

ABERDEENSHIRE COUNCIL

**KINCARDINE AND MEARN'S AREA COMMITTEE
SKYPE MEETING ONLY
(RECORDING TO BE MADE AVAILABLE TO GENERAL PUBLIC),
23 MARCH 2021**

Present: Councillors Wendy Agnew (Chair), Ian Mollison (Vice-Chair), Alastair Bews, George Carr, Sarah Dickinson, Alison Evison, Provost William Howatson, Jeff Hutchison, Colin Pike, Dennis Robertson, Sandy Wallace, Leigh Wilson.

Officers: Bruce Stewart (Area Manager, Kincardine and Mearns), Emma Storey (Area Committee Officer, Kincardine and Mearns), Peter Robertson (Senior Solicitor, Legal and People), Donald McPherson (Structures Manager Roads, Landscape Services and Waste), Gregor Spence (Senior Planner, Planning and Environment), Brian Strachan (Roads and Landscapes Service Manager, Roads, Landscape Services and Waste).

In Attendance: Natasha Stewart, Applicant (Item 6A).

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 no declarations were intimated.

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 its 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
7

Paragraph No of Schedule 7A
8

3. MINUTE OF MEETING OF KINCARDINE AND MEARNS AREA COMMITTEE OF 2 MARCH 2021

The Committee had before them and **approved** as a correct record the Minute of Meeting of the Committee of 2 March 2021.

4. PUBLIC ROAD NETWORK - BRIDGES WORK BANK PRIORITISATION - DRAFT POLICY AND PROCEDURE

A report from the Interim Director for Infrastructure Services was circulated advising of the initial proposals for a new policy and associated procedure titled, Public Road Network – Bridges Work Bank Prioritisation.

The Structures Manager introduced the report and welcomed comments from the Committee for consideration by Infrastructure Service Committee on 13 May 2021.

The Committee **agreed** to provide the following comments:

1. The Committee welcomed and supported the Bridges Work Bank Prioritisation report, draft policy and draft procedure,
2. The Committee welcomed the inclusion of the black bridge alert status being critical and therefore given the highest score,
3. The Committee stressed the importance of detailed inspections and assessment being carried out to ensure the condition of the bridge is known, to assist with future decisions regarding weight restrictions,
4. The Committee agreed with one Prioritisation List for the six areas,
5. The Committee suggested that further consideration is given to all diversions being put in place due to any temporary bridge closures, and
6. The Committee requested to be updated on the consultation exercise being carried out using the new engagement tool.

5. ABERDEENSHIRE CHARITITES TRUST (ACT2)

A report from the Interim Director for Infrastructure Services was circulated to Members asking the Committee to consider and determine two applications from Sunrise Partnership for ACT 2 funding.

The Area Manager introduced the report and welcomed any queries. Members discussed the applications and **agreed** the following applications:-

Ward	Trust Purpose	Applicant	Amount
18	The relief of those in need by reason of age, ill-health, disability, financial hardship or	Sunrise Partnership	£770.00
19	The relief of those in need by reason of age, ill-health, disability, financial hardship or	Sunrise Partnership	£770.00

6. APPLICATIONS FOR DETERMINATION

The following planning application was 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/2021/0002 Full Planning Permission for Change of Use from Commercial Unit (Classes 4, 5 and 6) to Dance Studio (Class 11) at Unit 1, Spurryhillock Industrial Estate, Broomhill Road, Stonehaven, AB39 3NH

ITEMS WHICH THE COMMITTEE MAY WISH TO CONSIDER WITH THE PRESS AND PUBLIC EXCLUDED

7. INFRASTRUCTURE SERVICES DIRECTORATE PROCUREMENT PLAN – 2021/2022

An exempt report from the Interim Director for Infrastructure Services was circulated to Members asking the Committee to approve the annual procurement plan.

The Committee agreed the items on the Procurement Plan in Appendix 1 and reserved approval of the Procurement Approval Form for Park Bridge and commented that whilst approving the item on the procurement list, this should not be implied as meaning that the Committee had given a view that the bridge should in future only be used by pedestrians and cyclists.

Councillor Presiding over meeting

Print Name

Signature

Date

KINCARDINE AND MEARNS AREA COMMITTEE, 23 MARCH 2021

APPENDIX A

PLANNING APPLICATIONS FOR DETERMINATION

(A) **Reference No: APP/2021/0002**

Full Planning Permission for Change of Use from Commercial Unit (Classes 4, 5 and 6) to Dance Studio (Class 11) at Unit 1, Spurryhillock Industrial Estate, Broomhill Road, Stonehaven, Aberdeenshire, AB39 2NH

Applicant: Rhythm Nation Dance and Fitness, Flat D, 56 High Street, Stonehaven, AB39 2LQ

Agent: McGregor Garrow Architects, 14 Ruthrieston Circle, Aberdeen, AB10 7JX

A report by the Director of Infrastructure Services was circulated advising members that the Committee was able to take a decision on this application in terms of the Scheme of Governance as the application for development is a departure from the Development Plan and is recommended for approval.

The Chair advised Members that a request to speak had been received, Members agreed to hear from the applicant.

The Senior Planner outlined the report and advised that planning permission was sought for a change of use. The proposal was considered suitable for the location, the proposal was of small scale which would not significantly reduce the designation of business uses on the industrial estate. The proposal was considered acceptable as a departure from Policy B1: Employment and business land accords with all other relevant policies of the Aberdeenshire Local Development Plan 2017.

After discussion, the Committee at this time indicated their support for the application and confirmed with the speaker that they were content not to speak. The applicant when asked confirmed that they were happy with the hours attached to the condition.

The Committee then **agreed** to grant Full Planning Permission subject to the following conditions:-

01. The use hereby approved shall not operate outwith the hours of 1730 and 2130 Monday to Friday; 1200 and 2130 Saturday and Sunday.
Reason: In order to ensure that the development would not result in undue loss of amenity for the surrounding area, in the interests of road safety.

Reason for Decision

The planning authority considers that the application is for a development that is not in accordance with the Aberdeenshire Local Development Plan 2017,

however it is considered that justification has been provided to demonstrate that no other suitable sites have been identified and given the relatively small scale nature of the development there would not be detrimental loss of business premises on the designated BUS site. Therefore, there is considered sufficient material consideration to warrant a departure from Policy B1: Employment and business land. Furthermore, technical matters have been addressed and the proposal can be adequately serviced, subject to a suitable condition, and there would not be a detrimental adverse impact on the character or amenity of the surrounding area. As such, the proposal also accords with the other relevant policies of the Aberdeenshire Local Development Plan 2017.

DRAFT