

ABERDEENSHIRE COUNCIL

BUCHAN AREA COMMITTEE

VIA SKYPE – 11TH MAY 2021

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

Apology: Councillor A Fakley

Officers: Amanda Roe, Buchan Area Manager (Business Services); Amanda de Candia, Solicitor (Business Services); Sally Wood, Senior Planner (Infrastructure Services); Shaun Norman, Environment Planner (Infrastructure Services); Graham Lee, Principal Engineer (Infrastructure Services); Jonathan Duncan, Senior Engineer (Infrastructure Services); Andrew McIntyre, Principal Landscape Officer (Infrastructure Services); Linda Duthie, Head Teacher, Mintlaw Academy (Education and Children's Services); Shona Sellers, Head Teacher, Peterhead Academy (Education and Children's Services); and Theresa Wood, Area Committee Officer (Business Services)

**PRIDE OF BUCHAN NOMINATION –
DALES PARK SCHOOL**

Councillor S Smith –

“I'd like to propose that the Buchan Area Committee presents the pupils of Dales Park School, Peterhead, with a Pride of Buchan Award to congratulate them on their sustained efforts to clean-up the woodland area close to their school and clear away rubbish which has built-up over a period of time with a view to using the area as an outdoor education space and wildlife observation area.

The commitment of the pupils and their teachers to improving the local environment is to be commended and we hope this fosters a lifelong interest in the environment.

The Committee also gratefully acknowledges the assistance of Aberdeenshire Council Waste Services in uplifting the gathered refuse.”

The Committee **agreed** to present Dales Park School with a Pride of Buchan Award.

1. DECLARATIONS OF MEMBERS' INTEREST

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

- (1) Councillor I Sutherland for Item 5 by virtue of the programme of works, as detailed in the report, having a crossing located close to his home residence. In having applied the objective test, Councillor Sutherland confirmed that he had no interest to declare, and
- (2) Councillor A Buchan for Item 4a by virtue of the applicant being a customer of his. However, in having no contract with them Councillor Buchan remained within the meeting and took 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

3. DRAFT MINUTE OF 20TH APRIL 2021

The Draft Minute of the Meeting of 20th April 2021 had been circulated and was **approved**.

4. 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 A attached to this Minute.

- (a) APP/2020/2203 Full Planning Permission for Erection of Outbuilding at Buchanhaven Heritage Centre, Ugie Road, Buchanhaven, Peterhead
- (b) APP/2020/2259 Planning Permission in Principle for Erection of Dwellinghouse and Garage at Land to the East of Hollowcreek Farm, Keplahill, Mintlaw
- (c) APP/2021/0133 Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Mains of Park, Lonmay

5. ROADS, BRIDGES, HARBOURS, COAST & FLOODING, LANDSCAPE AND TRANSPORTATION WORKS PROGRAMMES 2021-2022

A report by the Director of Infrastructure Services had been circulated outlining the available funding and the proposed programmes of works for Roads, Bridges, Harbours, Coast & Flooding, Landscape and Transportation. The Committee was asked to approve the works programme.

Following a full discussion, the Committee **agreed**:-

- (1) to welcome the report and approve the Works Programme as detailed, and, following the pressures of the last two years resulting from Covid-19, to highlight the need for roads maintenance issues to be prioritised,
- (2) to request that Officers arrange an opportunity for Buchan Area Committee Members to meet informally with Scottish Water and SEPA representatives to discuss various concerns throughout the towns and villages of Buchan,
- (3) to note with disappointment that the playparks at East North Street and Riverside, Peterhead, are on the reserve list again and to make a plea that they be brought forward in the programme of works in the near future,
- (4) having heard from the Principal Landscape Officer, to welcome feedback in respect of work being done in conjunction with community groups to source funding to replace playpark equipment, and
- (5) to request that Officers contact Councillor Sutherland directly with regard to the recent flooding issues at Charleston, St Combs

6. ANALYSIS OF ATTAINMENT AND ACHIEVEMENT IN ACCREDITD AWARDS OF YOUNG PEOPLE IN BUCHAN SECONDARY SCHOOLS UP TO 2019-2020

A report by the Director of Education and Children's Services had been circulated presenting an analysis of school attainment based on the set of data arising from qualifications taken by school leavers from Buchan secondary schools up to session 2019-2020. The Committee was asked to consider and make comment on the report.

