

ABERDEENSHIRE COUNCIL

BUCHAN AREA COMMITTEE

BUCHAN HOUSE, PETERHEAD, 15TH JANUARY 2019

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

Officers: Chris White, Buchan Area Manager (Business Services); Iain Meredith, Solicitor - Governance (Business Services); Sally Wood, Senior Planner (Infrastructure Services); Alan Davidson, Senior Planner (Infrastructure Services); David Naismith, Principal Engineer (Infrastructure Services); Andrew Mackie, Acting Housing Manager (Infrastructure Services); June Cranna, Principal Officer – Finance (Business Services); Nick Brown, Regeneration Executive (Infrastructure Services); Suzanne Robertson, Business Development Executive (Infrastructure Services); and Theresa Wood, Area Committee Officer (Business Services)

1. DECLARATIONS OF MEMBERS' INTERESTS

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

- (1) Councillor D Beagrie declared an interest in Item 10 by virtue of being Chairperson of Peterhead Area Community Trust, and advised that she would leave the meeting and take no part in this item, and
- (2) Councillor A Fakley declared an interest in Item 10 by virtue of being a Trustee of Peterhead Area Community Trust, and advised that he would leave the meeting and take no part in 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

2(b) RESOLUTION

The Committee **agreed** in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of the items specified below so as to avoid disclosure of exempt information of the class described in the undernoted paragraphs of Part 1 of Schedule 7A of the Act.

Item No	Paragraph No of Schedule 7A
10	8

3. MINUTE OF MEETING OF 4TH DECEMBER 2018

The Minute of the Meeting of 4th December 2018 had been circulated and was **approved**.

The Area Manager advised the Committee that, in terms of the Council's Scheme of Governance, there was now a requirement for Item 11 – Proposed Sale of Glenugie Business Centre and 53 Windmill Street, Peterhead (page 4) – to be referred to Business Services Committee.

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.

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|-----|---------------|--|
| (a) | APP/2018/1427 | Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Wydeford House, Lendrum Terrace, Boddam |
| (b) | APP/2018/2528 | Full Planning Permission for Alterations and Extension to Dwellinghouse at 27 Mowatshill Road, Clerkhill, Peterhead |
| (c) | APP/2018/2578 | Full Planning Permission for Erection of 3 Dwellinghouses at Land at Inchmore Gardens, Boddam |

5. PLANNING AND ENVIRONMENTAL APPEAL DECISION NOTICE

The Committee **noted** the Appeal Decision Notice, Planning Appeal Reference PPA-110-2359, which advised that the Reporter, as appointed by the Scottish Ministers, had decided to dismiss the appeal and refuse planning permission for a proposed quarry at Muirtack, Ellon.

6. PLANNING AND ENVIRONMENTAL APPEAL DECISION NOTICE

The Committee **noted** the Appeal Decision Notice, Planning Appeal Reference PPA-110-2362, which advised that the Reporter, as appointed by the Scottish Ministers, had decided to dismiss the appeal and refuse planning permission in principle for the proposed erection of a retirement farm succession at Oldmill Farm, Strichen.

7. CLERKHILL REGENERATION PROJECT – AMENDMENT TO AREA FOR ADOPTION

A report by the Director of Infrastructure Services had been circulated advising that at the Buchan Area Committee's meeting on 9th October 2018 the Committee approved the process for adding an area of footway and public precinct at the shopping area on Clerkhill Road, Peterhead, to the List of Public Roads under Section 1 of the Roads (Scotland) Act 1984. To allow for better future maintenance, the Committee was asked to agree to the amended area, as detailed in Appendix 1 attached to the report, for addition to the List of Public Roads also.

The Committee **agreed** to the amended area for addition to the List of Public Roads at Clerkhill Shopping Precinct, Clerkhill Road, Peterhead, under Section 1 of the Roads (Scotland) Act 1984 in line with the Buchan Area Committee's decision of 9th October 2018.

8. UNIVERSAL CREDIT FULL SERVICE IN ABERDEENSHIRE

A report by the Director of Infrastructure Services had been circulated asking that the Committee consider the work that is being carried out to support customers in receipt of Universal Credit Full Service and that the Committee further considers the activities to mitigate rent arrears.

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

- (1) to commend Officers for being very proactive in dealing with issues as they arise,
- (2) having noted there were 138 listed as being in arrears on 16th September 2018 (page 5), to ask that Officers report back in respect of how many of those were in arrears prior to Universal Credit being rolled out, and
- (3) to request that an informal session be arranged, one year following the introduction of Universal Credit, specifically providing detail to allow Members to further explore the impact Universal Credit has had on Buchan residents, to consider if the Council has sufficient resources in-place to deal with any resulting issues, if there has been an impact from rapid rehousing, and to consider if voluntary agencies are coping

9. ABERDEENSHIRE H&SCP PERFORMANCE & OUTCOMES FRAMEWORK QUARTER 2 REPORTING – JULY TO SEPTEMBER 2018

A report by the Partnership Manager had been circulated providing the Committee with the Health and Social Care Partnership Performance figures for July to September 2018.

The Committee **agreed** to request that an informal session be arranged to explore the measures further and consider the following concerns –

- (1) the report needs to provide fuller detail, including what is being done to improve performance,
- (2) the summary of indicators on page 5 is difficult to understand, and
- (3) there needs to be indicators relating to mental health issues

10. PETERHEAD AREA COMMUNITY TRUST (PACT) GRANT

A report by the Director of Infrastructure Services had been circulated advising that Peterhead Area Community Trust (PACT) was formed in March 2018 as a registered charity with an ambitious plan to develop community sport and recreation facilities in Peterhead for all. Given there is a self-imposed governance limit of £50,000 commitment on any regeneration projects, the Buchan Area Committee was asked to approve a larger grant sum, totalling £59,250, to PACT, with relevant costs being outlined in para 2.7 of the report.

