

## **ABERDEENSHIRE COUNCIL**

### **KINCARDINE AND MEARN'S AREA COMMITTEE**

**COUNCIL CHAMBERS, VIEWMOUNT, ARDUTHIE ROAD,  
STONEHAVEN, 16 JANUARY 2018**

- Present:** W Agnew (Chair), I Mollison (Vice-Chair), G Carr, S Dickinson, A Evison, Provost W Howatson, J Hutchison, C Pike, D Robertson, S Wallace, L Wilson.
- Apology:** Councillor Bews.
- Officers:** William Munro (Area Manager, Kincardine and Mearns), Karen McWilliam (Area Committee Officer, Kincardine and Mearns), Ruth O'Hare (Principal Solicitor, Legal and Governance), Iain Ramsay (Project Manager, Aberdeenshire Health & Social Care Partnership), Edith Criggie (Location Manager - Laurencekirk, Portlethen & Inverbervie Aberdeenshire Health & Social Care Partnership), Lesley Robertson (Community Planning Officer), Marion Chalmers (Community Planning Officer), Gemma Dacre (Learning Estates Officer), Pamela McLeod (Learning Estates Officer), Ewan Smith (Principal Roads Engineer), Michael Neave (Engineer, Transportation), Gregor Spence (Senior Planning Officer), Richard Baillie (Engineer, Transportation).
- In Attendance:** George Parkinson and Victoria McCann from Solstice Nursery, and Alan Reid and Lynn McHarg from Inverbervie Burgh Hall for Item (4) Area Committee Budget.

### **PROVOST ANNOUNCEMENT**

The Provost paid tribute to George Swapp OBE who had been a Councillor representing, Stonehaven and North Mearns for 21 years. Mr Swapp was described as a dedicated public servant who cared for the constituents he served, always accessible and easy to talk to. Mr Swapp was not only dedicated to the people and history of Stonehaven but was also seen as a role model for other Councillors.

### **1. SEDERUNT AND DECLARATION OF MEMBERS' INTERESTS**

The Chair asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct. Councillor Pike and Provost Howatson declared interests and these are detail under the item to which they referred.

## 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.
- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

## 2B. 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**  
15

**Paragraph No of Schedule 7A**  
8 & 9

## 3. MINUTE OF MEETING OF KINCARDINE AND MEARN'S AREA COMMITTEE OF 28 NOVEMBER 2018

The Committee had before them and **approved** as a correct record, subject to the following changes, the Minute of Meeting of the Committee of 28 November 2017:

**Item 5**, Area Committee Budget 2017/2018, item 6 (Hillside Parents' Group, subject to discussion with the Head Teacher of Hillside Primary) the amount should be £1,000.00.

**Item 13 (C)** Councillor Hutchison proposed the motion.

**Item 13 (C)** The revised wording for the 4<sup>th</sup> paragraph:  
Members were advised that Mr Penman's understanding was that contact had been made regarding purchasing the property and that Mr Briggs would be compensated.

## 4. KINCARDINE AND MEARN'S AREA COMMITTEE BUDGET 2017/2018.

A report by the Director of Infrastructure Services was circulated advising Members of the most recent applications for consideration for funding from the Area Committee Budget 2017/2018.

Provost Howatson declared an interest with regard to the item on Inverbervie Burgh Hall. As a trustee of the Burgh Hall Committee he would take no part in discussion or determination of the item. Provost Howatson left the chamber during discussion of this item.

Councillor Pike declared an interest with regard to the item on Solstice Nurseries. As a member of the organisation he would take no part in discussion or determination of the item. Councillor Pike left the chamber during discussion of this item.

The Area Manager introduced the report advising that there were eight applications to be considered and that should they be approved that would be the fund disbursed for the 2017/2018 period. Members were encouraged to think about the current criteria and some of the items being requested as they could be replicated across many of the communities in Kincardine and Mearns.

