for a care home to form part of the proposals at Northwoods agreed by the Committee. Thus providing flexibility to respond to changing requirements and not considered as a departure from policy.

The Aberdeenshire Health and Social Care Partnership Area Capacity Plan identifies Peterhead as the most suitable location for a new care home and this plan identifies that care home provision in Buchan is anticipated to be sufficient in the short and medium term. In response to the Northwoods application and Masterplan Health and Social Care integration advised that there are no plans in the foreseeable future to build a care village in Mintlaw. This would suggest to me that this site would not reasonably be needed in the future.
With the residential development there would remain a site of 4,800sqm that can still accommodate a care home or very sheltered housing. As a comparison, the site of the extra care village owned by Castlehill in Mintlaw would work on this site. A layout of this development located on the site has been provided within our supporting statement with the application.

In conclusion, our application for residential development on this site only marginally overlaps with the neighbouring residential allocation. This amounts to four houses on land now excluded from the masterplan option.

This application does not affect the general layout or the overall objectives for the masterplan for OP1 and the surrounding development can be delivered in keeping with the stated objectives and indicative masterplan. Therefore, we believe that the applications do not conflict with Policy PR2 or represent a significant departure from this policy and that this is a local issue most appropriately decided by this Committee.

The additional houses are fundamental in ensuring that the development here can be completed and ultimately provide an attractive area for existing and future residential use. The objections that had been lodged were not against the development, but raised concern about access. After discussion with the objectors we understand that these have now been removed and provide support for the development.

We hope that the Committee can provide support to achieving this and recommend for approval subject to appropriate conditions and a legal agreement.

Prior to determining the application, the Roads Development Manager urged caution and reiterated the requirements outlined in paragraph 4.4 of the report in line with the approved Roads Construction Consents.

Following a detailed discussion, Councillor Simpson moved as a motion, seconded by Councillor Ingram, that being minded to Grant Planning Permission in Principle, that the application be referred to Infrastructure Services Committee for determination.

As an amendment, Councillor A Buchan, seconded by Councillor Allan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:

For the motion (4) Councillors M Buchan, Calder, Ingram and Simpson

For the amendment (6) Councillors Beagrie, Allan, A Buchan, Fakley, S Smith and Sutherland

The amendment was therefore carried and the Committee agreed to Refuse Planning Permission in Principle for the following reasons:

01. The application fails to comply with Policy PR2 Protecting important development sites of the Aberdeenshire Local Development Plan 2017 on the basis that it would conflict with an allocated site (OP1 Mintlaw) and an approved Masterplan (reference ENQ/2015/1691, approved 5 September 2017), and impact upon the potential deliverability of community infrastructure (in the form of a care home).
02. The proposal fails to comply with Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017 on the basis that the proposed new access would cause an unacceptable impact on the surrounding area as it would undermine the delivery of the area subject to the Masterplan.

03. The proposal fails to comply with Policy RD2 Developers’ obligations of the Aberdeenshire Local Development Plan 2017 on the basis that no contribution has been agreed. The combined impact of the development, in consideration of the wider proposed development, fails to mitigate its impact on the provision of necessary infrastructure.

(e) Planning Permission in Principle for Erection of Dwellinghouse (Plot 7) at Land at Nether Aden, Nether Aden Road, Mintlaw
For: David Barron & Rural Projects & Dev (Aberdeen) Ltd, per Agent
Per: NORR, 3 Bon Accord Crescent, Aberdeen
Reference No: APP/2017/3120

With reference to Item 6 of the Minute, Councillor N Smith declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from the Agent, Mr Daniel Harrington, Head of Planning for NORR. Mr Harrington advised that he wished to address Committee once in relation to all applications for Nether Aden, Mintlaw (6d through to 6o). (See Mr Harrington’s address to Committee as detailed in 6d above.)

Having heard from the Senior Planner, Councillors J Ingram, A Fakley, A Simpson, M Buchan and S Calder entered their dissent in relation to the requirement for this application to be referred to Infrastructure Services Committee should the Committee be minded to approve the application.

Prior to determining the application, the Roads Development Manager urged caution and reiterated the requirements outlined in paragraph 4.4 of the report in line with the approved Roads Construction Consents.