The Committee **agreed:-**

- (a) a new grant of £59,250 for PACT, bringing the total grant to date to £69,427, and
- (b) to delegate to the Head of Economic Development and Protective Services to approve the final grant award once PACT has received tenders for the build and to increase the actual award by a maximum of 10% or £5,000, whichever is the lesser, in the event tenders are higher than expected

APPENDIX A

NEW PLANNING APPLICATIONS

- (a) **Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Wydeford House, Lendrum Terrace, Boddam**
For: Ms S Gonzalez, c/o Baxter Design Company, 1 The Square, Mintlaw
Per: Baxter Design Company, 1 The Square, Mintlaw
Reference No: APP/2018/1427

The Committee **agreed** to defer consideration of this application to allow the Members to undertake a site visit and take account of the setting and place within context.

- (b) **Full Planning Permission for Alterations and Extension to Dwellinghouse at 27 Mowatshill Road, Clerkhill, Peterhead**
For: Mr Justin Robertson, 27 Mowatshill Road, Clerkhill, Peterhead
Per: All Design (Scotland) Ltd, James Gregory Centre, Campus 2, Bridge of Don, Aberdeen
Reference No: APP/2018/2528

In terms of Standing Order 6.5, the Area Manager had received a request to address the Committee in relation to this application from the Agent, Mr Paul Walber of All Design.

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 Walber as follows –

“The proposal includes 2 extensions, a new shower room at the front of the property and a new vestibule at the rear.

At present there is one bathroom in the property. The applicant’s mother, who also resides at the property, requires immediate access to a toilet/shower due to her medical condition. Given the moderate size of the property and its layout, a shower room can only be achieved by forming an extension. The only feasible approach to providing an additional shower room is to extend the front bedroom. An extension to the rear bedroom would result in building over the window, giving no natural daylight.

The rear extension provides a porch, which will reduce immediate heat loss from the property when the back door is open to both exit and reach the external store.

The proposed extensions are small, in keeping and have been designed to have as little impact as possible.”

Having considered the detail, the Committee **agreed** to defer consideration of the application to allow the Members to undertake a site visit and further consider the concerns raised by the objector.

- (c) **Full Planning Permission for Erection of 3 Dwellinghouses at Land at Inchmore Gardens, Boddam**
For: Mr A Green, Meranti, Aquithie Road, Kemnay
Per: Lippe Architects & Planners, 4 St James Place, Inverurie
Reference: APP/2018/2578

The Committee **agreed** that authority to Grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to:-

- (i) securing Developer Obligations, and
(ii) the following conditions -

01. Prior to first occupation of the development hereby approved the vehicular access shall be provided in accordance with the approved plans and to include the following, which shall thereafter remain in perpetuity:

- a) the first 5 metres of the access road, measured from the back of the public road, and the lay-by shall be surfaced in bituminous material, and the gradient shall not exceed 1:20 over the first 5 metres;
- b) a refuse bin uplift store area, to be constructed (behind any visibility splay) so as to be accessible for bin uplift & shall be secure enough to prevent empty bins from being windblown. Details must be submitted to Roads Development for approval.
- c) a vehicle turning area within the curtilage measuring not less than 7.6m x 7.6m, be formed within the application site, to enable all vehicles to enter and exist in a forward gear.

Reason: In order to ensure that the development is served by an appropriate standard of access and associated servicing in the interests of road safety.

02. No individual dwellinghouse hereby approved shall be occupied until three car parking spaces surfaced in hard standing materials have been provided in full within the curtilage associated with that individual dwellinghouse. Once provided the car parking spaces shall be retained in perpetuity.

Reason: In the interests of road safety.

03. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved written scheme of investigation. The written scheme of investigation shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be [occupied/brought into use] unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

04. No works in connection with the development hereby approved shall commence unless details of the proposed means of enclosure to be erected around each of the plot boundaries of the site have been submitted to and approved in writing by the planning authority. The dwellinghouses 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 both the neighbouring properties and the occupants of the approved development and the visual amenity of the area.

05. No individual dwellinghouse hereby approved shall be erected unless an Energy Statement applicable to that 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.

06. Notwithstanding the details submitted, no works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority.

Details of the scheme shall include:

- a) A tree survey in accordance with BS 5837:2012;
- b) Existing landscape features and vegetation to be retained;
- c) Protection measures for the landscape features to be retained;
- d) Existing and proposed finished levels;
- e) The location of new trees, shrubs, hedges, and grassed areas;
- f) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- g) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture, bin stores and play equipment);
- h) An indication of existing trees, shrubs and hedges to be removed;

- i) A programme for the implementation, completion and subsequent management of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. 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. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management 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.

07. No extraction in connection with any phase of the development hereby approved shall take place unless the proposed foul and surface water drainage systems for that phase have been provided in accordance with the approved plans and the Ground Assessment & Drainage Recommendations by S.A. McGregor dated 16th October 2018. The foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved scheme.

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

Reason for Decision

The proposed development is on an allocated site for residential development, and it is considered that the layout and design is acceptable. The proposal would have no adverse impacts on neighbouring residential amenity and there are no planning constraints on the site. The proposal, subject to conditions, complies with the Aberdeenshire Local Development Plan 2017, in particular policies H1 Housing land; P1 Layout, siting and design; E2 Landscape; C1 Using resources in buildings; HE1 Protecting historic buildings, sites and monuments; RD1 Providing suitable services and RD2 Developer Obligations.