

Gargunock Community Council

Minutes of Special Meeting

11th April 2017 7.30pm

Present: Bob Burman (BB), Edmond Mansion (EM), Maitland Clark (MC), Charlie Fitches (CF), Carolyn Rivers (CR)
Apologies: Lovat MacGregor (LM)

Graham Lambie (Councillor)

Members of the public (approx. 60 attendees)

MC introduced the meeting and Martin Cole as advisor on planning applications.

- Asked attendees to keep discussions to planning applications and not personal issues
- Explained that David Stirling was unable to attend due to holiday
- Read a letter from David Stirling explaining his intentions

Martin introduced himself as advisor

17/00201 Proposed alterations to Leckie House including demolition of existing estate workers cottage

Martin summarised planning application

Q. David King 'Is there any information on what is to be in the extension?'

Martin – Floorplan is online

'Would it be a hotel'

Martin – That would have to be a change of use

Q. Niall Tracey 'Is the existing cottage dilapidated and is that relevant to the application?'

Martin – No, you can demolish if you want but this could be linked to 17/00202

17/00202 New Estate Workers cottage

Martin summarised planning application and policy considerations.

Martin explained that policies need to be considered when responding to all applications, such as need, location, materials

Q. Veronica Belers (sp) 'How do we get the information on what the need is?'

Martin – Ask the planners to ask the applicant

Martin explained that an economic plan should be provided. JC read out from the Q&A that the CC had put to David Stirling (DS) prior to the meeting; DS said that a business plan had been provided to the planners but contained confidential financial data. Martin said we should ask the planners for a redacted copy. **CR to email planners to ask for this**

Q. Eric Dempster 'Are any of the buildings listed?'

Martin – No

Q. David King 'Will the estate worker's cottage location break an existing policy and could DS then apply for more housing on the site?'

Martin – No, Housing in the Countryside policy for new houses out-with groups or infill states that only a single house can be built for a specific purpose.

Q. Rev. Andy 'Part of the application shows this is to provide security, would DS have to apply to put in electric gates?'

Martin – It should need permission but will check. Re-iterated need, location & materials

Q. Keith Griggs 'Can we limit the use to estate worker only?'

Martin – Yes, the council would put on a S75 notice but this could be overturned

Q. Alison Younger 'There is already an existing cottage (Sawmill Cottage) so is a security gatehouse forming part of the need?'

Martin – An economic statement should address this. Sawmill Cottage was stated for guest accommodation. Need must be demonstrated.

Q. Kirsty Cuthbert 'Is it a requirement for the applications to be separate?'

Martin – Yes, as they are all different locations and types but Planning Dept should consider the economic case.

Q. Kate Bovill 'Can local people be employed not bring people in who require housing?'

JS read out DS Q&A explaining intention to recruit some new workers and bring in an existing employee.

Martin – re-iterated is there a need.

Q. Eleanor Legg 'Security Gatehouse seems vague. Will a gate be added? Does the proposal say there is a gate-way?'

Martin – no, not specified in description or supporting statement

'Should the house be closer to Leckie House? Can a gate be added without further permission?'

Martin – No.

Q. Kirsty Cuthbert 'Is it a material point that the drive is shared?'

Martin – Yes, reasonable point but not material point as security is a little irrelevant

Q. David King 'Is security required because of plans for clay pigeon shooting?'

Martin – We can only determine what is in front of us.

17/00200 Estate Office

Martin summarised

JC read Q&A where DS explained that new plans have been submitted for a less intrusive build and also about how many employees will be based there. **CR to check if these plans have been submitted to the planning dept**

Q. Colin Tinto 'A portacabin would be a big enough office space to house the workers mentioned' (in the Q&A)

Martin – Maximum number of people in that space is 40-50. Use classes would say the entire building can be offices. It could be leased or DS could bring in other interests.

Revised plan is of a similar size to original. Design does not fit in with the character of the area; urban design in a rural area.

'Should a traffic assessment be done?'

Martin – Yes, the road is narrow so passing places may have to be put in, the junction widened into a possibly urban styled junction.

Q. Eleanor Legg 'Has the assessment been done yet?'

Martin – DS needs to submit an economic case first. You should ask for it. Is the location ok? Possibly for a smaller and less obtrusive building.

Q. Colin Tinto 'Would shooting parties sit around a boardroom?'

Alison Younger – Most shoots have a muster then a lunch/afternoon meal, better designs could be considered

Martin – Planning considerations are; Placemaking Policy (Primary Policy 1) and Protecting Landscapes (9.1). Is it a suitable design?