Following a detailed discussion, Councillor Simpson moved as a motion, seconded by Councillor Ingram, that being minded to Grant Planning Permission in Principle, that the application be referred to Infrastructure Services Committee for determination.

As an amendment, Councillor A Buchan, seconded by Councillor Allan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:-

For the motion (4) Councillors M Buchan, Calder, Ingram and Simpson

For the amendment (6) Councillors Beagrie, Allan, A Buchan, Fakley, S Smith and Sutherland

The amendment was therefore carried and the Committee agreed to Refuse Planning Permission in Principle for the following reason:-
The proposal is contrary to Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017, on the basis that the application does not include a connection to a suitable vehicular access, or to the public road, and there is no existing access.

Planning Permission in Principle for Erection of Dwellinghouse and Associated Infrastructure (Plot 6)
at Land at Nether Aden, Nether Aden Road, Mintlaw
For: David Barron & Rural Projects & Dev (Aberdeen) Ltd, per Agent
Per: NORR, 3 Bon Accord Crescent, Aberdeen
Reference No: APP/2017/3121

With reference to Item 6 of the Minute, Councillor N Smith declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from the Agent, Mr Daniel Harrington, Head of Planning for NORR. Mr Harrington advised that he wished to address Committee once in relation to all applications for Nether Aden, Mintlaw (6d through to 6o). (See Mr Harrington’s address to Committee as detailed in 6d above.)

Having heard from the Senior Planner, Councillors J Ingram, A Fakley, A Simpson, M Buchan and S Calder entered their dissent in relation to the requirement for this application to be referred to Infrastructure Services Committee should the Committee be minded to approve the application.

Prior to determining the application, the Roads Development Manager urged caution and reiterated the requirements outlined in paragraph 4.4 of the report in line with the approved Roads Construction Consents.

Following a detailed discussion, Councillor Simpson moved as a motion, seconded by Councillor Ingram, that being minded to Grant Planning Permission in Principle, that the application be referred to Infrastructure Services Committee for determination.

As an amendment, Councillor A Buchan, seconded by Councillor Allan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:

For the motion (4) Councillors M Buchan, Calder, Ingram and Simpson

For the amendment (6) Councillors Beagrie, Allan, A Buchan, Fakley, S Smith and Sutherland

The amendment was therefore carried and the Committee agreed to Refuse Planning Permission in Principle for the following reason:

The proposal is contrary to Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017, on the basis that the application does not include a connection to a suitable vehicular access, or to the public road, and there is no existing access.
With reference to Item 6 of the Minute, Councillor N Smith declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from the Agent, Mr Daniel Harrington, Head of Planning for NORR. Mr Harrington advised that he wished to address Committee once in relation to all applications for Nether Aden, Mintlaw (6d through to 6o). (See Mr Harrington’s address to Committee as detailed in 6d above.)

Having heard from the Senior Planner, Councillors J Ingram, A Fakley, A Simpson, M Buchan and S Calder entered their dissent in relation to the requirement for this application to be referred to Infrastructure Services Committee should the Committee be minded to approve the application.

Prior to determining the application, the Roads Development Manager urged caution and reiterated the requirements outlined in paragraph 4.4 of the report in line with the approved Roads Construction Consents.

Following a detailed discussion, Councillor Simpson moved as a motion, seconded by Councillor Ingram, that being minded to Grant Planning Permission in Principle, that the application be referred to Infrastructure Services Committee for determination.

As an amendment, Councillor A Buchan, seconded by Councillor Allan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:

For the motion (4) Councillors M Buchan, Calder, Ingram and Simpson
For the amendment (6) Councillors Beagrie, Allan, A Buchan, Fakley, S Smith and Sutherland

The amendment was therefore carried and the Committee agreed to Refuse Planning Permission in Principle for the following reason:

01 The proposal is contrary to Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017, on the basis that the application does not include a connection to a suitable vehicular access, or to the public road, and there is no existing access
(h) Planning Permission in Principle for Erection of Dwellinghouse and Garage (Plot 15) at Land at Nether Aden, Nether Aden Road, Mintlaw
For: David Barron & Rural Projects & Dev (Aberdeen) Ltd, per Agent
Per: NORR, 3 Bon Accord Crescent, Aberdeen
Reference No: APP/2017/3122

With reference to Item 6 of the Minute, Councillor N Smith declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from the Agent, Mr Daniel Harrington, Head of Planning for NORR. Mr Harrington advised that he wished to address Committee once in relation to all applications for Nether Aden, Mintlaw (6d through to 6o). (See Mr Harrington’s address to Committee as detailed in 6d above.)

