

ABERDEENSHIRE COUNCIL

MARR AREA COMMITTEE

ALFORD PUBLIC HALL, ALFORD, 10 MARCH 2020

Present: Councillors M Ingleby (Chair), J Latham (Vice Chair), P Argyle, G Blackett, R Bruce, E Durno, P Gibb, G Petrie, A Ross and R Withey

Officers: J Clark, Area Manager (Marr), P Robertson, Senior Solicitor; L Scott, Head Teacher, Aboyne Academy; M Milne, Head Teacher, Alford Academy; J Wight, Head Teacher, Banchory Academy; P Gaiter, Head Teacher, The Gordon Schools, Huntly; A Richert, Strategic Development Officer; F McCallum, Hard FM Manager (by skype); D Murray, Roads and Landscape Services Manager; C Stewart, Environment Team Leader (by skype); N Mair, Senior Planner; and A McLeod, Area Committee Officer (Marr)

1. DECLARATION OF MEMBERS' INTERESTS

Councillor Bruce declared an interest in item 4 by virtue of being a parent of a pupil at a Secondary School in Marr, but having applied the objective test concluded that the interest was so remote and insignificant that she would remain and participate.

2A. 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; and
- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching a decision.

2B. RESOLUTION

The Committee agreed, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, that the public and media representatives be excluded from the meeting for the follow items of the business on the grounds that

they involved the likely disclosure of exempt information of the class described in the relevant paragraph of Part 1 of Schedule 7A of the Act.

Item No.	Paragraph No. of Section 7A
9	8
10	8

3. MINUTE OF MEETING OF MARR AREA COMMITTEE OF 18 FEBRUARY 2020

The Committee had before them, and approved as a correct record, the Minute of Meeting of the Marr Area Committee of 18 February 2020.

4. ANALYSIS OF ATTAINMENT AND ACHIEVEMENT OF YOUNG PEOPLE IN MARR SECONDARY SCHOOLS IN ACCREDITED AWARDS, YEAR END JUNE 2019

There had been circulated a report dated 6 February, 2020 by the Director of Education and Children's Services, which provided information on attainment and achievement of young people in Aboyne Academy, Alford Academy, Banchory Academy and The Gordon Schools in accredited awards in the school year ending June 2019.

The Committee heard from the head teachers of the four secondary schools on attainment levels, approaches to raising attainment and achievement, and the many wider achievements of young people in the schools.

The Committee welcomed and **agreed** to note the contents of the report on attainment and achievement of young people in Marr secondary schools in accredited awards in the year ending June 2019 and of ongoing plans to support improvements in attainment and achievement in the schools. The Head Teachers in return thanked the Committee for their continued support for the work being done in schools in Marr.

5. 'MAKING CONNECTIONS' – ABERDEENSHIRE HEALTH AND SOCIAL CARE PARTNERSHIP DEMENTIA STRATEGY 2020-2030

There had been circulated a report dated 20 February, 2020 by the Chief Officer, Integration Joint Board, seeking comments from the Committee on the Aberdeenshire Health and Social Care Partnership Dementia Strategy for 2020-2030, as part of an ongoing public consultation exercise.

The Strategic Development Officer gave an overview of the strategy which had been developed based on public engagement feedback in conjunction with local priorities, including those in the Aberdeenshire Strategic Plan and national priorities from Scotland's national dementia strategy 2017-2020, and she highlighted the timeline for the development of the final strategy, which would be a ten year strategy with three year rolling plans.

The Committee **agreed** to provide the following comments on the strategy:

1. To commend the strategy, which is clear and concise and demonstrates good ambitions;
2. To recommend that a reference to staffing implications for the delivery of the strategy is reflected within the strategy;
3. To note that Huntly and district has an ageing population with a large number of dementia patients and the Committee would welcome more public engagement in that area, if possible;
4. To welcome the final version of the strategy following the public consultation exercise.

6. PROPOSED COMMUNITY COUNCIL BOUNDARY CHANGES

There had been circulated a report dated 7 February, 2020 by the Director of Infrastructure Services advising the Committee of a proposal for the dissolution of Feughdee West Community Council and seeking approval, in principle, of a proposed new boundary line for two new community council areas following the dissolution of Feughdee West Community Council, which had the effect of dividing the current community council area into two parts.

The Area Manager advised the Committee that an enquiry had recently been received from Torphins Community Council with regard to the current boundary with Feughdee West, proposing a slight realignment of the boundary in relation to a number of properties in the Glassel area. She advised that she proposed to discuss the issue further with both Community Councils and if agreement could be reached, to take a further report to the Committee for consideration.