The first application to be considered was from the Inverbervie Burgh Hall for £6,696.00 for the purchase of tables, chairs and a storage trolley. The total cost of the project was £13,393.80 with the remaining funding being assembled from a grant from the Participatory Budgeting event run by the Council in the summer, and also from funds raised by the group. The Inverbervie Burgh Hall Committee recognised the need to keep resources fit for purpose for this well used community facility.

An application had been received from the Newtonhill Community Hall Association for £2,000 to fund a new server and power supply for the Bettridge Centre. The total cost of the project was £4,100 with the remainder of the funding being provided by Centre funds. The Bettridge Centre was a very busy community facility, providing sports, arts, and community facilities to local groups and individuals of all ages. Similar to most businesses it depended on IT systems to run and promote the Centre, communicate with potential customers, take bookings and organise payments. Because the Centre used a server, rather than an individual computer, it could be accessed remotely, so that the Centre's management team could answer queries and take bookings at any time. This was important with a volunteer organisation and the use of digital technology was to be encouraged.

An application had been received from Newtonhill Out of School Club for £725.94 to purchase chairs and a trolley for club use. This group also operated from the Bettridge Centre. The current chairs were in a poor condition and needed to be replaced. Other users of the facility would also benefit from new chairs. The total cost was £1,200 with the remainder being met through fund-raising efforts of the Club.

An application had been received from a Social Enterprise, not for profit organisation, called Solstice Nurseries. This organisation, located just a short distance from Aberdeen, on the South Deeside Road, provided placements for training, qualifications, and work experience for people with, or recovering from, mental illness, who lived in Aberdeen City or Aberdeenshire. This enterprise was run as a business but all profits were put back into the business. The project consisted of a wholesale plant nursery and garden, and maintenance services, whereby people could stay and work in the nursery or, following training, go out and

work with the maintenance team. The success of the business had necessitated the need for a second building. The total cost of site preparation and services to the site was £15,000 with £7,000 being sought from the Area Committee Budget. The overall cost of the project, including the shed, was estimated at £80,000 and funding was being sought from the Gordon and Ena Baxter Foundation, the result of this would be known in March 2018. Generally there were 6 or 7 clients from Aberdeenshire and 18 from Aberdeen City. Currently the split for places was 25% for Aberdeenshire and 75% for Aberdeen City.

Members were advised about a request from Aberdeen Aeromodellers Flying Club who had requested £1,575 for a project costing £3,150 to repair the ground used by the club. The cost of full drainage was seen as prohibitive and by spiking and aerating the ground the club would be able to improve the facility. The Saturation Investigation team of the AWPR had supported the Club by assessing the ground and agreed that the aforementioned works would make a significant difference. Members of the Club were aged from 6 to 84 years and resided in Aberdeen City and Aberdeenshire. There were 61 members, of which 35 were Aberdeenshire residents, 24 Aberdeen City residents, and 2 from Angus.

An application had been received from Bervie Youth Project for £200 towards the purchase of bike lights for members of the Bervie Youth Project. Members were advised that whilst this application would sit more comfortably with a community safety initiative there was no active Community Safety Group in Kincardine and Mearns and therefore there was no dedicated local funding. No matched funding commitment was being made by the group.

An application had been received from the Skateraw Fair Committee who were requesting £494.00 for a project costing £988.00. This was to purchase a commercial barbeque, table and chairs for the Skateraw Fair, the equipment would also be used by the Newtonhill Village Association at other village events. The group had other funding in place.

Finally an application had been received from the Gourdon Lower Park Improvement Group for £1,156.00 towards the purchase, and installation of a wooden train for the Lower Park. The purchase of the wooden train was the first step in the group's plans to develop this area of the village. The community, including the School, had been involved in the development of the Lower Park project.

The Committee then heard from Alan Reid and Lynn McHarg in support of the application for the Inverbervie Burgh Hall and George Parkinson and Victoria McCann in support of the Solstice Nursery application.

Councillor Mollison, seconded by Councillor Carr, moved to disburse a contribution of £7,000 to the Solstice Nursery.