Having heard from the Senior Planner, Councillors J Ingram, A Fakley, A Simpson, M Buchan and S Calder entered their dissent in relation to the requirement for this application to be referred to Infrastructure Services Committee should the Committee be minded to approve the application.

Prior to determining the application, the Roads Development Manager urged caution and reiterated the requirements outlined in paragraph 4.4 of the report in line with the approved Roads Construction Consents.

Following a detailed discussion, Councillor Simpson moved as a motion, seconded by Councillor Ingram, that being minded to Grant Planning Permission in Principle, that the application be referred to Infrastructure Services Committee for determination.

As an amendment, Councillor A Buchan, seconded by Councillor Allan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:-

For the motion (4) Councillors M Buchan, Calder, Ingram and Simpson

For the amendment (6) Councillors Beagrie, Allan, A Buchan, Fakley, S Smith and Sutherland

The amendment was therefore carried and the Committee agreed to Refuse Planning Permission in Principle for the following reason:-

01 The proposal is contrary to Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017, on the basis that the application does not include a connection to a suitable vehicular access, or to the public road, and there is no existing access.
(i) **Planning Permission in Principle for Erection of Dwellinghouse (Plot 8)**

**at Land at Nether Aden, Nether Aden Road, Mintlaw**

For: David Barron & Rural Projects & Dev (Aberdeen) Ltd, per Agent

Per: NORR, 3 Bon Accord Crescent, Aberdeen

**Reference No:** APP/2017/3123

With reference to Item 6 of the Minute, Councillor N Smith declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from the Agent, Mr Daniel Harrington, Head of Planning for NORR. Mr Harrington advised that he wished to address Committee once in relation to all applications for Nether Aden, Mintlaw (6d through to 6o). (See Mr Harrington's address to Committee as detailed in 6d above.)

Having heard from the Senior Planner, Councillors J Ingram, A Fakley, A Simpson, M Buchan and S Calder entered their dissent in relation to the requirement for this application to be referred to Infrastructure Services Committee should the Committee be minded to approve the application.

Prior to determining the application, the Roads Development Manager urged caution and reiterated the requirements outlined in paragraph 4.4 of the report in line with the approved Roads Construction Consents.

Following a detailed discussion, Councillor Simpson moved as a motion, seconded by Councillor Ingram, that being minded to Grant Planning Permission in Principle, that the application be referred to Infrastructure Services Committee for determination.

As an amendment, Councillor A Buchan, seconded by Councillor Allan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:-

**For the motion** (4) Councillors M Buchan, Calder, Ingram and Simpson

**For the amendment** (6) Councillors Beagrie, Allan, A Buchan, Fakley, S Smith and Sutherland

The amendment was therefore carried and the Committee **agreed** to Refuse Planning Permission in Principle for the following reason:-

01 The proposal is contrary to Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017, on the basis that the application does not include a connection to a suitable vehicular access, or to the public road, and there is no existing access.
(j) **Planning Permission in Principle for Erection of Dwellinghouse (Plot 9)**

at Land at Nether Aden, Nether Aden Road, Mintlaw

For: David Barron & Rural Projects & Dev (Aberdeen) Ltd, per Agent

Per: NORR, 3 Bon Accord Crescent, Aberdeen

**Reference No:** APP/2017/3124

With reference to Item 6 of the Minute, Councillor N Smith declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from the Agent, Mr Daniel Harrington, Head of Planning for NORR. Mr Harrington advised that he wished to address Committee once in relation to all applications for Nether Aden, Mintlaw (6d through to 6o). (See Mr Harrington’s address to Committee as detailed in 6d above.)

Having heard from the Senior Planner, Councillors J Ingram, A Fakley, A Simpson, M Buchan and S Calder entered their dissent in relation to the requirement for this application to be referred to Infrastructure Services Committee should the Committee be minded to approve the application.

Prior to determining the application, the Roads Development Manager urged caution and reiterated the requirements outlined in paragraph 4.4 of the report in line with the approved Roads Construction Consents.