After consideration, the Committee **agreed**:

1. To approve, in principle, the proposal to alter the boundary of Feughdee West Community Council, subject to the dissolution of the Community Council and proposed subsequent formation of two separate Community Council areas, as delineated in the maps in the Appendix to the report;
2. To receive a further report on the proposed formation of two new Community Councils following the dissolution of Feughdee West Community Council; and
3. That the Area Manager should discuss a proposal for the possible realignment of the boundary between Torphins and the existing Feughdee West Community Councils and bring a further report to Committee, if necessary.

7. PLANNING APPLICATIONS FOR DETERMINATION

The following planning application was considered along with any representations received and were dealt with as recorded in Appendix A to this minute.

Reference No	Address
(A) APP/2019/2741	Full Planning Permission for Demolition of Existing Dwellinghouse and Erection of 12 Flats and Associated Access, Car-Parking and Landscaping at Moraig, 103 Station Road, Banchory

8. SCOTTISH GOVERNMENT APPEAL DECISION NOTICE – APP/2019/1235 - LAND AT SOUTH EAST OF SCOLTY HOUSE, STRACHAN

The Committee had before them, and **noted**, a Scottish Government Planning and Environmental Appeals Decision, dated 24 February 2020, informing them of the decision of the Scottish Government Reporter to dismiss the appeal and refuse planning permission for the erection of a glamping site (sui generis) with 3 wooden 'pod' structures for holiday lets, formation of decking area with hot tub, and associated infrastructure, at land to the south east of Scolty House, Strachan, Banchory, AB31 6NL.

9. BUSINESS SERVICES' DIRECTORATE ANNUAL PROCUREMENT PLAN 2020/21

There had been circulated a report dated 28 February, 2020 by the Director of Business Services, which sought consideration of items on the Business Services Directorate Work Plan 2020/21 identified as falling within the remit of the Committee.

The Facilities Manager introduced the report and responded to Members' questions in relation to the proposed works within the annual procurement plan.

The Committee **agreed**:-

1. That officers be asked to clarify that no flame-applied roofing would be used for roof works proposed at Kincardine O'Neil School;
2. That Midmar School works should be transferred to the Garioch Business Services Directorate Annual Procurement Plan and to approve the remaining items on the Procurement Plan in Appendix 1 to the report;
3. Not to reserve approval of the Procurement Approval Form for any item with a value up to £1,000,000; and
4. To acknowledge that the Head of Property and Facilities Management has the delegated authority to award the final contracts of the items with a contract value up to £1,000,000.

10. INFRASTRUCTURE SERVICES DIRECTORATE PROCUREMENT PLAN 2020/21

There had been circulated a report dated 21 February, 2020 by the Director of Infrastructure Services, which sought consideration of items on the Infrastructure Services Directorate Work Plan 2020/21 identified as falling within the remit of the Committee.

The Roads and Landscape Manager and Environment Team Leader introduced the report and responded to Members' questions.

The Committee **agreed:**

1. To approve the items on the Procurement Plan in Appendix 1 to the report;
2. Not to reserve the approval of the Procurement Approval Form for any item with a value up to £1,000,000;
3. To acknowledge that the Head of Roads, Landscape Services and Waste Management, Head of Transportation and Head of Planning have the delegated authority to award the final contracts of the items with a contract value up to £1,000,000;
4. That officers be requested to feed back comments to the Design Team to consider an alternative type of crossing at the Crathes Transport Mini Hub; and
5. That officers be asked to discuss with the Design Team if there are any proposals for further public consultation ahead of the planning process for the new Gairnshiel Bridge.

Councillor presiding over meeting

Print Name

Signature

Date

**APPENDIX A
PLANNING APPLICATIONS**

(A) Reference No: APP/2019/2741

Applicant:	Grampian Housing Association, Huntly House, 74 Huntly Street, Aberdeen, AB10 1TD
Agent:	MRT Architects, 47 Victoria Street, Aberdeen, AB10 1QA

There had been circulated a report dated 20 February, 2020 by the Director of Infrastructure Services which sought consideration of an application for full planning permission for the demolition of existing dwellinghouse and erection of 12 flats and associated access, car-parking and landscaping at Moraig, 103 Station Road, Banchory, Aberdeenshire, AB31 5YP.

The Senior Planner introduced the report which had been referred to the Committee as there had been valid objections from six or more individuals or bodies and there was an unresolved objection from Banchory Community Council. He outlined the planning history of the site, which had been granted planning permission in 2015 for a flatted development of a similar scale, advising that the Committee had carried out a site visit to assess the potential impacts on the surrounding area and had subsequently approved the application.

He responded to issues raised in relation to overshadowing, parking, scale of the building, and concluded by confirming that the application was recommended for approval.

Following discussion, Councillor Ross, seconded by Councillor Durno, moved to refuse the application, based on reasons relating to overdevelopment of site, lack of open space, lack of privacy and overlooking, and significant parking problems.

