

ABERDEENSHIRE COUNCIL
FORMARTINE AREA COMMITTEE

THE ELLON BAPTIST CHURCH, STATION ROAD, ELLON, 12 FEBRUARY 2019

Present: Councillors I Taylor (Chair), K Adam, S Duncan, A Forsyth, J Gifford, A Hassan, P Johnston, A Kloppert

Apologies: Councillors I Davidson, G Owen, A Stirling, R Thomson

Officers: C White (Area Manager), K Balina (Committee Officer, Formartine), F Stewart (Senior Solicitor, Legal and Governance), Alan W Davidson (Senior Planner, Infrastructure Services), W Chisholm (Local Senior Officer, Scottish Fire and Rescue Service), Graeme Steel (Principal Engineer, Transportation)

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

Resolutions – consider and, if so decided, adopt the following resolution:

(a) Public Sector Equality Duty

In line with the Council's legal duty under section 149 of the Equality Act 2010 the Committee **agree** in making decisions on the attached reports Members shall have due regard to the need to:-

- (i) eliminate discrimination, harassment and victimisation;
- (ii) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
- (iii) foster good relations between those who share a protected characteristic and persons who do not share it.

3. MINUTE OF MEETING 22 JANUARY 2019

The Committee had before them, and approved as a correct record, the minute of the meeting of 22 January, 2019.

**4. SCOTTISH FIRE AND RESCUE SERVICE – FORMARTINE AREA
COMMITTEE PERFORMANCE REPORT FOR Q3 1 OCTOBER – 31
DECEMBER 2018**

There had been circulated a joint report by a Local Senior Officer of the Scottish Fire and Rescue Service and the Director of Business Services of Aberdeenshire Council, which informed members of how the Scottish Fire and Rescue Service was

performing locally in Formartine, against key performance measures and associated targets as set out in the Aberdeenshire Local Fire and Rescue Plan and the Formartine Multi-Member Ward Plan, for the period from 1 October, 2018 to 31 December, 2018.

The Aberdeenshire and Moray Station Manager was in attendance to introduce the report.

During discussion, the members requested further information on the number of false fire alarms on national level.

Thereafter, the Committee:-

- (1) **noted** the performance report relating to the period 1 October, 2018 to 31 December, 2018, and
- (2) **noted** the local operational matters arising together with key resource issues as detailed within the appendices to the report.

5. ENQ/2018/1189 – MASTERPLAN FOR RESIDENTIAL DEVELOPMENT AT OP2 SITE, BONNYTON FARM, PITMEDDEN, ELLON (DEFERRED FROM FAC ON 30.10.18)

A report dated 31 January, 2019 from the Director of Infrastructure Services had been circulated to ask the Committee to agree the Masterplan for the Pitmedden OP2 site to be used as a material consideration in the determination of any subsequent planning applications.

The Masterplan was considered at the Formartine Area Committee on 30 October 2018. The Committee did not agree the Masterplan and requested further information in relation to the use of open spaces within the site and the second point of access onto the B999.

The Senior Planner detailed the proposed Masterplan. He said that two vehicular access points should have been provided including the reinstatement of the junction between the B999 and Ingleside. The access should ensure the safe and convenient use of the Council car park. He then detailed the proposed layout and 2 points of access from the existing built environment to the west, 1 access from Ingleside to the south west corner and 1 access from Breckview to the north east corner. Those points of access adjoined with the B999 directly or indirectly at 2 separate points. He also explained 6 potential options for the reinstatement of the junction between the B999 and Ingleside.

The Senior Planner and Principle Engineer then responded to issues raised by Members in relation to the alternative points of access; consultation process; nearby loading bay; car park; safety issues; visibility and traffic.

Having heard that a request to speak had been received, the Committee **agreed** to hear from Claire Coutts of Ryden LLP and Mark Peters of Fairhurst.

Ms Coutts briefly explained the nature of the Masterplan. She said that the proposed layout had been changed to include the requested changes to the open space. She also mentioned that the agent had been in touch with the shop owner who was very

supportive of additional houses and they continued to discuss the alternatives. She reassured Members that the shop owner would have an opportunity to object to the proposal at a later stage.

Councillor Johnston asked about the role the Agent had in the public consultation. He also wanted to know whether the shop-owner was supportive of the removal of the loading bay. Ms Coutts said they had taken part in two public consultation events for the proposed Masterplan. They held two events to demonstrate the further options and to respond to the comments made by members of the public. Mr Peters added they continued to discuss with the shop owner the alternative delivery and parking arrangements.