Following a detailed discussion, Councillor Simpson moved as a motion, seconded by Councillor Ingram, that being minded to Grant Planning Permission in Principle, that the application be referred to Infrastructure Services Committee for determination.

As an amendment, Councillor A Buchan, seconded by Councillor Allan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:

For the motion (4) Councillors M Buchan, Calder, Ingram and Simpson

For the amendment (6) Councillors Beagrie, Allan, A Buchan, Fakley, S Smith and Sutherland

The amendment was therefore carried and the Committee agreed to Refuse Planning Permission in Principle for the following reason:

01 The proposal is contrary to Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017, on the basis that the application does not include a connection to a suitable vehicular access, or to the public road, and there is no existing access
With reference to Item 6 of the Minute, Councillor N Smith declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from the Agent, Mr Daniel Harrington, Head of Planning for NORR. Mr Harrington advised that he wished to address Committee once in relation to all applications for Nether Aden, Mintlaw (6d through to 6o). (See Mr Harrington's address to Committee as detailed in 6d above.)

Having heard from the Senior Planner, Councillors J Ingram, A Fakley, A Simpson, M Buchan and S Calder entered their dissent in relation to the requirement for this application to be referred to Infrastructure Services Committee should the Committee be minded to approve the application.

Prior to determining the application, the Roads Development Manager urged caution and reiterated the requirements outlined in paragraph 4.4 of the report in line with the approved Roads Construction Consents.

Following a detailed discussion, Councillor Simpson moved as a motion, seconded by Councillor Ingram, that being minded to Grant Planning Permission in Principle, that the application be referred to Infrastructure Services Committee for determination.

As an amendment, Councillor A Buchan, seconded by Councillor Allan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:--

For the motion (4) Councillors M Buchan, Calder, Ingram and Simpson

For the amendment (6) Councillors Beagrie, Allan, A Buchan, Fakley, S Smith and Sutherland

The amendment was therefore carried and the Committee agreed to Refuse Planning Permission in Principle for the following reason:--

01 The proposal is contrary to Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017, on the basis that the application does not include a connection to a suitable vehicular access, or to the public road, and there is no existing access
(l) Planning Permission in Principle for Erection of Dwellinghouse (Plot 11) at Land at Nether Aden, Nether Aden Road, Mintlaw
For: David Barron & Rural Projects & Dev (Aberdeen) Ltd, per Agent
Per: NORR, 3 Bon Accord Crescent, Aberdeen
Reference No: APP/2017/3132

With reference to Item 6 of the Minute, Councillor N Smith declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from the Agent, Mr Daniel Harrington, Head of Planning for NORR. Mr Harrington advised that he wished to address Committee once in relation to all applications for Nether Aden, Mintlaw (6d through to 6o). (See Mr Harrington's address to Committee as detailed in 6d above.)

Having heard from the Senior Planner, Councillors J Ingram, A Fakley, A Simpson, M Buchan and S Calder entered their dissent in relation to the requirement for this application to be referred to Infrastructure Services Committee should the Committee be minded to approve the application.

Prior to determining the application, the Roads Development Manager urged caution and reiterated the requirements outlined in paragraph 4.4 of the report in line with the approved Roads Construction Consents.

Following a detailed discussion, Councillor Simpson moved as a motion, seconded by Councillor Ingram, that being minded to Grant Planning Permission in Principle, that the application be referred to Infrastructure Services Committee for determination.

As an amendment, Councillor A Buchan, seconded by Councillor Allan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:-

For the motion (4) Councillors M Buchan, Calder, Ingram and Simpson

For the amendment (6) Councillors Beagrie, Allan, A Buchan, Fakley, S Smith and Sutherland

The amendment was therefore carried and the Committee agreed to Refuse Planning Permission in Principle for the following reasons:-

01. The application fails to comply with Policy PR2 Protecting important development sites of the Aberdeenshire Local Development Plan 2017 on the basis that it would conflict with an allocated site (OP1 Mintlaw) and an approved Masterplan (reference ENQ/2015/1691, approved 5 September 2017), and impact upon the potential deliverability of community infrastructure (in the form of a care home)

02. The proposal is contrary to Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017, on the basis that the application does not include a connection to a suitable vehicular access, or to the public road, and there is no existing access
With reference to Item 6 of the Minute, Councillor N Smith declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from the Agent, Mr Daniel Harrington, Head of Planning for NORR. Mr Harrington advised that he wished to address Committee once in relation to all applications for Nether Aden, Mintlaw (6d through to 6o). (See Mr Harrington’s address to Committee as detailed in 6d above.)