As an amendment, Councillor Robertson, seconded by Councillor Dickinson, moved to disburse a contribution of £5,000 to the Solstice Nursery.

The Committee voted:

- For the motion (4) Councillors Carr, Hutchison, Mollison and Wallace.
- For the amendment (6) Councillors Agnew, Dickinson, Evison, Provost Howatson, Councillors Robertson and Wilson.

The amendment was carried and the Committee **agreed** to disburse the following amounts from the Area Committee Budget 2017/2018;

1.	Inverbervie Burgh Hall Committee -	£6,696.00
2.	Newtonhill Community Hall Association -	£2,000.00
3.	Newtonhill Out of School Club -	£725.94
4.	Solstice Nurseries -	£5,000.00
5.	Aberdeen Aeromodellers Flying Club -	£1,575.00
6.	Bervie Youth Project -	£200.00
7.	Skateraw Fair Committee -	£494.00
8.	Gourdon Lower Park Improvement Group -	£1,156.00

#### **5. ABERDEENSHIRE HSCP PERFORMANCE & OUTCOMES FRAMEWORK QUARTER 2 REPORTING – JULY TO SEPTEMBER 2017.**

A report by the Partnership Manager, Aberdeenshire Health & Social Care Partnership was circulated advising Members of performance related data for the period July to September 2017.

The Partnership Manager was in attendance to present the report and answer any queries.

The Committee discussed the paper and **agreed** to;

1. Note the content of the Integration Joint Board Performance Q2 Report, and
2. Provide the following feedback and/or recommend actions to the Integration Joint Board for their consideration:
  - a. L17 - An update on workforce issues, and
  - b. NI1 – What factors were considered in assembling the data for adults looking after their own health?

## **6. EDUCATION AND CHILDREN'S SERVICES QUARTERLY PERFORMANCE EXCEPTION REPORTING (JULY TO SEPTEMBER) 2017 ABERDEENSHIRE PERFORMS.**

A report by the Director of Education & Children's Services was circulated advising Members of performance related data for the period July to September 2017.

The Area Manager introduced the report and advised that there were no measures performing below target for this quarter. As this was a transition year for Council priorities the Service was taking the opportunity to revisit service planning processes. Members were advised that there were four areas where status had improved, as reported, which included satisfaction with libraries and leisure facilities.

The Committee **agreed** to:

1. Acknowledge the performance achieved July – September 2017, referred to in the report, and
2. Instruct the Director of Education and Children's Services to continue to report, by exception, to Committee quarterly performance measures against Service objectives.

## **7. INFRASTRUCTURE SERVICES QUARTERLY PERFORMANCE REPORTING (JULY TO SEPTEMBER) 2017 ABERDEENSHIRE PERFORMS.**

A report by the Director of Infrastructure Services was circulated advising Members of performance related data for the period July to September 2017.

The Area Manager introduced the report and advised that there were four measures performing below target. These were in relation to trading standards, planning application assessments and building warrants. All underperforming measures had commentary against them in the report.

The Committee **agreed** to:

1. Acknowledge the performance achieved July - September 2017, referred to in the report,
2. Advise the Director to continue to report, by exception, to Committee quarterly on performance measures against service objectives and six monthly on progress in delivering all aspects of the service plan, and
3. Request the following information:
  - a. 1.4 KM - *The number of Trading Standards customer complaints received and the percentage dealt with within 14 days.* Further information regarding any improvements the Service were planning to improve performance.
  - b. 4.1 KM - *Street lighting Faults - Percentage completed within 7 days.* Further feedback on performance in Kincardine and Mearns, Ward 17, as

there were still issues around timely repairs and tracking completed repairs.

## **8. HOUSING QUARTERLY PERFORMANCE EXCEPTION REPORTING (JULY TO SEPTEMBER) 2017 ABERDEENSHIRE PERFORMS.**

A report by the Director of Infrastructure Services was circulated advising Members of performance related data for the period July to September 2017.

