

ABERDEENSHIRE COUNCIL

KINCARDINE AND MEARN'S AREA COMMITTEE TUESDAY, 14 JUNE 2022.

COUNCIL CHAMBER, VIEWMOUNT, STONEHAVEN (WITH VIRTUAL ATTENDEES).

Present: Councillors Wendy Agnew (Chair), David Aitchison, Dawn Black, Shirley Burnett, Laurie Carnie, George Carr, Sarah Dickinson, Alison Evison, Kevin Stelfox, Mel Sullivan, Alan Turner, Catherine Victor.

Officers: Bruce Stewart (Area Manager, Kincardine and Mearns), Emma Storey (Area Committee Officer, Kincardine and Mearns), Martin Ingram (Senior Solicitor, Legal and People), Paul Macari (Head of Planning and Economy), Alan Wood (Director of Environment and Infrastructure), Ritchie Johnson (Director of Business Services), Anne Maire Davies MacLeod (Head of Service), Andrew Dick (Social Work Manager, Corporate Parenting), Stuart Copland (Roads Development), Diane Henderson (Community Project Officer, Kincardine and Mearns), Gregor Spence (Senior Planner), Paul Whalley (Early Years Estate Manager), Iain Wylie (Project Manager), Mark Mitchell (Estates Manager), Tim Stephen (Service Manager)

In Attendance: Item 15 - Jim Titmuss, Auchencloochie Parks Committee, Item 15 - Chris Rodger, Catterline Community Church, Item 19 - Alan Venters and Neil Foster, Mackie Rugby Club, David Officer, Save Forest Drive Park Campaign, Item 20(A) - Jim Titmuss (Applicant), Item 20(B) - Caroline Milne (Applicant), Item 20(C) - Derek Saward (Applicant).

1. APPOINTMENT OF CHAIR OF KINCARDINE AND MEARN'S AREA COMMITTEE.

The Area Manager took the Chair and welcomed Councillors to the first meeting of Kincardine and Mearns Area Committee following the Local Government elections. The Area Manager sought nominations for Chair of the Kincardine and Mearns Area Committee.

Councillor Black, seconded by Councillor Victor, moved that Councillor Evison be appointed as Chair.

Councillor Turner, second by Councillor Carnie, moved that Councillor Agnew be appointed as Chair.

The Members voted as follows:

- | | | |
|------------------------|-----|---|
| For Councillor Evison: | (5) | Councillors Aitchison, Black, Evison, Stelfox and Victor. |
| For Councillor Agnew | (6) | Councillors Agnew, Burnett, Carnie, Carr, Dickinson and Turner. |
| Declined to vote | (1) | Councillor Sullivan. |

Councillor Agnew was duly appointed as Chair of the Kincardine and Mearns Area Committee and took the Chair.

2. APPOINTMENT OF VICE CHAIR OF KINCARDINE AND MEARN'S AREA COMMITTEE.

The Chair called for nominations for Vice-Chair of the Kincardine and Mearns Area Committee.

Councillor Carr moved, seconded by Councillor Turner, that Councillor Dickinson be appointed as Vice-Chair.

The Committee unanimously agreed that Councillor Dickinson be appointed as Vice-Chair of the Area Committee.

3. 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 Black indicated that she had a connection to item 19 in her previous role as a Community Councillor however having applied the objective test concluded that she would remain and take part.

Councillor Carr indicated that he had a connection to item 15 as he was a trustee on the Johnshaven Village Hall Committee and having applied the objective test concluded he would not take part in the determination of that application. (The application had subsequently been withdrawn).

Councillor Dickinson indicated that with regards to item 19 provided a transparency statement as both her children previously played for Mackie Academy Rugby Club and having considered previous involvement and correspondence with the rugby club and Area Manager and having applied the objective test concluded that she would remain and take part.

Councillor Dickinson indicated that she had a connection to item 9 as her husband worked for North East Scotland College however, having applied the objection test, would remain and take part.

Councillor Dickinson with regards to item 20C provided a transparency statement as she had had a connection to the applicant through her children's involvement in Mackie Academy Rugby Club and with the applicants wife as she was a Councillor employee, however having applied the objective test would remain and take part.

Councillor Evison had a connection to Item 20C as she knew the applicant through their previous capacity as Chair of Mackie Academy Rugby Club and his wife in her previous role as Head teacher in a North Kincardine primary school however, having applied the objective test would remain and take part.

Councillor Evison had a connection to Item 20A as she knew the applicant's wife through work with the Kincardineshire Development Partnership however, having applied the objective test concluded she would remain and take part.

Councillor Evison indicated a connection to item 19 as her husband was a member of Mackie Academy Rugby Club and having applied the objective test concluded that she would leave and not take part in this item

Councillor Evison with regards item 17 provided a transparency statement in relation to her daughter's connection to Home Energy Scotland as it appears in her declaration of interests.