Having heard from the Senior Planner, Councillors J Ingram, A Fakley, A Simpson, M Buchan and S Calder entered their dissent in relation to the requirement for this application to be referred to Infrastructure Services Committee should the Committee be minded to approve the application.

Prior to determining the application, the Roads Development Manager urged caution and reiterated the requirements outlined in paragraph 4.4 of the report in line with the approved Roads Construction Consents.

Following a detailed discussion, Councillor Simpson moved as a motion, seconded by Councillor Ingram, that being minded to Grant Planning Permission in Principle, that the application be referred to Infrastructure Services Committee for determination.

As an amendment, Councillor A Buchan, seconded by Councillor Allan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:-

For the motion (4) Councillors M Buchan, Calder, Ingram and Simpson

For the amendment (6) Councillors Beagrie, Allan, A Buchan, Fakley, S Smith and Sutherland

The amendment was therefore carried and the Committee agreed to Refuse Planning Permission in Principle for the following reasons:-

01. The application fails to comply with Policy PR2 Protecting important development sites of the Aberdeenshire Local Development Plan 2017 on the basis that it would conflict with an allocated site (OP1 Mintlaw) and an approved Masterplan (reference ENQ/2015/1691, approved 5 September 2017), and impact upon the potential deliverability of community infrastructure (in the form of a care home)

02. The proposal is contrary to Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017, on the basis that the application does not include a connection to a suitable vehicular access, or to the public road, and there is no existing access
With reference to Item 6 of the Minute, Councillor N Smith declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from the Agent, Mr Daniel Harrington, Head of Planning for NORR. Mr Harrington advised that he wished to address Committee once in relation to all applications for Nether Aden, Mintlaw (6d through to 6o). (See Mr Harrington’s address to Committee as detailed in 6d above.)

Having heard from the Senior Planner, Councillors J Ingram, A Fakley, A Simpson, M Buchan and S Calder entered their dissent in relation to the requirement for this application to be referred to Infrastructure Services Committee should the Committee be minded to approve the application.

Prior to determining the application, the Roads Development Manager urged caution and reiterated the requirements outlined in paragraph 4.4 of the report in line with the approved Roads Construction Consents.

Following a detailed discussion, Councillor Simpson moved as a motion, seconded by Councillor Ingram, that being minded to Grant Planning Permission in Principle, that the application be referred to Infrastructure Services Committee for determination.

As an amendment, Councillor A Buchan, seconded by Councillor Allan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:-

For the motion (4) Councillors M Buchan, Calder, Ingram and Simpson

For the amendment (6) Councillors Beagrie, Allan, A Buchan, Fakley, S Smith and Sutherland

The amendment was therefore carried and the Committee agreed to Refuse Planning Permission in Principle for the following reasons:-

01. The application fails to comply with Policy PR2 Protecting important development sites of the Aberdeenshire Local Development Plan 2017 on the basis that it would conflict with an allocated site (OP1 Mintlaw) and an approved Masterplan (reference ENQ/2015/1691, approved 5 September 2017), and impact upon the potential deliverability of community infrastructure (in the form of a care home)

02. The proposal is contrary to Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017, on the basis that the application does not include a connection to a suitable vehicular access, or to the public road, and there is no existing access
Planning Permission in Principle for Erection of Dwellinghouse (Plot 13)
at Land at Nether Aden, Nether Aden Road, Mintlaw
For: David Barron & Rural Projects & Dev (Aberdeen) Ltd, per Agent
Per: NORR, 3 Bon Accord Crescent, Aberdeen
Reference No: APP/2017/3128

With reference to Item 6 of the Minute, Councillor N Smith declared an interest and left the meeting during this item. Councillor D Beagrie took the Chair.

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from the Agent, Mr Daniel Harrington, Head of Planning for NORR. Mr Harrington advised that he wished to address Committee once in relation to all applications for Nether Aden, Mintlaw (6d through to 6o). (See Mr Harrington's address to Committee as detailed in 6d above.)

Having heard from the Senior Planner, Councillors J Ingram, A Fakley, A Simpson, M Buchan and S Calder entered their dissent in relation to the requirement for this application to be referred to Infrastructure Services Committee should the Committee be minded to approve the application.