The Area Manager introduced the report and advised that there were two measures performing below target, these were in relation to the average re-let time, both in Aberdeenshire and in Kincardine and Mearns. Members recently had a report on Voids and had requested to receive further reports, when available, to enable Members to track progress.

Members noted that the low demand property figures had no positive or negative impact on the Kincardine and Mearns figures.

The Committee **agreed** to:

1. Acknowledge the positive performance achieved July to September 2017, referred to in the report, and
2. Advise the Director to continue to report, by exception, to Committee quarterly on performance measures against service objectives and six monthly on progress in delivering all aspects of the Service Plan, and

## **9. LOCAL REVIEW BODY DECISION NOTICE (388) 52 NEWTONHILL ROAD, NEWTONHILL, (APP/2017/0419).**

The Committee had before them, and **noted**, an Aberdeenshire Council Local Review Body Decision Notice, dated 15 November 2017, informing them of their decision. The Local Review Body (LRB) agreed with the determination reviewed by it and refuses full planning permission in accordance with the Appointed Officer's decision.

## **10. KINCARDINE & MEARN'S COMMUNITY PLAN 2016-2019 – SUMMARY MONITORING REPORT.**

A report by the Director of Infrastructure Services was circulated advising Members of progress and action taken on the Kincardine and Mearns Community Plan (2016-2019).

The Area Manager introduced the report advising that there had been slippage in presenting the six monthly reports due to the additional work on participatory budgeting but advised that six monthly reporting would now resume, and suggested quarterly reporting in line with other performance reporting, to provide better

opportunity for Members engagement. Members were advised of Aberdeenshire Community Planning priorities, Local Outcome Improvement Plans and also the three priorities in Kincardine and Mearns; Strengthening Communities; Connecting People; and Wellbeing.

Members suggested that there should be more links between the Local Community Planning Group and the Community Planning Board, actions should be more outcome focused and improvements made with regard to wider communication as evidence showed that Facebook coverage was poor. The Community Planning Officer advised improvements were underway with regard to communication and the Community Planning Blog would be used more frequently.

The Committee **agreed** to note the progress of actions within the Kincardine and Mearns Community Plan 2016 – 2019, and request to receive further quarterly performance reports.

## **11. SCHOOL ROLLS FORECASTS.**

A report by the Director of Education & Children's Services was circulated advising Members of the School roll forecasts for the coming year.

The Learning Estates Officer was in attendance to present the report and to answer queries.

After discussion the Committee **agreed** to request the following be considered by the Service;

1. An update report on the future of Catterline and Kinneff Primary Schools,
2. An update report on the capacity issues of Hillside Primary,
3. Ensure all future reports detailed school capacities within the body of the report, and also teacher vacancies. Excel spreadsheets should have the headings printed on each page for ease of reference.

## **12. DISABLED PERSONS PARKING PLACES.**

A report by the Director of Infrastructure Services was circulated advising Members of the request to enable the process for making disabled persons parking places.

The Principal Roads Engineer was in attendance to present the report and to answer any queries.

The Committee **agreed** to:

1. Authorise the commencement of the statutory procedure for the making of The Aberdeenshire Council (Disabled Street Parking – Kincardine & Mearns Area) Order 2017,

2. Authorise the subsequent making of The Aberdeenshire Council (Disabled Street Parking – Kincardine & Mearns Area) Order 2017, in the event that no valid objections were received or any received were resolved and withdrawn, and
3. Instruct the submission of a further report to Committee in the event that any valid objections received were not resolved and not withdrawn, or the proposals were amended following consideration of valid objections.

### **13. PROPOSED 20 MPH ZONE – JAMES GREGORY ROAD, DRUMOAK.**

A report by the Director of Infrastructure Services was circulated advising Members of the request to enable the process for the making of the 20mph Zone - James Gregory Road, Drumoak.

The Roads Engineer was in attendance to present the report and to answer any queries.