Cllr Turner has a connection to Item 19 having previously supported a public petition and having applied the objective test concluded he would leave and not take part.

Cllr Turner in relation to Item 20C provided a transparency statement, having lived and been a resident in the local area for a number of years however having applied the objective test concluded would remain and take part.

4A. 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 Integrated Impact Assessment was provided, to consider its contents and take those into account when reaching its decision.

4B. 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	Paragraph No of Schedule 7A
21	8
22	8
23	8

5. MINUTE OF MEETING OF KINCARDINE AND MEARN'S AREA COMMITTEE OF 26 April 2022

The Committee had before them and **approved** as a correct record the Minute of Meeting of the Committee of 26 April 2022.

6. STATEMENT OF OUTSTANDING BUSINESS

A report by the Director of Environment and Infrastructure Services had been circulated presenting the outstanding business for Kincardine and Mearns Area Committee as of 26 April 2022.

The Head of Planning and Economy attended and provided an update on the outstanding Hillside planning application. He advised Members of the reasons for the delay and that a report would be presented after summer recess once all outstanding matters had been resolved.

7. ENVIRONMENT & INFRASTRUCTURE SERVICES PERFORMANCE UPDATE OCTOBER 2021 – END MARCH 2022 (ABERDEENSHIRE PERFORMS)

A report by the Director of Environment and Infrastructure was circulated to Members providing an update on key performance and outcome indicators, demonstrating the delivery of the Council's strategic priorities in the Kincardine and Mearns Area, and allowing Members to fulfil their scrutiny role and hold Officers to account for the performance of the service.

The Committee heard from the Director of Environment and Infrastructure of areas where improvements had been demonstrated, with two thirds of the 38 performance areas on or above target.

Members asked a number of questions on the provision of broadband across Aberdeenshire, proposals for the new waste collection as a three-weekly cycle and ways of reducing the time a property is void.

The Committee **agreed** after considering the performance report;

1. To instruct the Director of Environment and Infrastructure Services to continue to present performance reports to the Committee on a six-monthly basis to evidence progress with the delivery of the actions set out in the Area Plan 2021 – 2022, and
2. They welcomed the report and the improvements in performance and provided the following comments on performance made during the period 1 October – 31 March 2022;
 - a) Suggested we look to progress planning applications with legal agreements more quickly,
 - b) Reassurance sought on staffing numbers and workloads in protected service,
 - c) Work to prepare communities with the new 3 weekly collection which is due to commence, promote recycling and its benefits,
 - d) Prioritise progressing super-fast broadband throughout Kincardine and Mearns,
 - e) Suggested we be mindful with regards to the use of language within the report, “advising of exceptional performance with regards roads”, which is not necessarily how the community feel,
 - f) Suggested we continue to look at ways of reducing the length of time a property is void for, and
 - g) Suggested comparative data across areas would be welcome within the report.

8. BUSINESS SERVICES PERFORMANCE UPDATE OCTOBER 2021 – END MARCH 2022 (ABERDEENSHIRE PERFORMS)

A report by the Director of Business Services was circulated to Members providing an update on progress in relation to Business Services performance indicators which support the Council Plan Priorities 2020-22.

Members heard from the Director of Business Services regarding the 16 indicators highlighted within the report, mainly that the Contact Centre call wait time had reduced, time taken to progress housing applications was doing well considering external factors and that there was a focus on the number of our buildings that are in operational use or required for disposal.

The Committee **agreed** after considering the performance report to;

1. Instruct the Director of Business Services to continue to present reports on progress with performance indicators to the Committee on a six-monthly

basis, in line with the Performance Management Framework, evidencing progress and performance supporting the Council Plan 2020-22, and

2. Provided the following comments on performance made during the period 1 October – 31 March 2022;
 - a) Suggested the importance of informing communities and helping them understand the importance of consolidating buildings and releasing assets as the Community view is this as a loss of an asset within their Community,
 - b) Further information on Crisis Grant Claims was sought that discussed future demand and source of funding stream. A briefing to Members was requested,
 - c) Suggested some indicators have a green tick but are still a red target, to be clarified, and
 - d) Cost of Living, impacts on residents, follow up briefing requested.

9. EDUCATION AND CHILDRENS SERVICES PERFORMANCE UPDATE OCTOBER 2021 – END MARCH 2022 (ABERDEENSHIRE PERFORMS)

A report by the Director of Education and Children's Services was circulated to Members providing an update on the progress with key council area outcome indicators identified as provided by the Education and Children's Services Directorate.

The Committee heard from the Head of Service who outlined the propose of the report and the details contained within. Members asked a number of questions and discussed the report.

