

ABERDEENSHIRE COUNCIL

FORMARTINE AREA COMMITTEE

THE KIRK CENTRE, STATION ROAD, ELLON, 30 APRIL 2019

Present: Councillors I Davidson (Chair), I Taylor (Vice-Chair), A Duncan, A Forsyth, J Gifford, A Hassan, A Kloppert, G Owen, A Stirling, R Thomson

Apologies: Councillors K Adam and P Johnston

Officers: A Roe (Formartine Area Manager, (Acting)), A Lennox (Area Committee Officer (Acting)), F Stewart (Senior Solicitor, Legal and Governance), Alan W Davidson (Senior Planner, Infrastructure Services), James Wheeler (Senior Planner, Infrastructure Services)

DECLARATION OF MEMBERS' INTERESTS

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

Councillor Davidson declared an interest in Item 6, in relation to the Asset Transfer application from Haddo Country Park Forum Ltd, as a Director of the Forum. She felt her interest was clear and indicated that she would not take part in the debate and would leave the chamber during discussions. Councillor Taylor will Chair this item on the agenda.

2. STATEMENT ON EQUALITIES

Resolutions – consider and, if so decided, adopt the following resolution:

(a) Public Sector Equality Duty

In line with the Council's legal duty under section 149 of the Equality Act 2010 the Committee **agree** in making decisions on the attached reports Members shall have due regard to the need to:-

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

3. MINUTE OF MEETING 26 MARCH 2019

The Committee had before them, and **approved** as a correct record, the minute of the meeting of 26 March, 2019, subject to the following amendments:

Page 5, Item 10 (4) requested an annual review session of works in the previous year's programme and requested a workshop to look at all bridges of Formartine.

Item 4A (in Appendix A) paragraph 4 replace the following wording “unspecified cladding treatment” with “cladding treatment sympathetic to the conservation area.”

4. PLANNING APPLICATIONS FOR DETERMINATION

The following planning applications were considered along with any representations received in each case and were dealt with as recorded in Appendix A.

Application No	Description	Recommendation
A APP/2018/3074	Full Planning Permission for Erection of 15 Dwellinghouses and Associated Infrastructure at Land West of Knockhall Road, Newburgh, Ellon	Defer for Site Visit

5. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – APPLICATION FOR TEMPORARY PUBLIC ENTERTAINMENT LICENCE – FAIRGROUND – THE HAUGHS, TURRIFF PER RYAN SPENCER

This item has been withdrawn.

6. ASSET TRANSFER – HADDO CAR PARK

There had been circulated a report dated 15 April, 2019 by the Director of Business Services which detailed an application for an Asset Transfer Request of Haddo Public Car Park to the Haddo Country Park Forum Ltd.

The Area Manager indicated that there was a typing error in the Recommendation 1.4 - should read 2.19 and 2.20 not 4.11 and 4.12.

The Area Manager gave Members some background to the group and the transfer of the car park to Haddo Country Park Forum Ltd. They wish to apply for an Asset Transfer to generate income from the asset, which can be used to retain the services of a Visitors Services Officer. The Visitors Services Officer was previously funded through the Heritage Lottery Funding in which she supported Haddo Estate, Haddo Park and Haddo House. The Area Manager also confirmed that Haddo Country Park Forum Ltd had submitted the application in January 2019 and all checks have been completed and Officers have followed the Asset Transfer Procedures.

Haddo Country Park Forum Ltd have undertaken a survey of park users, who are willing to pay if the income benefits that park, they have indicated that annual/season car park tickets will also be available to purchase. National Trust Members will continue to park, free of charge.

Haddo Country Park Forum Ltd have indicated that the income stated in their application is based on the level of ticketing and funding applications they apply for.

Aberdeenshire Council agree a 30 Year Lease with 10-year breaks at a nominal sum of £1 per annum and as part of the lease will undertake white line marking, winter clearing and re-surfacing. Haddo Country Park Forum Ltd will set aside, annually,

£500 or 10% of the income generated to complete any patching required in the car park.

During discussion, Members wished to clarify who should be monitoring their progress and making sure it is a sustainable outcome and what outcomes the Forum would be able to deliver as a result of investment in the park.