The Committee **agreed** to:

1. Authorise the commencement of the statutory procedure for making of the 20mph Zone – James Gregory Road, Drumoak Traffic Order,
2. Authorise the subsequent making of the 20mph Zone – James Gregory Road, Drumoak Traffic Order in the event that no valid objections were received or any received were resolved and withdrawn,
3. Instruct the submission of a further report to Committee in the event that any valid objections received were not resolved and not withdrawn, or the proposals were amended following consideration of valid objections, and
4. Request information on the number of schools in Kincardine and Mearns that were not yet compliant with the good practise of 20mph zones around schools.

#### 14. APPLICATIONS FOR DETERMINATION.

The following planning applications were considered along with any objections and representations received in each case and were dealt with as recorded in the **Appendix A** to this Minute.

<b>Reference Number</b>	<b>Address</b>
(A) APP/2016/3282	Approval of Matters Specified in Conditions for Conditions 3 (Full details of the Siting, Design and External Appearance of all aspects of the development), 6 (Vehicle Accesses and Internal Road Network), 8 (Internal Footpaths and Cycle Ways), 9 (Transport Assessment), 10 (Safer Routes to School), 11 (Travel Plans), 12 (Location and Design of Bus turning and pick-up/drop-off Facility), 13 (Car Parking), 14 (Tree Protection), 15 (Bat Mitigation Report), 16 (Bat Impact Assessment), 17 (Woodland management plan), 18 (Street engineering review and Stage 2 Quality Audit), 24 (SUDS and Drainage Impact Assessment), 25 (Flooding), 26 (Surface Water Disposal), 27 (Zone 8 Flood Risk Assessment), 28 (Retail Impact Assessment), 29 (Buffer Strip), 30 (Road Crossings over Watercourses), 31 (Waste Management Facilities), 34 (Private Water Supply), 35 (Programme of Archaeological Works), 36 (Contaminated Sites), 37 (Remedial Scheme) of Previously Approved Planning Permission in Principle APP/2011/2355 for Mixed Use Development Including Restoration and Refurbishment of Existing Historic Buildings, Erection of 115 Dwellinghouses (Enabling Development), Visitors Centre, Cafe and Farm Shop and Roads Associated Infrastructure at Zones 3, 4, 5, 6 And 8, Fasque House, Fettercairn.
(B) APP/2016/3284	Full Planning Permission for Formation of Equestrian Centre Comprising Arena/Toilets/Changing Area/Office, Parking Area, 3 Stable Blocks, Tack Store/Changing Area, 3 School Pens, Menage, 2 Holding Pens, Horse Box Storage Area, Formation of Vehicular Access, Drainage Infrastructure and Landscaping at Fasque House, Fettercairn.
(C) APP/2017/2363	Full Planning Permission for Erection of Hotel Rooms within Walled Garden and Erection of Pavillion and Associated Infrastructure at Ury House, Walled Garden, Ury, Stonehaven.
(D) APP/2017/1592	Full Planning Permission for Erection of Workshop and 4No. 8m High Flood Lights, Formation of Yard, and Landscaped Bunds and Alterations to Access at Land Adjacent To West Monduff, Newtonhill.

## **15. SALE OF LAND AT BLACKHILLS, CAIRNROBIN.**

A report by the Director of Business Services was circulated advising Members of the proposed sale of land at Blackhills, Cairnrobin.

The Committee **agreed** to:

1. Approve the sale of approximately 6.955 hectares (17.18 acres) of land at Blackhills Cairnrobin to JW Muir Group PLC (Muir), and
2. Delegate authority to the Head of Legal & Governance following consultation with the Head of Property and Facilities Management to agree the detailed terms and conditions of the sale.

