

ABERDEENSHIRE COUNCIL
FORMARTINE AREA COMMITTEE

THE KIRK CENTRE, STATION ROAD, ELLON, 11 DECEMBER 2018

Present: Councillors I Davidson (Chair), K Adam, S Duncan, A Forsyth, J Gifford, P Johnston, A Kloppert, G Owen and A Stirling

Apologies: Councillors A Hassan, I Taylor (Vice-Chair) and R Thomson

Officers: K Bond (Head of Customer Communication & Improvement), K Balina (Committee Officer, Formartine), M Ingram (Senior Solicitor, Legal and Governance), Alan W Davidson (Senior Planner, Infrastructure Services), Lynne Gravener (Strategic Policy Leader (Engagement & Equalities), Customer Communication & Improvement), Ailsa Anderson (Senior Policy Planner, Planning and Building Standards), Maxine Booth (Quality Improvement Manager, Learning Estates Team)

1. DECLARATION OF MEMBERS' INTERESTS

Members confirmed that they had no interests to declare in terms of the Councillors' Code of Conduct.

2. STATEMENT ON 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 a decision.

3. MINUTE OF MEETING 20 NOVEMBER, 2018

The Committee had before them, and **approved** as a correct record, the minute of the meeting of 20 November, 2018.

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**.

Reference	Description	Decision
A. APP/2018/1992 Deferred from FAC 20.11.18	Full Planning Permission for Installation of Waste Water Tank at Site 8, Balmacassie Commercial Park, Ellon	Grant
B. APP/2018/1961	Full Planning Permission for Alterations and Extension to Dwellinghouse and Garage (Retrospective) at Dunnottar, Cowgate, Oldmeldrum	Grant

5. LOCAL REVIEW BODY DECISION NOTICE - LRB 427 - PLANNING REF: APP/2018/0854

There had been circulated, and was **noted**, a Planning Appeal Decision Notice dated 6 November, 2018, advising that the Local Review Body upheld in part the decision and refused Full Planning Permission for the following reason:-

The proposal is contrary to Policy P3 Infill and householder developments within settlements (including home and work proposals) of the Aberdeenshire Local Development Plan 2017, as the erection of the fence would impact on the amenity of the existing dwellinghouse at no.3 Garden Place by cutting out light, and reducing the size, area and functionality of its parking provision.

The salient points to be acknowledged by the Committee and the Service had been outlined within the information provided to the members.

6. 2018 BASED SCHOOL ROLL FORECASTS

There had been circulated a report dated 29 November, 2018 by the Director of Education and Children's Services which provided detail of the School Roll Forecasts for all primary and secondary schools in Aberdeenshire.

The Quality Improvement Manager introduced the report and responded to questions raised by Members.

Following consideration of the information provided, the Committee **agreed** to **request**: -

- (1) more information on the number of children within the Foveran catchment zone;
- (2) further information on how school rolls are calculated; and
- (3) that feedback from the Balmedie workshop be circulated.

7. BRITISH SIGN LANGUAGE IMPLEMENTATION PLAN 2018-2024

A report dated 31 October 2018 from the Director of Business Services had been circulated to ask the Committee to consider and comment on the British Sign Language (BSL) Draft Implementation Plan.

Following consideration of the information provided, the Committee:-

- (1) **noted** the progress in developing the Aberdeenshire British Sign Language (BSL) Plan 2018-2024, and
- (2) **agreed** to make the following comments to be reported to the Business Services Committee at its meeting on 10 January 2019 where the final version of the Implementation Plan would be presented for approval:
 - (a) on the importance of the Deaf Culture included in the report,
 - (b) on the importance of the promotion and provision of the BSL plan across all Services,
 - (c) when training to the frontline staff becomes available, seek opportunities to offer this to qualified teachers, and
 - (d) to engage with the gypsy traveller sub group on the contents of the plan.
- (3) Requested further information on how and when the scrutiny reports will be presented to the Area Committee.

8. ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2021 – DRAFT DEVELOPMENT PLAN SCHEME 2019

There had been circulated a report dated 18 October, 2018, by the Director of Infrastructure Services, which (1) explained that the Planning etc. (Scotland) Act 2016 required Aberdeenshire Council to publish a Development Plan Scheme at least annually, providing a programme for preparing a Local Development Plan, and (2) sought consideration of the draft Development Plan Scheme 2019.

The Committee **agreed**:-

- (1) to note the draft Development Plan Scheme 2019;
- (2) to note the process for consulting internal services, including housing, education and transportation; and
- (3) to request the following additions to the list of proposed consultees:-
 - (a) Rothienorman Community Association,
 - (b) Amenities groups at Fisherford, Fyvie and Monquhitter,
 - (c) Scottish Fire and Rescue Service,
 - (d) Police Scotland,
 - (e) Stagecoach,
 - (f) Turriff Business Association,

- (g) Ythanbank Residents Association,
- (h) Ythan Community Sports Hub,
- (i) Ellon Traders Association,
- (j) Aberdeenshire Youth Forum,
- (k) Aberdeenshire Health and Social Care Partnership should be followed with IJB.

