

ABERDEENSHIRE COUNCIL

KINCARDINE AND MEARN'S AREA COMMITTEE COMMITTEE ROOM 1, WESTBURN ROAD, ABERDEEN, 11 FEBRUARY 2020

- Present:** Councillors Ian Mollison (Vice-Chair), George Carr, Sarah Dickinson, Alison Evison, Provost William Howatson, Jeff Hutchison, Colin Pike, Dennis Robertson, Sandy Wallace, Leigh Wilson.
- Apology:** Councillors Wendy Agnew and Alastair Bews.
- Officers:** Bruce Stewart (Area Manager, Kincardine and Mearns), Emma Storey (Area Committee Officer, Kincardine and Mearns), Peter Robertson (Senior Solicitor, Corporate Services), David Armitage (Policy Manager, Transportation), Gareth Campbell (Head Teacher, Mearns Academy), Louise Moir (Head Teacher, Mackie Academy), Neil Morrison (Head Teacher, Portlethen Academy), Annette Johnston (Tackling Poverty and Inequalities Co-ordinator), Gregor Spence (Senior Planning Officer) and Neil Mair (Senior Planning Officer).

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct and the following declarations were intimated –

Councillor Evison – Item 6 – Being the Kincardine and Mearns representative for Kincardine and Mearns Citizens Advice Bureau and having applied the objective test concluded that she had no interest to declare.

2. 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 its decision.

3. MINUTE OF MEETING OF KINCARDINE AND MEARN'S AREA COMMITTEE OF 21 JANUARY 2020

The Committee had before them and **approved** as a correct record the Minute of Meeting of the Committee of 21 January 2020 subject to the following amendments, the removal of "board" from Councillor Pike's Declaration of Interest, and inserting the additional wording "Arduthie Primary School" to item 10, "Suggest consideration be given to managing placing requests at Arduthie Primary School".

4. ROADS POLICY REVIEW UPDATE

A report by the Director of Infrastructure Services was circulated advising Members of the initial proposals for three new policies, Speed Limit, Pedestrian Crossings and Street Trading and Occupation of the Road. Members were asked to consider the draft proposals and provide comments to be considered by Infrastructure Services Committee on 18 June 2020.

The Policy Manager was in attendance to outline the draft proposals and answer any queries. Members were advised that the Speed Limits proposal considered an option to move towards making 20 mph the normal speed limits on minor roads, however this could not be in conjunction with traffic calming measures as this would not be a viable option. With regards to zebra crossings the criteria had been relaxed, permitting their use in certain areas with lower traffic and pedestrian volumes than previously.

Members fully discussed the proposals and **agreed** to provide the following comments for each proposal;

Speed Limits;

- a) To suggest that consistency is key throughout the six areas,
- b) That consideration be given to all cost implications,
- c) Members considered safety as a key priority,
- d) Members agreed with the principle of a 20mph speed restriction, and
- e) To suggest clear use of signage as appropriate to avoid sign clutter.

Pedestrian Crossing

- a) Members are supportive of the policy in principle,
- b) Members acknowledged the difficulty in recruiting to fill the role of school crossing patrollers,
- c) To suggest a pilot scheme pedestrian crossing be considered for Marykirk,
- d) Consideration be given to the use of double press facility on Pedex, to allow more time to cross, and
- e) To suggest we should offer more support to school crossing patrollers.

Street Trading and Occupation of the Road

- a) Members are supportive of the policy in principle, and
- b) Suggested further clarification with regards to mobile trading, proximity restriction should apply to both controlled and uncontrolled pedestrian crossings.

5. ANALYSIS OF ATTAINMENT AND ACHIEVEMENT OF YOUNG PEOPLE IN KINCARDINE AND MEARN'S SECONDARY SCHOOLS IN ACCREDITED AWARDS, YEAR ENDING JUNE 2019

A report by the Director of Education and Children's Services was circulated advising Members of attainment figures in Kincardine and Mearns secondary schools. The Head Teachers of Portlethen, Mearns and Mackie introduced the report drawing attention to attainment achieved by pupils in 2019 for each of the schools.

Members were advised that there was a clear focus on high quality teaching and learning, an appreciation of all vocational work and apprenticeships, and continuous working with colleagues in primary education provision to ensure a greater understanding of each young person moving into secondary school. Collaborative working across the three academies was also having a positive impact.