### **KINCARDINE AND MEARN'S AREA COMMITTEE, (DATE) APPENDIX A**

#### **PLANNING APPLICATIONS FOR DETERMINATION**

(A) **Reference No: APP/2016/3282**

**Approval of Matters Specified in Conditions for Conditions 3 (Full details of the Siting, Design and External Appearance of all aspects of the development), 6 (Vehicle Accesses and Internal Road Network), 8 (Internal Footpaths and Cycle Ways), 9 (Transport Assessment), 10 (Safer Routes to School), 11 (Travel Plans), 12 (Location and Design of Bus turning and pick-up/drop-off Facility), 13 (Car Parking), 14 (Tree Protection), 15 (Bat Mitigation Report), 16 (Bat Impact Assessment), 17 (Woodland management plan), 18 (Street engineering review and Stage 2 Quality Audit), 24 (SUDS and Drainage Impact Assessment), 25 (Flooding), 26 (Surface Water Disposal), 27 (Zone 8 Flood Risk Assessment), 28 (Retail Impact Assessment), 29 (Buffer Strip), 30 (Road Crossings over Watercourses), 31 (Waste Management Facilities), 34 (Private Water Supply), 35 (Programme of Archaeological Works), 36 (Contaminated Sites), 37 (Remedial Scheme) of Previously Approved Planning Permission in Principle APP/2011/2355 for Mixed Use Development Including Restoration and Refurbishment of Existing Historic Buildings, Erection of 115 Dwellinghouses (Enabling Development), Visitors Centre, Cafe and Farm Shop and Roads Associated Infrastructure at Zones 3, 4, 5, 6 And 8, Fasque House, Fettercairn, Aberdeenshire, AB30 1DN.**

**Applicant: Fasque House Properties Limited, Fasque House, Fasque House Estate, Fettercairn, Laurencekirk, AB30 1DN.**

**Agent: Optimised Environments Ltd, Quartermile Two, 2 Lister Square, Edinburgh, EH3 9GL.**

A report by the Director of Infrastructure Services was circulated advising Members that the Committee was able to consider and take a decision on this item in terms of

Section B.9.1 of Part 2A List of Committee Powers and Section C.3.1f and C.3.1g of Part 2C Planning Delegations of the Scheme of Governance, as there had been valid objections from six or more individuals or bodies with separate postal addresses or premises and there was an unresolved objection from Mearns Community Council.

The Committee **agreed** to defer consideration of the application to allow a site visit to take place. As there were a number of new Members who were not familiar with the site it was deemed in the best interest to hold a site visit.

**(B) Reference No: APP/2016/3284**

**Full Planning Permission For Formation of Equestrian Centre Comprising Arena/Toilets/Changing Area/Office, Parking Area, 3 Stable Blocks, Tack Store/Changing Area, 3 School Pens, Ménage, 2 Holding Pens, Horse Box Storage Area, Formation of Vehicular Access, Drainage Infrastructure and Landscaping at Fasque House, Fettercairn, Aberdeenshire, AB30 1DN.**

**Applicant: Fasque House Properties Limited, Fasque House, Fasque House Estate, Fettercairn, Laurencekirk, AB30 1DN.**

**Agent: Optimised Environments Ltd, Quartermile Two, 2 Lister Square, Edinburgh, EH3 9GL.**

A report by the Director of Infrastructure Services was circulated advising Members that the Committee was able to consider and take a decision on this item in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.3.1f and C.3.1g of Part 2C Planning Delegations of the Scheme of Governance, as there had been valid objections from six or more individuals or bodies with separate postal addresses or premises and there was an unresolved objection from Mearns Community Council.

The Committee **agreed** to defer consideration of the application to allow a site visit to take place. As there were a number of new Members who were not familiar with the site it was deemed in the best interest to hold a site visit.

**(C) Reference No: APP/2017/2363**

**Full Planning Permission For Erection of Hotel Rooms within Walled Garden and Erection of Pavillion and Associated Infrastructure at Ury House, Walled Garden, Ury, Stonehaven.**

**Applicant: Ury Developments Limited, 9 Great Stuart Street, Edinburgh.**

**Agent: The FM Group, 9 Great Stuart Street, Edinburgh.**

A report by the Director of Infrastructure Services was circulated advising Members that the Committee was able to consider and take a decision on this item in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.3.1f of Part 2C

Planning Delegations of the Scheme of Governance as there had been valid objections from six or more individuals or bodies with separate postal addresses or premises, and Section B.9.1 of Part 2A List of Committee Powers and Section C.3.1g of Part 2C Planning Delegations of the Scheme of Governance as there was an unresolved objection from a consultee.