The Committee **agreed**:-

- (1) to congratulate the staff and pupils and their families having been faced with such a challenging and difficult year as a result of the Covid-19 pandemic, and

- (2) having noted the high number of pupils leaving at the end of S4, to request that Officers arrange an informal meeting for Buchan Area Committee Members to meet informally with relevant staff and external partners to discuss the contributing factors surrounding this issue

7. BUCHAN AREA PLAN

A report by the Director of Business Services had been circulated presenting, for consideration and approval, the Buchan Area Plan which details the actions Services will take in support of delivering the Strategic Priorities that are set out in the Council Plan 2020-22 and the Service Priorities which are set out in the Directorate Plans.

The Committee **agreed**:-

- (1) whilst acknowledging that this is the first iteration of the Area Plan and that the Action Plan will be updated by Services, to request that the document be proof-read and updated before being issued as a public document,
- (2) to request that an updated version be reported to the Buchan Area Committee Meeting of Tuesday, 22nd June 2021, and that any updates be highlighted in such a way that they are obvious,
- (3) that a copy of the Plan be made readily available within Members Ward Pages, and that Councillors be alerted when the Plan is updated by way of an email and that the updates be highlighted so as to be obvious,
- (4) in considering page 126 - reference Community Plans – Path Networks – to request that the current ongoing works in respect of linking-up the new Community Campus through a path/cycle network, and also the work on the wider path network in Peterhead, be considered for inclusion within the Plan,
- (5) to acknowledge the ongoing work to develop the required area performance reporting framework, and
- (6) to receive a further report on the delivery of the Area Plan and an updated Action Plan before the end of 2021

APPENDIX A

NEW PLANNING APPLICATIONS

- (a) **Full Planning Permission for Erection of Outbuilding at Buchanhaven Heritage Centre, Ugie Road, Buchanhaven, Peterhead**
For: Peterhead Community Council, per Agent
Per: Baxter Design, 1 The Square, Mintlaw
Reference: APP/2020/2203

The Committee unanimously **agreed**:-

- (1) to Grant Full Planning Permission subject to relevant planning conditions, and
- (2) that the proposal is an acceptable departure from Policies P1 Layout, siting and design, P3 Infill and householder developments within settlements (including home and work proposals), and HE2 Protecting historic and cultural Areas for the following reasons –
 - (a) the appearance of the proposed development and relationship to its surroundings is acceptable given there are existing buildings in the surrounding area with UPVC windows and doors, and there is already a mono-pitch roof on-site,
 - (b) the particular weather conditions experienced in this part of the country deems UPVC a more practical material,
 - (c) the suitability of the site is compatible with existing uses, and
 - (d) the location of the building is within a walled site which minimises its visibility in relation to the surrounding area

- (b) **Planning Permission in Principle for Erection of Dwellinghouse and Garage at Land to the East of Hollowcreek Farm, Keplahill, Mintlaw**
For: Messrs D & A Birkett & Mallinson, Hollowcreek Farm, Keplahill, Mintlaw
Per: Philip Baxter, Arcus Design Ltd, Mavisbank, Old Deer, Peterhead
Reference No: APP/2020/2259

In terms of Standing Order 6.5, the Area Manager had received one request to address the Committee in relation to this application from the Applicant, David Birkett.

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

The Committee first heard from the Senior Planner, then heard from Mr Birkett as follows –

“As you are aware, it is to allow my wife and myself to retire from full-time farming in a couple of years. I’m not as physically fit now. We bought the farm in 2008 and improved it very much, as you’ll have seen from photos. We’ve had it for the last 12 years, we put up a house, a shed, re-fenced, drainage, planting, re-grassed. It was the same chap who had owned it since 1950s so it was rundown.

Since taking over the farm we have managed over 100 sheep, made our own hay every year, and sold some hay to the local and horse people. As for being viable and the amount of hours we put in – we could put that into 3 or 4 days, never mind a whole week.

