

ABERDEENSHIRE COUNCIL

MARR AREA COMMITTEE

ALFORD PUBLIC HALL, ALFORD, 18 DECEMBER, 2018

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); M Booth, Quality Improvement Manager; F McCallum, Hard FM Manager; N Mair, Senior Planner; J Joss, Senior Solicitor; and K Macleod, Area Committee Officer (Marr).

In Attendance: Chief Inspector S Drummond, Police Scotland.

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct. No interests were initially declared.

During discussion of Item 8, Councillor Ross declared an interest in that item by virtue of being a board member of Elevator and knowing one of the tenants of the Aboyne Business Centre. She advised that she would leave the meeting and take no part in the item.

2A. 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; 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 following 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 Schedule 7A
8	8
9	8

3. MINUTE OF MEETING OF MARR AREA COMMITTEE OF 27 NOVEMBER, 2018

The Committee had before them, and **approved** as a correct record, the Minute of Meeting of the Committee of 27 November, 2018.

4. 2018 BASED SCHOOL ROLL FORECASTS

There had been circulated a report dated 5 December, 2018, by the Director of Education and Children's Services, which provided information on current and forecast school rolls for primary and secondary schools in Aberdeenshire, based on data from the annual census carried out in September 2018.

The Quality Improvement Manager highlighted revised primary school capacities; explained that secondary school capacities would also be reviewed; and provided further information in relation to Towie School, which was currently over capacity, and Alford Academy, which was predicted to be over capacity by 2023.

In response to Members' questions, it was advised that briefings on out of zone placing requests and the suitability of temporary accommodation would be provided as part of future reports to the Education and Children's Services Committee. The Quality Improvement Manager also responded to questions in relation to accommodating increased rolls at Alford and Banchory Academies; the figures for Gordon Primary School, Crathes School, Aboyne Academy and Primary, and Crathie School; and the methodology of the primary school capacity review.

The Committee **agreed** to note the contents of the report on school roll forecasts.

5. POLICE SCOTLAND – LOCAL AREA UPDATE

There had been circulated a joint report by the Local Area Commander (Aberdeenshire South), Police Scotland and the Director of Business Services which provided monitoring information from Police Scotland relating to the Marr area for the period from April to September 2018.

The Chief Inspector introduced the report and provided information on local issues and trends. During discussion, Members suggested engagement with new young drivers in Braemar and sought further information in relation to wildlife crime, drink/drug driving offences, domestic abuse, winter car checks, and communicating messages through social media.

The Committee **agreed:-**

- (1) to note the monitoring information relative to the three Multi Member Wards which collectively formed the Marr component of Aberdeenshire South Local Command Area and an integral part of North East Division; and
- (2) to request that consideration be given to amending the report template to include data from the previous 6-month reporting period, to allow for comparison, and data on drink/drug driving offences and wildlife crime.

6. AREA COMMITTEE BUDGET – SMALL GRANT APPLICATIONS

There had been circulated a report dated 28 November, 2018, by the Director of Infrastructure Services, which sought consideration of applications for Area Committee Budget funding from Aboyne Canoe Club, Donside Community Council, and Alford and District Men's Shed. The report also advised the Committee of an award of funding approved by the Area Manager using delegated powers.

The Committee **agreed:-**

- (1) to approve an award of up to £2,000 to Aboyne Canoe Club towards the cost of upgrading the club's equipment;
- (2) to approve an award of up to £809 to Donside Community Council towards the cost of producing and installing a tourist information board in Alford;

- (3) to approve an award of up to £2,000 to Alford and District Men's Shed towards the cost of works to connect to a water supply and sewers; and
- (4) to note an award of up to £250 to Garioch and North Marr Community Safety Group towards the cost of a 'Rrrallye Youth Drive' approved by the Area Manager following consultation with the Chair and Ward Members.

7. PLANNING APPLICATIONS

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

Reference Number	Address
(A) APP/2018/2516	Full Planning Permission for Erection of Dwellinghouse at Site to the Rear of 14 Birch Cottage, Dee Street, Ballater

8. SUPPLEMENTARY WORK PLAN 2018/19 FOR BUSINESS SERVICES DIRECTORATE – PROCUREMENT APPROVAL

There had been circulated a report dated 7 December, 2018, by the Director of Business Services, which sought consideration of items on a Supplementary Work Plan for the Business Services Directorate identified as falling within the remit of the Committee.

The Hard FM Manager introduced the report and responded to questions from Members.

The Committee **agreed**:-

- (1) to note the Directorate Supplementary Work Plan as detailed in Appendix 1 to the report;
- (2) to approve the items on the Supplementary Work Plan identified as falling within the remit of the Committee; and
- (3) to request that further details of works at Huntly Business Centre be provided to Ward 14 Members.

9. USE OF DELEGATED POWERS BY CHIEF OFFICER TO ADD AN ITEM TO BUSINESS SERVICES DIRECTORATE WORK PLAN BY REASON OF SPECIAL URGENCY

There had been circulated a report dated 30 November, 2018, by the Director of Business Services, which advised the Committee of the use of delegated powers to add an item to the Business Services Directorate Work Plan by reason of special urgency.