The Committee **agreed** to defer consideration of the application to allow a site visit to take place. As there were a number of new Members who were not familiar with the site it was deemed in the best interest to hold a site visit.

(D) **Reference No: APP/2017/1592**

**Full Planning Permission for Erection of Workshop and 4No. 8m High Flood Lights, Formation of Yard, and Landscaped Bunds and Alterations to Access at Land Adjacent To West Monduff, Newtonhill, Aberdeenshire, AB39 3PQ.**

**Applicant: A & D Developments (Scotland) Ltd, Crombie House, 72-90 Crombie Road, Aberdeen.**

**Agent: Dougal Morgan, WCP Architects, 6 Albyn Lane, Aberdeen.**

A report by the Director of Infrastructure Services was circulated advising Members that The Committee was able to consider and take a decision on this item in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.3.1g of Part 2C Planning Delegations of the Scheme of Governance as there was an unresolved objection from a consultee.

The Senior Planning Officer advised that this application had been deferred at the last meeting of the Kincardine and Mearns Area Committee on 28<sup>th</sup> November 2017, for a site visit. The site visit was carried out on 9<sup>th</sup> January 2018. Members were advised that it was the opinion of the Planning Service that the proposed development would not have a significant adverse impact on the character or amenity of the surrounding area. On balance, it was considered that the proposal met the requirements of the relevant policies contained within the Aberdeenshire Local Development Plan 2017 and was therefore acceptable.

Members sought to clarify if it were possible to condition landscaping to include a mixture of species, including evergreen plants and also to conduct a lighting strategy to ensure neighbouring properties and neighbouring roads were not adversely affected.

Members were advised that these issues could be conditioned, albeit there was existing legislation to safeguard against adverse influences.

Members also sought to clarify if it were possible to impose turning restrictions for both larger vehicles and indeed all vehicles at this junction. It was agreed that it would be inappropriate to impose a blanket restriction on all traffic and that it would be unenforceable to impose a restriction on the turning of certain larger vehicles.

Councillor Wallace, seconded by Councillor Wilson, moved with officer recommendation and to delegate the authority to grant Full Planning Permission for the erection of a workshop and 4No. 8m high flood lights, formation of yard, and landscaped bunds and alterations to access at land adjacent to West Monduff, Newtonhill, to the Head of Planning and Building Standards subject to, appropriate planning conditions, including robust conditions relating to landscaping and lighting.

As an amendment, Councillor Mollison, seconded by Councillor Robertson, moved to refuse to grant Full Planning Permission for the erection of a workshop and 4No. 8m high flood lights, formation of yard, and landscaped bunds and alterations to access at land adjacent to West Monduff, Newtonhill. The reasons given were that the application did not comply with P1 (Layout, Sitting and Design) and RD1 (Providing Sustainable Services) as there were issues relating to roads/junction layout which did not adequately accommodate all large vehicles safely manoeuvring at this site.

The Committee voted:

For the motion (3) Councillors Carr, Wallace and Wilson.

For the amendment (8) Councillors Agnew, Dickinson, Evison, Hutchison, Provost Howatson, Councillors Mollison, Pike, and Robertson.

The amendment was carried and the Committee **agreed** to refuse to grant Full Planning Permission for the erection of a workshop and 4No. 8m high flood lights, formation of yard, and landscaped bunds and alterations to access at land adjacent to West Monduff, Newtonhill. The reasons given were that the application did not comply with P1 (Layout, Sitting and Design) and RD1 (Providing Sustainable Services) as there were issues relating to roads/junction layout which did not adequately accommodate all large vehicles safely manoeuvring at this site.