Members were advised of the wide range of programmes available to pupils internally and externally, Rural Skills, Health Sector Skills, Hospitality Skills, Foundation Apprenticeships, extended work experience and courses within Dundee and Angus College.

After discussion, members **agreed** the report, commending the staff, pupils and the wider community on the results achieved in 2019.

6. TACKLING POVERTY & INEQUALITIES – PROGRESS REPORT

A report by the Director of Business Services was circulated advising Members of the progress made covering the work of Poverty and Inequalities and seeking comments for Communities Committee.

The Tackling Poverty and Inequalities Officer was in attendance to outline the report and answer any queries. Members highlighted that whilst we are supporting those living in poverty more work could be carried out in relation to prevention of poverty, supporting those before they fall into poverty. It was also suggested the need for more emphasis on mental health was required.

The Committee **agreed** to acknowledge and support the progress made in tackling this Agenda and provided the following comments to the Communities Committee;

- a) Welcomed the report and work being carried out,
- b) Suggested it would be helpful to have more updates on the action plan instead of pending updates,
- c) Suggested definition of poverty should feature at the beginning of the report,
- d) Suggested the table containing national figures could reflect more localised breakdown of figures,
- e) Suggested the use of the term relative poverty rather than poverty,
- f) Suggested further work and support in prevention of relative poverty, and
- g) Acknowledged the benefit of attending workshops with those that have lived experienced.

7. SCOTTISH GOVERNMENT APPEAL DECISION, PPA-110-2375, PLANNING REF APP/2017/0875

The Committee had before them, and **noted**, a Scottish Government Planning and Environmental Appeals Decision, dated 11 December 2019, informing them of the decision of the Scottish Government Reporter to allow the appeal and grant planning permission in Principle for Erection of 5 dwellinghouses and 4 flats (affordable) at Land at Garrol Place, Fettercairn, Aberdeenshire, subject to conditions specified in the notice.

8. SCOTTISH GOVERNMENT APPEAL DECISION, PPA-110-2381, PLANNING REF APP/2019/0777

The Committee had before them, and **noted**, a Scottish Government Planning and Environmental Appeals Decision, dated 13 December 2019, informing them of the decision of the Scottish Government Reporter to allow the appeal and grant planning permission for Erection of dwelling house (renewal of planning permission APP/2015/1686), site to the west of 18 New Street, Stonehaven, subject to conditions specified in the notice.

9. 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.

Reference Number	Address
(A) APP/2019/2667	Full Planning Permission for Installation of Decking and Balustrading (Retrospective) at 5 Victoria Street, Stonehaven
(B) APP/2019/2515	MSC-Approval of Matters Specified in Conditions 3 a) (Level and Cross Sections), b) (Drainage Plan), c) (Connection to Existing Scottish Water), e) (Cut and Fill Operations), f) (Roads, Footpaths and Cycleway), g) (Screen Walls/Fencing), h) (Landscaping), j) (Layout, Siting, Design and Finish), l) (Waste/Recycling), 4 (Phasing), 6 a) (Existing and Proposed Finished Ground Levels), b) (Existing Landscape Features), c) (Existing and Proposed services), d) (Location of New trees, Shrubs, Hedges), e) (Schedule of Plants), f) (Hard Landscaping), g) (Indication of Trees, Shrubs to be Removed), j) (Completion and Maintenance of Landscaping), 17 (Construction Method Statement, 22 (Bat Survey), 36 (Waste Management Plan), 37 (Environment Management Plan) of Planning Permission in Principle Reference APP/2011/3100 for New Settlement Comprising Residential (up to 4045 Dwellinghouses), Commercial, Retail and Community Facilities, with Associated Landscaping, Open Space, Drainage and Roads Infrastructure and Services at Phase 1A, East of Naismith Drive and Greenlaw Road, Chapelton, Newtonhill.

**KINCARDINE AND MEARNS AREA COMMITTEE, 11 FEBRUARY 2020
APPENDIX A**

PLANNING APPLICATIONS FOR DETERMINATION

(A) Reference No: APP/2019/2667

Full Planning Permission for Installation of Decking and Balustrading (Retrospective) at 5 Victoria Street, Stonehaven

Applicant: Mr Gary Core, 5 Victoria Street, Stonehaven, AB39 2LH

Agent: John Aitken, John G Aitken Architectural Services, 2 Cameron Court, Stonehaven, AB39 2FH

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 the Scheme of Governance as the application was recommended for refusal but at least two Local Ward Members in the Ward in which the development was proposed, have requested that the application be referred to the Area Committee.