As an amendment, Councillor Bruce, seconded by Councillor Argyle, moved to approve the recommendations of the Planning Service as contained in the report.

The Members of the Committee voted:-

For the motion	(3)	Councillors Durno, Gibb and Ross
For the amendment	(7)	Councillors Ingleby, Latham, Argyle, Blackett, Bruce, Petrie and Withey

Therefore, the amendment was carried and the Committee **agreed**:

1. That authority to GRANT be delegated to the Head of Planning and Environment Service subject to:-
 - i) A s75, or other agreement, to secure the provision of affordable housing and required Developer Obligations;

ii) The following conditions;

01. No dwelling hereby approved shall be occupied unless its driveway, parking and turning area has been provided and fully paved in accordance with details to be submitted to and approved in writing by the Planning Authority. The maximum gradient of the first 5m of the new access must not exceed 1:20 gradient and the first 5m of access (measured from the edge of the road or back of the footway) is to be fully paved. Off-street parking for 14 cars, surfaced in hard standing materials must be provided within the site and a suitable vehicle turning area must be formed within the site to enable all vehicle movements onto or from the public road to be carried out in a forward gear. The access shall be internally drained and formed in such a way to prevent any flow of surface water either onto or from the public road. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the driveway to an adequate standard to prevent the carriage of loose driveway material on to the public road in the interests of road safety.

02. No development in connection with the permission hereby granted shall commence unless a drawing has been provided with the required visibility splays. The access hereby approved shall not be brought into use unless visibility of 59 metres in both directions along the channel line of the public road has been provided from a point 2.4 metres measured at right angles from the existing edge of the carriageway surface along the centre line of the approved new access in accordance with the Council's Standards for Road Construction Consent and Adoption. The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated outwith the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason: To enable drivers of vehicles using the access to have a clear view of other road users and pedestrians in the interests of road safety.

03. Prior to commencement of development, the junction that the access forms with the public road is to be kerbed radii of 10.0m, the minimum width of the throat of the bell mouth so formed to be 5.0m. The area within the bell mouth and for a minimum distance of 5.0m from the public road carriageway, to be constructed in accordance with the Council's Specification appropriate for the type of traffic which will use the access, and shall be surfaced with dense bitumen, macadam or asphalt.

Reason: To enable drivers of vehicles using the access to have a clear view of other road users and pedestrians in the interests of road safety.

04. No individual dwelling hereby approved shall be erected unless an Energy Statement applicable to that dwelling 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.

05. No demolition or any other works in connection with the development hereby approved shall commence unless a photographic survey of the existing buildings and structures on the application site has been submitted to and approved in writing by the planning authority. All external and internal elevations of the buildings and structures together with the setting of the buildings and structures and any unusual features of the existing buildings and structures shall be photographed. The photographic viewpoints must be clearly annotated on a plan to accompany the survey. The photographs and plan must be in a digital format and must be clearly marked with the planning reference number.

Reason: To ensure that a historic record of the building is made for inclusion in the National Monuments Record for Scotland and in the local Sites and Monuments Record.

06. The proposed development 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 by the planning authority.

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

07. No dwelling hereby approved shall be occupied unless the proposed foul and surface water drainage system has been provided in accordance with the approved plans and report by Cameron and Ross dated January 2020. The foul and surface water drainage system shall be permanently retained thereafter in accordance with the approved maintenance scheme.

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

08. No works in connection with the development hereby approved shall commence unless details of the proposed means of enclosure to be erected on the boundary of the site have been submitted to and approved in writing by the planning authority. The flats hereby approved shall not be brought into use unless the means of enclosure have been erected in accordance with the approved details. Once erected, the means of enclosure shall thereafter be permanently retained in accordance with the approved details.

Reason: In the interests of the residential amenities of the neighbouring property and the visual amenities of the area.

Reason for Decision

01. The proposed, layout, siting and design is considered acceptable, without causing significant detrimental impact on the amenity of adjacent dwellings. Suitable on street parking is available to complement the on-site provision, while providing affordable housing to help satisfy the local demand, compliant with Policy H2 Affordable housing and Policy P3 Infill and householder developments within settlements (Including home and work proposals) of the Aberdeenshire Local Development Plan (2017).

For noting:-

Part 2C (Planning Delegations) states at Section C.3.2b for Local Development, that following consultation with the Chair and Vice-Chair of the determining Committee, the Head of Planning and Environment Service can refuse planning applications for which Section 75 Agreements are not completed or Developer Obligations are not paid within four months from the date of the Committee at which the application is determined. Local Ward Members shall be notified of any such refusal.

Please note that this power may be exercised in respect of the application which is the subject of this report if the application is approved by the Committee.