My son Lee is 33 years old, works offshore 3 weeks away from home, he’s got a family, and, when we retire, he would like to come here and breed pure Texel sheep. That would be in a couple of years, to give us time to get a house up and running.

It is difficult for a young person to get into farming nowadays and this would be a great opportunity for both of us. We currently stay in the big farmhouse that we built when we came here; all the children have left home. We would like to build a small eco-house down beside the pond, as we love it here and don’t want to leave. Also, I can help out at busy times of the farming year.

My wife, Andrea, has an established ear clinic at the house at the moment, and an aesthetics business, and she would like to continue that from a new dwelling.

As for all of the tracks and roads on the farm, they are all cut by me, so that the public can walk up and down and enjoy the area. All of the ponds were put in by me, and are looked after by me, and it takes a lot of my time to keep all of this going. The trees are at a mature age now so I will soon be able to start cutting into firewood and selling on, and then have to replant all of the woods again.

I hope it is understood what we are trying to do here, this is for our future. We would therefore be pleased if the Committee could support our application.”

Having considered the details of the application, the Committee unanimously **agreed**:--

- (1) to Grant Planning Permission in Principle subject to relevant planning conditions, and
- (2) that the proposal complies with Policy R2 Housing and employment development elsewhere in the countryside given there is a viable farm holding and there is a clear plan for retirement succession, having taken onboard the changing nature of the farm

(c) **Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Mains of Park, Lonmay**

For: Mr C Gibbins, per Agent

Per: Baxter Design Company, 1 The Square, Mintlaw

Reference No: APP/2021/0133

In terms of Standing Order 6.5, the Area Manager had received one request to address the Committee in relation to this application from the Agent, Ryan Urquhart.

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

The Committee first heard from the Senior Planner, then heard from Mr Urquhart as follows –

“Mr Gibbins works with his mother and father in a family run landscaping and building business called Brae Landscaping. Due to the recent changing weather they have had to commit to their work today to take advantage of better weather, otherwise they would have been here to listen in. He lives at home with his parents at Mains of Park which is right next door to the application site and would just like his own space, but to be there to continue operating the family business with them, although not a farming related business I just wanted to briefly outline their circumstances to committee, and you can see that they have storage for their business in their land from the photo presentation.

The justification for this site is illustrated in the photos that there is a ruin on site, it had been part of the overall steading complex at one time. As committee are aware that was approved for demolition and erection of a replacement house to the north by someone else and that didn't include this section of steading as it is within the Gibbins ownership. The section of steading that extended from the boundary down to almost touch their house was seriously dilapidated and after the roof fell in they decided to knock down most of the walls before contacting ourselves and so only the founs remain. This also improved access to their shed as you see from the photos. That area in which the ruin is and remaining in their ownership is not big enough to build a new house and so the area within their curtilage to the east would be a suitable place to build the replacement house.

With regards to the water supply, there is an existing private water supply running within the southern boundary of their land, shown in light blue on our site plan, we propose to connect to it within the site. The nearest mains water is a few miles to the north which would mean passing through several different land owners property, and over that distance is not likely to have sufficient pressure for one house, hence no houses in the vicinity of the site have mains water. There was a couple of applications submitted for two new houses to the west around 3 or 4 years ago and prior to submitting the application we asked Environmental Health if that record of testing on the water supply would be sufficient for this new site, as the test results were not visible on the planning portal.

I noted that Environmental Health said that the test results were good enough to prove that two houses could be added to the private water supply. However, I had not received a response despite further attempts to contact them and so was instructed to submit the application by the applicant given that this clearly showed that the supply could accommodate further new properties and those previously proposed were refused and not built, so capacity remains on the supply for new development. During the application process we again asked if that testing relating to the previous applications was sufficient as it is on the same supply line but no reply was received. It was only when we were notified of the application being issued for member consultation that we were made aware that they still would not accept this, so now that testing has been arranged on the supply we would ask that the application is deferred for this to be carried out. Filpumps believe that we should have test results in place for the meeting on 22nd June but we would keep the committee updated if there were any delays.”

The Committee unanimously **agreed** to defer consideration of the application to the Buchan Area Committee Meeting of Tuesday, 22nd June 2021 to allow the applicant sufficient time to establish if there is an acceptable water supply.