The Senior Planning Officer advised that retrospective planning permission is sought for installation of decking and balustrading. Members heard the main issues to consider are the acceptability in principle of the development at this location and whether there would be an unacceptable impact on the character or amenity of the surrounding area. The Planning Officer advised that there had been no letters of representation received.

The Committee heard from Mr Cove, applicant, in support of the application, he advised that due to the nature of the slope and various tree stumps, this provided limited useable space.

The Committee discussed the application and **agreed** to defer determination of the application to allow a site visit to take place. The site visit would allow members to consider the visual impact of the proposed development and the potential overlooking impact towards neighbouring residents.

(B) Reference No: APP/2019/2515

MSC-Approval of Matters Specified in Conditions 3 a) (Level and Cross Sections), b) (Drainage Plan), c) (Connection to Existing Scottish Water), e) (Cut and Fill Operations), f) (Roads, Footpaths and Cycleway), g) (Screen Walls/Fencing), h) (Landscaping), j) (Layout, Siting, Design and Finish), l) (Waste/Recycling), 4 (Phasing), 6 a) (Existing and Proposed Finished Ground Levels), b) (Existing Landscape Features), c) (Existing and Proposed services), d) (Location of New trees, Shrubs, Hedges), e) (Schedule of Plants), f) (Hard Landscaping), g) (Indication of Trees, Shrubs to be Removed), j) (Completion and Maintenance of Landscaping), 17 (Construction Method Statement, 22 (Bat Survey), 36 (Waste Management Plan), 37 (Environment Management Plan) of Planning Permission in Principle Reference APP/2011/3100 for New Settlement Comprising Residential (up to 4045 Dwellinghouses), Commercial, Retail and Community Facilities, with Associated Landscaping, Open Space, Drainage and Roads Infrastructure and Services at Phase 1A, East of Naismith Drive and Greenlaw Road, Chapelton, Newtonhill.

Applicant: Elsick Development Company, C/o Agent

Agent: Chris Pattison, Turnberry Planning Ltd, 41-43 Maddox Street, London, W1S 2PD

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 the Scheme of Governance, as the application was a departure from the Development Plan and was recommended for approval.

The Senior Planning Officer introduced the report which was recommended for approval. He advised that the proposal seeks consent for matters specified in conditions of the original planning consent for a new town at Chapelton of Elsick, with specific focus on delivering 11 dwellings within the established settlement of Chapelton of Elsick. Whilst not fully complying with Policy P1 of the Local Development Plan the proposal does deliver the intended soft edge to the settlement with housing of a low density, modest scale on larger plots with suitable landscaping and a boundary arrangement to help define the settlement edge and provide a natural transition between the adjacent fields and developing new town to the west. The proposal satisfies the requirement of consultees and complies with all relevant policies of the LDP.

After discussion, the Committee **agreed** to grant Full Planning Permission subject to the following conditions:-

1. No residential unit shall be occupied unless all roads, footpaths, parking and turning areas within and serving the residential unit have been completed to the level of bottoming and binder course, including the access bellmouth and all turning heads, in accordance with the Council's Standards for Roads Construction Consent and Adoption.

Reason: To ensure the timely provision of essential road infrastructure.

2. Within 6 months of the occupation of the penultimate residential unit, or upon expiry of the period of three years from the date of the first residential unit to be occupied, whichever is sooner, all roads, footpaths, parking and turning areas within and servicing the site shall be completed to their final surface course specification in accordance with the Council's Standards for Road Construction Consent and Adoption. Once provided, all parking and turning areas shall be retained in perpetuity.

Reason: To ensure the timely completion of essential road infrastructure.

3. The gradient of the first 5m of each vehicular access (measured from the edge of the prospectively public road) shall be fully paved and shall not exceed a gradient of 1 in 20, with visibility splays of 2.0m by 17m formed on either side of the junction of the vehicular access with the prospectively public road, and be retained in perpetuity.

Reason: In the interests of road safety.