Q. Alison Younger 'I would like more information on the traffic impact on cyclists and pedestrians as it's a popular route'

Q. Gay Burt 'Could this be an HQ for Allanwater Homes?'

Martin – Planning can only determine what is in the application. Need, location, design & scale

17/00235 Agriculture Shed (Prior notification)

Martin explained that this is not a standard planning application. As the intention is for agriculture and the building is below a certain size, the notification is submitted to the planning dept and if no response is received within 28 days it is deemed as consented. However this application letter shows that the shed is intended for pig breeding, which cannot be done within the proximity of East Lodge and The Bield Farm. Therefore the application should be a standard planning application and not a prior notification.

Q. David King 'Will he put in a woodchip boiler'

Martin – Application only states storage of chips not a boiler

Q. Veronica Belers 'Has Martin informed the council that this is the wrong type of application?'

Martin – Yes, and so should others if they believe it is incorrect. If ignored you can instigate legal proceedings. **CR to send letter to Planning Dept challenging the application type**

Q. David King 'He can't breed pigs in there'

Martin – Yes, the application should go through the normal planning process due to the proximity of houses.

Q. Kirsty Cuthbert 'Do we object as individuals or all together?'

Martin – You need to object individually

Q. Eleanor Legg 'When is the 28 days up?'

CR – The prior notification was started last week (approx 7th)

Colin Tinto 'DS has changed the shed position but he hasn't met me to discuss plans, he said he would'

17/00203

MC read out DS letter ref the chalets and his intentions to support his plans for rejuvenating the estate but needing it to pay for itself.

Martin summarised the plans including the Chalet specific policy which is not being followed by this application.

JS read out Q&A from DS about what has been happening in the woodland, his work with the forestry commission, the fact that the Bield-Watson House road is not a public road, his plans to build chalets one at a time to see if they are viable.

Q. Kirsty Cuthbert 'On the plans, are these 2 parallel roads?'

Martin – No, one is a wall and one is the road.

Q. Eric Dempster 'Is there a need for new septic tanks?'

JC read from the Q&A which states that this has not yet been decided.

Martin summarised that there isn't yet a solution but this would likely require a treatment plant. A 1999 application for residential homes was declined and the reasons for this are probably valid for the new application:

1. Insensitive and intrusive
2. Detract from Local Landscape
3. Impact on Watson House
4. Affect on Natural Heritage

MC 'Is anyone here from Watson House?'

Crawford Gordon 'Drive is owned by Waston House'

Pete Gibbs 'Drive is ours with shared hedges and verges. DS would have to pay maintenance'

Crawford Gordon 'Is that legal or planning?'

Martin – Both, planning can note it but legal agreement would have to be made.

Colin Tinto 'DS said access would be from Watson House'

Alison Younger 'Access rights date back hundreds of years, do they have access and where and how can it be located?'

JC read Q&A ref construction traffic, DS stated that smaller vehicles would be used to bring equipment to site.

Q. David King 'Is 24 weeks a viable term for shooting on that estate?'

Alison Younger 'Different estates are different for shooting. Once a fortnight or depending on what is in stock to shoot.'

Martin – This is a valid consideration as we haven't seen an economic case.

Keith Griggs 'Does the presence of red squirrels affect the application?'

Martin – Yes, they are protected under the 1981 Countryside Act. It is a criminal offence to kill them or remove their habitat. No ecological survey has been provided so we don't know if they are present.

Q. Eleanor Legg 'Is there scope within agreement on S75 to stop chalets from being sold?'

Martin – No, and building one at a time is not relevant as he can build as many as he likes within the 4 and the S75 can be overturned. It is very easy to remove the S75 conditions.

'Can we ask how long it will take for the chalets to pay for themselves?'

Martin – Yes, this should be in the economic case

Q. Niall Tracey 'Could DS build 2, remove the S75 then build another 2?'

Martin – There is nothing to stop this from happening, it would be ok but would possibly require an amendment.

Q. Aston Goundry 'Does impact on other local businesses show on these applications?'

Martin – Yes, if positive or negative is a valid argument but would have to include a basic economic case. Not all has to be negative so if you want to support either as it is or in a different location, sizes etc you can do.

Martin then summarised how to submit comments. Deadline is confirmed as 24/04/17 but we should respond ASAP.

Graham Lambie (GL) is on the planning panel and summarised his email to the CC. 'The CC can request the planning applications to be referred to the planning panel. This means applications need to be discussed by the panel and may require site visits. The CC need to decide to put on a marker and ask for 3-5 year financial plan and ask DS to address the community. Ask new panel to site visit and option to appeal.'

Q. Andrew MacPhee 'Can we insist on the economic case?'

GL – Council can appoint an officer to do it but we can ask for it.