The Hard FM Manager introduced the report, responded to questions, and undertook to feedback Members' comments to the Service.

Following discussion, the Committee **agreed** to note the use by the Area Manager (Marr) of delegated powers (as provided in Part 2B, Section B of the Scheme of Governance), by reason of special urgency as detailed in the report.

Councillor presiding over meeting

Print Name

Signature

Date

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APPENDIX A

PLANNING APPLICATIONS

- (A) **Reference No: APP/2018/2516 – Full Planning Permission for Erection of Dwellinghouse at Site to the Rear of 14 Birch Cottage, Dee Street, Ballater, Aberdeenshire**

Applicant: Mrs Angela Marr, 31 Northburn Avenue, Aberdeen, AB15 6AH
Agent: Gerry Robb Architectural Design Services, Bridgend, Bridgeview Road, Aboyne, AB34 5HB

There had been circulated a report dated 29 November, 2018, by the Director of Infrastructure Services, which sought consideration of an application for full planning permission for the erection of a dwellinghouse. The application was being reported to the Committee as it was a departure from the Development Plan and was recommended for approval and as there was an unresolved objection from a consultee.

The Senior Planner advised that the Council's Flood Protection Unit had objected to the application due to flood risk; however, there were material considerations to justify a departure because of an existing permission for a house. There was no increased risk as a house could be built on the site whether or not the application was granted. The Committee heard that SEPA had initially indicated they would object but had accepted the situation because of the planning history. The Senior Planner outlined the details of the proposal and addressed issues raised in representations. The application was recommended for approval as a departure from Policy 10, Part 2 of the Cairngorms National Park Local Development Plan 2015.

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

- (1) to request that the applicant consider adding dummy chimneys to assist integration into the conservation area;
- (2) to grant full planning permission subject to the following conditions:-
 01. The dwellinghouse hereby approved shall not be erected unless an Energy Statement applicable to the dwellinghouse 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.

02. The dwellinghouse hereby approved shall not be occupied unless all of its associated means of enclosure have been provided in accordance with the approved scheme. Once erected, the approved means of enclosure shall thereafter be permanently retained in accordance with the approved details.

Reason: In the interests of the residential amenities of the occupiers of the dwellinghouse and the visual amenities of the area.

03. No works in connection with the development hereby approved shall commence unless a sample and the specification and colour of all the materials to be used in the external finish for the approved development have been submitted to and approved in writing by the planning authority. The development shall not be occupied unless the external finish has been applied in accordance with the approved details.

Reason: In the interests of preserving or enhancing the character or appearance of the conservation area.

04. No works in connection with the development hereby approved shall commence unless a tree protection plan has been submitted to and approved in writing by the planning authority. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- (a) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);
- (b) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction);
- (c) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas;
- (d) An arboricultural impact assessment which evaluates the direct and indirect impacts of the proposed development on the trees to be retained and proposed mitigation;
- (e) An arboricultural method statement to demonstrate that operations can be carried out with minimal risk of adverse impact on trees to be retained;
- (f) A method statement for any works proposed within the root protection areas of the trees shown to be retained.

No works in connection with the development hereby approved shall commence unless the tree protection measures have been implemented in full in accordance with the approved tree protection plan. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the planning authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

Reason: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

05. 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.

06. Waste water from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via

private means 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 development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility of 25 metres in both directions along the channel line of the public road has been provided from a point 2 metres measured at right angles from the existing edge of the carriageway surface along the centre line of the approved driveway 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.

08. The vehicular access, driveway and parking area for 2 cars surfaced in hardstanding, hereby approved shall not be brought into use unless both have been provided and surfaced in accordance with the details shown on the approved plans and the drop kerb footway crossing has been formed at the new access. The first five metres of the driveway measured from the back of the footway shall be fully paved and shall have a maximum gradient not exceeding 1:20. The access, driveway and parking area 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, the access, driveway and parking area shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the access, driveway and parking area to an adequate standard; to prevent the carriage of loose driveway material on to the public road and to ensure the retention of adequate off-street parking facilities, all in the interests of road safety.

09. That prior to the commencement of development a scheme for the provision of surface water drainage shall be submitted to and approved in writing by the Planning Authority. Thereafter the surface water drainage system shall be installed in complete accordance with the details as so approved and 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.

- (3) that the reason for departing from the Cairngorms National Park Local Development Plan 2015 be as follows:-

The proposal does not comply with Policy 10: Resources, Part 2: Flooding of the Cairngorms National Park Local Development Plan 2015. However, the proposed development does not increase the flood risk to an unacceptable level in comparison to a previously approved and implemented proposal at this site, and therefore presents sufficient reason to support this application as a departure from the Cairngorms National Park Local Development Plan 2015. The proposal is appropriately designed

and scaled and satisfies all other relevant policies of the Cairngorms National Park Local Development Plan 2015.

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