Councillor Gifford asked about the removal of a loading bay and was told it had to be done through a formal traffic order. Councillors then discussed the proposed options and sought clarity on the car park, loading bay and deliveries.

After consideration of the information provided the Committee unanimously determined **not to agree** the Masterplan for the Pitmedden OP2 site on the grounds the draft Masterplan did not yet adequately show that the access to the site via Ingleside was to a suitable standard. The Committee encouraged the Developer to seek suitable alternative options.

6. PLANNING APPLICATIONS FOR DETERMINATION

The following planning application was considered along with any representations received in each case and was dealt with as recorded in Appendix A.

Application No	Description	Decision
APP/2018/2660	Planning Permission in Principle for Residential Development at Former Auchterless Station, Towie, Auchterless, Turriff	Delegated Grant

7. LOCAL REVIEW BODY DECISION NOTICE - LRB 431 - PLANNING REF: APP/2018/1704 - KILLIEBRAE, OLDMELDROM

There had been circulated, and was noted an Appeal Decision Notice dated 19 December, 2018, advising that the Reporter dismissed the appeal and refused Planning Permission in Principle.

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

8. ABERDEENSHIRE CHARITIES TRUST (ACT2) – FINANCIAL MANAGEMENT

A report by the Director of Business Services was circulated detailing the current criteria and balances available for the Formartine Wards through Aberdeenshire

Charities Trust and asking the Committee to consider if any changes should be made to these.

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

- (1) approve the current maximum and minimum thresholds of awards and the split of ward balances between Capital and Revenue; and
- (2) request that future reports include a list of applications that had been granted or refused over the year; and guidance on where the available funds lie with the parameters of poverty, one of the requirements of the trusts.

9. STATEMENT OF OUTSTANDING BUSINESS

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

Councillor Presiding over meeting

Cllr Isobel Davidson

Print Name

Signature

05/03/2019

Date

APPENDIX A

6A. Reference No: APP/2018/2660

Planning Permission in Principle for Residential Development at Former Auchterless Station, Towie, Auchterless, Turriff, Aberdeenshire, AB53 8EP

Applicant: C A Dugid And Sons
Agent: James G Ironside Limited

The Senior Planner introduced the application which was recommended for refusal for the following reasons: -

1. The application is not acceptable in principle as it does not meet the requirements of Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017, in that the proposed development is neither small scale, nor on land which constitutes a redundant brownfield opportunity because it has naturalised over time.

2. The application does not comply with Policy PR1 Protecting important resources of the Aberdeenshire Local Development Plan 2017, in that it has not been demonstrated that the site is not class 3.1 Prime Agricultural Land, upon which development is not supported under Policy PR1.

The Members discussed the location of the site which was historically used as railway sidings and is located within the Rural Housing Market Area. The Senior Planner confirmed that the principle of development was restricted to small-scale development; the application had been presented as a remediation of brownfield land, having once been Auchterless yard.

It was also mentioned that the site was located close to the regular bus route and it could be a reason for support.

Having heard that a request to speak had been received, the Committee **agreed** to hear from Scott Leitch and Jim Ironside of Halliday Fraser Munro.

Mr Leitch said he was aware of the reasons for refusal because the proposed development was not a small scale development and brownfield land. He said that the proposal showed 9 houses which would be built in three phases of three units. The proposal also included new bus routes with a reduced speed limit. He noted that Consultees had not objected the proposal. Mr Leitch also mentioned design and layout and asked for support for the application.

Councillors then asked questions on the type of surface and disposal of waste water. They were informed that the surface is hardstanding overlaid by grass. As there is no waste water infrastructure within the vicinity of the site, private water treatment systems were recommended.

Following discussion Councillor Duncan seconded by Councillor Forsyth moved as a motion that the application be delegated to the Head of Planning Services and Building Standards to grant subject to appropriate conditions on the basis that the site was accessible, being close to a main road (A947) and a half hourly bus route.

As an amendment, Councillor Gifford seconded by Councillor Johnston moved that the application be refused in line with the recommendations within the report.

The members voted as follows:

For the Motion	6	Councillors Adam, Duncan, Forsyth, Hassan, Kloppert and Taylor
For the Amendment	2	Councillors Gifford and Johnston

Therefore the motion was carried that the **grant be delegated** to the Head of Planning Services and Building Standards to grant subject to appropriate conditions.

It was **noted** that, as per paragraph 10.5 of the report, the application would have to be referred to Infrastructure Service Committee for further consideration.