Prior to determining the application, the Roads Development Manager urged caution and reiterated the requirements outlined in paragraph 4.4 of the report in line with the approved Roads Construction Consents.

Following a detailed discussion, Councillor Simpson moved as a motion, seconded by Councillor Ingram, that being minded to Grant Planning Permission in Principle, that the application be referred to Infrastructure Services Committee for determination.

As an amendment, Councillor A Buchan, seconded by Councillor Allan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:-

For the motion (4) Councillors M Buchan, Calder, Ingram and Simpson
For the amendment (6) Councillors Beagrie, Allan, A Buchan, Fakley, S Smith and Sutherland

The amendment was therefore carried and the Committee agreed to Refuse Planning Permission in Principle for the following reasons:-

01. The application fails to comply with Policy PR2 Protecting important development sites of the Aberdeenshire Local Development Plan 2017 on the basis that it would conflict with an allocated site (OP1 Mintlaw) and an approved Masterplan (reference ENQ/2015/1691, approved 5 September 2017), and impact upon the potential deliverability of community infrastructure (in the form of a care home)

02. The proposal is contrary to Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017, on the basis that the application does not include a connection to a suitable vehicular access, or to the public road, and there is no existing access
## APPENDIX C

### AREA COMMITTEE BUDGET: AREA INITIATIVES FUND

<table>
<thead>
<tr>
<th>No</th>
<th>Group Name and Project</th>
<th>Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Ardallie Football Club – Fencing</td>
<td>£ 2,500</td>
</tr>
<tr>
<td>2.</td>
<td>Buchan East Community Council – Resurface car park, install steps to beach, info lecterns</td>
<td>£ 3,000</td>
</tr>
<tr>
<td>3.</td>
<td>Longside Football Club – Replacement windows and doors</td>
<td>£ 1,000</td>
</tr>
<tr>
<td>4.</td>
<td>MACBI – Additional Supports Needs Sessions and Gymnastic Instructor Classes and Membership</td>
<td>£ 875</td>
</tr>
<tr>
<td>5.</td>
<td>Modo – Circus with Purpose – Development Worker Time</td>
<td>£ 3,000</td>
</tr>
<tr>
<td>6.</td>
<td>Peterhead Area Community Trust (PACT) – Feasibility costs around sports provision</td>
<td>£ 2,500</td>
</tr>
<tr>
<td>7.</td>
<td>Mintlaw Hall – Renovate and insulate loft space into a useable space</td>
<td>£ 2,000</td>
</tr>
<tr>
<td>8.</td>
<td>Peterhead Bowling Club – Purchase new mower and attachments</td>
<td>£ 2,000</td>
</tr>
<tr>
<td>9.</td>
<td>Fetterangus Community Association – Toilet, corridor and small hall renovations/upgrade</td>
<td>£ 2,000</td>
</tr>
<tr>
<td>10.</td>
<td>Family History Society of Buchan – Build new geneology database</td>
<td>£ 2,000</td>
</tr>
<tr>
<td>11.</td>
<td>St Fergus Community Pitch – Equipment to kit-out community facility</td>
<td>£ 3,365</td>
</tr>
<tr>
<td>12.</td>
<td>St Combs Mission Hall – Roof repairs and woodworm treatment</td>
<td>£ 1,000</td>
</tr>
<tr>
<td>13.</td>
<td>Hatton Area Residents Association (HARA) – Feasibility costs – making disused railway into a walk</td>
<td>£ 3,000</td>
</tr>
<tr>
<td>14.</td>
<td>Auchnagatt Hall Committee – Replace front door and replace flooring in gents toilets</td>
<td>£ 960</td>
</tr>
<tr>
<td>15.</td>
<td>Cruden Bay Community Association – Security and safety at Mill Park</td>
<td>£ 1,300</td>
</tr>
<tr>
<td>16.</td>
<td>Port Erroll Public Hall – Stage gantry replacement</td>
<td>£ 1,000</td>
</tr>
<tr>
<td>17.</td>
<td>Strichen Playgroup – 3 Apple iPad Minis for creating a digital portfolio (Seesaw App)</td>
<td>£ 500</td>
</tr>
</tbody>
</table>

**Total Award:** £32,000