9. AREA COMMITTEE BUDGET 2018-2019

The Members **agreed** to allocate £10,000 from the Christmas Lights Fund to support the community projects for 2018/19.

Ellon Charette

An application had been received from the Formartine Area office on behalf of Community Council which sought a contribution towards the project aims to start a community led revitalisation of Ellon.

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

English Provision (ESOL) for Syrian New Scots and wider community

An application had been received from the Workers Educational Association which sought a contribution towards delivering ESOL provision to Syrian New Scots in Ellon.

After consideration of the information provided, the Committee **agreed to award £4,087.** The Committee also requested a briefing session on Syrian New Scots.

Belhelvie Parish Church

An application had been received from the Belhelvie Parish Church which sought a contribution towards the construction of a New Annexe to the Forsyth Hall in Belhelvie.

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

Slains Environmental Action for change – known as SEChange

An application had been received from the SEChange which sought a contribution towards the study and business plan to explore the potential creation of a self-sustaining community-led venture in co-operation with existing community bodies.

After consideration of the information provided, the Committee **agreed to award £4,560.**

10. STATEMENT OF OUTSTANDING BUSINESS

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

Draft

APPENDIX A

4A. Reference No: APP/2018/1992

Full Planning Permission for Installation of Waste Water Tank at Site 8, Balmacassie Commercial Park, Ellon

Applicant: Brewdog Plc
Agent: Taylor Design Services

There had been circulated a report dated 23 November 2018, by the Director of Infrastructure which sought consideration of an application for full planning permission for installation of Waste Water Tank.

The Senior Planner introduced the application which had previously been deferred to obtain further information on whether the tank would be filled using the existing pipework under the road and whether there would be increased traffic movements associated with filling and emptying the tank. Mr Steven Morris, Taylor Design, was in attendance at a meeting to answer the questions.

During discussion the Members sought further clarification on the size of a waste water tank; access to the tank; impact on the neighbourhood area and landscape; and business needs. It was confirmed that a tank would provide additional capacity during bad weather events when road traffic was disrupted. The storage would be short term to allow the production line to continue until such time as the road conditions revert back to normal.

The Members requested that the Area Manager write to Brewdog to request an informal session on the future development plans for the brewery.

Following the consideration of information provided, the Committee **agreed to grant** Full Planning Permission, subject to the following conditions:-

- (1) That no works in connection with the development hereby approved shall take place unless a scheme of soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:
 - i. Existing landscape features and vegetation to be retained.
 - ii. The location of new trees, shrubs, hedges and grassed areas.
 - iii. A schedule of planting to comprise species, plant sizes and proposed numbers and density.
 - iv. Full details, including height, of the proposed bunding proposed.
 - v. A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long term management and maintenance of all the approved landscaped areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped area shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

- (2) Prior to the commencement of the development, full details of the design and materials to be utilised for the Waste Water Tank shall be submitted and approved in writing by the Planning Authority.

Reason: In the interest of the visual amenity of the area.

That the Committee agree the reason for departing from the Local Development Plan

The proposal will not inhibit the delivery of a new cemetery for Ellon and will facilitate the continuous business needs that are required for Brewdog to operate efficiently. While the proposal does not comply with the Settlement Statement for Ellon in the Aberdeenshire Local Development Plan 2017 it is considered that it is an acceptable departure from the plan.

4B. **Reference No: APP/2018/1961**

Full Planning Permission for Alterations & Extension to Dwellinghouse and Garage (Retrospective) at Dunnottar, Cowgate, Oldmeldrum, Aberdeenshire, AB51 0EN

Applicant: Mr Duncan Harper
Agent: Carden Project Management Ltd

There had been circulated a report dated 23 November, 2018 by the Director of Infrastructure Services, which sought consideration of an application for the full planning permission for the part - retrospective alterations and extension to the Dwellinghouse and garage.

The Senior Planner reported on the detail of the application which was recommended for approval. He then responded to questions in relation to the design and scale of the dwellinghouse and the garage. The Members sought clarification whether the proposed alterations would have any impact on the amenity of neighbouring residents.

Following a discussion, the Members **agreed** that the application be **granted** subject to:-

(1) the conditions that i) any glazing on the proposed doors would be obscured, and ii) with the removal of appropriate permitted development rights to protect neighbouring amenity; and

(2) the following condition:

The garage hereby approved shall be used only for purposes incidental to the enjoyment of Dunnottar as a dwellinghouse and shall be used for no other purpose without the express grant of planning permission from the Planning Authority.

Reason: To enable the Planning Authority to consider the implications of any subsequent change of use on the amenities of the area.

Reason for Decision

The proposal meets the requirements of Policy P3 Infill and householder developments within settlements (including home and work proposals) of the Aberdeenshire Local Development Plan 2017 on the basis that the extension of the dwellinghouse and the erection of the garage would not detract from the character of the surrounding area, or have a detrimental impact on the amenity of neighbouring residents. The finishes of the development would respect the character of the existing dwellinghouse, and would not detract from that of the adjacent residential properties. The proposal complies with all other relevant policies within the Local Development Plan.