

ABERDEENSHIRE COUNCIL

GARIOCH AREA COMMITTEE

GORDON HOUSE, INVERURIE ON 3 FEBRUARY 2015

Present: Councillors F Hood (Chair), A Allan, D Aitchison, R Cowling, N Cullinane, M Ford, A Grant, M Kitts-Hayes, S Lonchay, R McKail, P Oddie, B Stuart, H Vernal and I Walker.

Officers: D Milne (Garioch Area Manager), S Munro (Senior Solicitor), B Strachan (Senior Planner), D Berry (Senior Policy Planner), P MacCallum (Roads Development Manager), G Steel (Principal Engineer), A Anderson (Policy Planner) Dr C Hunter (Rector, Kemnay Academy), J Wight (Rector, Westhill Academy), L Evans (Rector, Inverurie Academy), D Allan (Principal Officer, Landscape Services), B Shand (Landscape Services Officer) M Fleming (Area Estates Surveyor) and A Cumming (Garioch Area Committee Officer).

1. DECLARATIONS OF MEMBERS' INTERESTS

In accordance with the Councillors' Code of Conduct the following interests were declared:-

- Item 6B Cllr Ford as he knows a former resident and the applicant;
Cllr Oddie as she knows one of the objectors as they are active within the community;
- Item 8 Cllr Stuart as a landowner in Old Rayne;
- Item 12 Cllr Cowling as Chair of the Gordon Fishings, which was a Council appointment.

Councillors Ford left the Chamber during the consideration of item 6B. Councillor Stuart left the Council Chamber whilst the discussion relating to Old Rayne settlement took place for Item 8. Councillors Oddie and Cowling continue to take a full part in the consideration of the items concerned.

2. RESOLUTIONS

A. EQUALITIES

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

1. to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it.

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

B. EXEMPT ITEMS

The Committee **agreed** that, under Sections 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for certain items of business on account of the likely disclosure of exempt information of the classes described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act.

Item No.	Paragraph No.
13	9
14	9

3. MINUTE OF MEETING OF 13 JANUARY 2015

The Minute of Meeting of 13 January 2015 was approved as a correct record of proceedings.

4. INTIMATION OF PUBLIC QUESTION TIME

No public questions were intimated.

5. PLANNING APPLICATION FOR DETERMINATION THAT WAS THE SUBJECT OF A SITE VISIT

With reference to the Minute of Meeting of the Committee of 13 January 2015 (Item 9D) and following the site visit which took place on the 3 February 2015, the Committee considered the report by the Director of Infrastructure Services on the following application and **agreed** to dispose of them as detailed in **Appendix A** to this Minute.

Item	Reference	Application	Decision
A.	APP/2014/3617	Change of use of licensed premises to use Class 7 and erection of accessible shower room (retrospective) at former Old Loco Works, Harlaw Road, Inverurie, Aberdeenshire (<i>Site 1</i>);	Delegated Grant
	APP/2014/3874	<i>and</i> Change of use from incidental office space within the approved Heritage Centre (Class 10) to overnight sleeping accommodation (Class 7) at former Old Loco Works, Harlaw Road, Inverurie, Aberdeenshire (<i>Site 2</i>)	Refuse

6. PLANNING APPLICATIONS FOR DETERMINATION

The following planning applications were considered along with any valid representations received and was dealt with as recorded in **Appendix B** to this Minute.

Item	Reference	Application	Decision
A.	APP/2014/3601	Change of use of ground to storage/industrial at Ram Tubulars Scotland Ltd, Birchwood Kinellar, Blackburn	Refer to ISC. recommending Grant

B.	APP/2014/3815	Erection of dwelling house at land at 25 High Street, Kemnay	Defer for Site Visit
C.	APP/2004/3532	Residential development as enabling development for Town Park and associated facilities at Woodside Croft, Midmill, Kintore	Delegated Grant

7. ABERDEENSHIRE LOCAL DEVELOPMENT PLAN – SETTLEMENTS FOR UNALLOCATED ORGANIC GROWTH

A report by the Director of Infrastructure Services was circulated seeking approval for the list of settlements identified as suitable for unallocated growth.

The Committee **agreed** to approve the following settlements for organic growth:-

Auchleven, Chapel of Garioch, Kirkton of Rayne, Meikle Wartle and Oyne.

8. ABERDEENSHIRE LOCAL DEVELOPMENT PLAN – SETTLEMENT STATEMENTS

As previously indicated Councillor Stuart declared an interest with regard to the Old Rayne settlement and left the Council Chamber whilst the settlement statement was discussed.

A report was circulated detailing proposed settlement statements for Garioch for inclusion in the Local Development Plan 2016 and seeking comments on these statements to Full Council.

The Senior Policy Planner explained that a large part of the proposed Local Development Plan was agreed by Full Council on 22 January 2015 and this included all of the main policy context and the housing and employment allocations. However, he explained that the more detailed settlement guidance would be provided as an appendix to the Plan as settlement statements. He said that these were all set out in the same way and included a vision, natural and historic environment information, infrastructure requirements, flood risks and land allocations. He said that the allocation prefixes had changed, but they were largely the same sites. He explained that the information provided had been the subject of collaboration with other services and partner agencies.

Members asked whether the flooding guidance had been provided by SEPA and were assured that this was the case. The Senior Policy Planner explained that SEPA had maps for 1 in 200 year flood risk and 1 in 1000 year flood risk, but that the Council was taking a precautionary approach and would be seeking Flood Risk Assessments for sites with a 1 in 400 year flood risk. One Member asked whether this would prohibit the development of sites that fall below 1 in 400 year flood risk and whether there had been any assessment of the amount of sites that would be affected by this change. He also pointed out that the policy went above the requirements of Scottish Planning Policy and could have significant cost implications for developers. The Senior Policy Planner confirmed that the policy was not an absolute prohibition on sites less than 1 in 400, but that a Flood Risk Assessment to the satisfaction of SEPA and the Council's Flood Prevention Unit would be required in order for these sites to be developed. He said that some initial analysis had been done of the difference between the 1 in 1000 and 1 in 200 year flood areas and the impact of this change was considered to be minimal. He indicated that he did not see the additional burden on developers being overly onerous.

Members indicated that they would like to see the provision of developer obligations at as local a level as possible and asked that the Area Management Team ensure that the wording within Services and Infrastructure section was amended to take this into account. They requested