Thereafter, the Committee:-

- (1) **agreed** to accept the recommendations
- (2) **agreed** that an annual update on outcomes of the Asset Transfer is reported to this Committee
- (3) **confirm** that through the Forum and this Committee that the fund is being monitored and the funds are accruing
- (4) **instructed** officers to build into the lease a condition if the Visitors Services Officer is no longer employed by the Haddo Country Park Forum Ltd that the money be accounted for
- (5) **instructed** officers to prepare a briefing to Members on the above conditions being met.

7. AREA COMMITTEE BUDGET 2019-2020 – FUNDING APPLICATIONS

Meldrum, Bourtie and Daviot Community Council

The application for funding has been withdrawn.

Friends of Den

An application had been received from the Friends of Den which sought a contribution towards the supply and installation of the all-inclusive roundabout and bouncy chairs for the playpark.

The Committee had approved funding last financial year, for start-up costs and moving a fence, which Landscape Services have completed.

After consideration of the information provided, the Committee **agreed to award £5,000.**

Members acknowledged the work of the volunteer group and would like to congratulate them and wish them well in the future.

8. STATEMENT OF OUTSTANDING BUSINESS

The Committee had before them and **noted** a report by the Formartine Area Manager, updating on matters that had previously been discussed by the Committee but remained to be resolved.

The Chair acknowledged that progress had not been made with all follow-ups however some progress had been made.

The Area Manager gave the following updates:

1. A Litter Prevention Report will go to SLT in May and then all Area Committees. Dog fouling has been included
3. Several attempts have been made to contact Brewdog, however there has been no response
4. The Area Manager will circulate a Briefing received from the Service, Planning Service Manager and Area Manager will identify dates for the Service to meet with Ward Members.

Members asked that Formartine Bridges be included in the next statement.

Councillor Presiding over meeting

Councillor Iain Taylor

Print Name

Signature

21 May 2019

Date

APPENDIX A

4A. Reference No: APP/2018/3074

Full Planning Permission for Erection of 15 Dwellinghouses and Associated Infrastructure at Land West of Knockhall Road, Newburgh, Ellon, Aberdeenshire

Applicant: Scotia Homes Ltd
Agent: Neil Rothnie Architecture

The Senior Planner introduced the application which was recommended for approval. An application was previously approved on a site to the immediate south by this Committee and Members will be aware of the agreed Masterplan for 60 houses. Phase 1 of 49 houses is now nearing completion, with this application for Phase 2, a further 15 houses are being sought.

It has been brought in front of the Committee as there has been a departure from the Masterplan with the addition of 4 extra houses and the Planning Service have received an objection from the Community Council with regards to this and the 18m strip of land out with the allocation for the site.

Infrastructure Services were satisfied with the development as it did not have a negative impact on the site. Surface water would drain into the SUDS pond as previously approved.

Transportation Service made no comment.

Roads Service were satisfied that the previous layout had been approved, but required 45 parking spaces for this phase.

The Planning Service believes that the proposal reflects the Masterplan and can accommodate the additional houses added, without detriment to the site, the consultees raise no objections and as the additional 18m strip is effectively landscaping, the proposal is an acceptable departure from the plan. The Planning Service are happy to support the proposal.

During discussion, the Members asked about the extension beyond the original boundary, drainage, emergency access, adoption of drainage system by Scottish Water, maintenance of the SUDS system once adopted and footpaths.

It was confirmed that footpath access to the settlement is by the emergency access and a dog walker path. Pavements do link up to the entrance, however, are on one side of the road only.

The Members wish to clarify who was liable for the drainage and if any flooding should occur as Aberdeenshire Council are only responsible for hard surface water from roofs etc.

Thereafter, the Committee **agreed** to **defer** consideration of the application pending:-

- (1) a site visit to include the Developer, Flood Prevention Officer and Scottish Water to answer any questions that Members may have about the SUDS and ditch on Knockhill Road about capacity and where it goes
- (2) to **seek** reassurance that Scottish Water plan to adopt the drainage system already in place
- (3) to **seek** reassurance from Scottish Water that the system is draining into a SUDS pond as intended
- (4) to **seek** reassurance that this will be maintained in the future.