The Committee **agreed** to;

1. Acknowledge and consider progress made during October 2021 to March 2022 toward achieving the Council Plan Priorities 2020-2022 linked to the Kincardine and Mearns Area Plan 2021-2023; and
2. Instruct the Director of Education and Children's Services to continue to present performance reports to the Area Committee on a six-monthly basis, evidencing progress and performance with delivery of the Council Plan linked to the Kincardine and Mearns Area Plan and
3. The Committee provided the following comment;
 - a) Concern regarding the percentage of adults receiving outcomes, only a total of 35 adults across the area, how are we setting targets? Need to be careful about how we are measuring success, linked to number of participants across the area and then the setting of those targets.

10. CORPORATE PARENTING ANNUAL REPORT 2020 – 21

A report by the Director of Education and Children's Services was circulated to Members presenting the progress made by Aberdeenshire Council and partners who work collaboratively to improve outcomes for care experienced young people, in the form of an annual report.

The Social Work Manager introduced the report and welcomed any questions, the committee welcomed the progress made and **agreed** to;

1. Consider and provided comments to the Service on the update contained within the Corporate Parenting Annual Report 2020/21, as per Appendix 1 and invite further annual updates,
 - a) Requested that we are doing all we can to ensure all care leavers feel safe,
 - b) Suggested that the report should include the Care Experience Champions, and
 - c) Pg 112, suggested that the previous year's figures be included in the report as comparative data, and
2. Continue to support the Council's corporate parenting duties which involve listening to the voice of care experienced children and young people, and being proactive and determined in our efforts to act upon their wishes.

11. APPOINTMENTS TO INTERNAL MEETING GROUPS AND PARTNERSHIPS

This report by the Director of Environment and Infrastructure Services asks the Committee to appoint representation on the Kincardine and Mearns Area Community Planning Group, the positions of Town Centre First Ambassadors for the Kincardine and Mearns Area and to note that all local Ward Members are deemed to be Members of the Harbour Advisory Committee.

The Committee **agreed** to

1. Note that all local Ward Members are deemed to be Members of the Gourdon, Johnshaven and Stonehaven Harbour Advisory Committees, see Appendix 1, and
2. Appointed representatives to serve on the Local Community Planning Group and Town Centre First Ambassadors as follows;

Name of Group	Nomination	Proposed	Seconded
Local Community Planning Group	Cllr Victor – Ward17 Cllr Black – Ward 18 Cllr Evison – Ward 19 Cllr Turner (as a Substitute member for Ward 18)	Cllr Victor Cllr Black Cllr Evison Cllr Agnew	Cllr Sullivan Cllr Stelfox Cllr Dickinson Cllr Burnett
Town Centre First Ambassadors	Cllr Victor Cllr Turner	Cllr Victor Cllr Turner	Cllr Black Cllr Burnett

12. NOMINATIONS TO OUTSIDE BODIES

This report by the Director of Environment and Infrastructure Services asking the Committee to provide nominations to a number of outside bodies.

The Committee **agreed** to make the following nominations;

Name of Group	Nomination	Proposed	Seconded
Aberdeenshire South Access Panel	Cllr Sullivan	Cllr Sullivan	Cllr Dickinson
Kincardine and Mearns CAB	Cllr Burnett	Cllr Burnett	Cllr Agnew
Kincardineshire Educational Trust	Cllr Carr Cllr Carnie Cllr Sullivan Cllr Stelfox	Cllr Carnie Cllr Carr Cllr Sullivan Cllr Stelfox	Cllr Burnett Cllr Burnett Cllr Victor Cllr Evison
Stonehaven Recreation Grounds Trust	Cllr Dickinson Cllr Turner	Cllr Dickinson Cllr Burnett	Cllr Sullivan Cllr Dickinson
Mearns Area Partnership	Cllr Carnie	Cllr Carr	Cllr Agnew

13. APPOINTMENT TO THE SCHOOL PLACINGS AND EXCLUSIONS APPEAL COMMITTEE

A report by the Director of Environment and Infrastructure Services was circulated seeking nominations to the School Placings and Exclusions Appeal Committee.

The Committee **agreed** to

1. To nominate Councillor Carnie (proposed by Councillor Carnie and seconded by Councillor Carr) and Councillor Victor (proposed by Councillor Evison and seconded by Councillor Black) to serve on the School Placings and Exclusions Appeal Committee, and
2. Requested the Area Committee promote the work around the nominations to local residents to serve as external members of the School Placings and Exclusions Appeal Committee.

14. NAMING TEN NEW STREETS IN CHAPELTON

A report by the Director of Environment and Infrastructure Services was circulated to Members seeking approval to name ten new streets in the town of Chapelton, in accordance with the Council's Roads Policy on Street Naming and Property Numbering.

The Committee discussed the report and **agreed** to

1. The use of street names Kitson, Benton, Fernandez, Ross, Lucey, Brown, McNair, Roberts, Jack and Delgaty, and
2. Suggested for future naming of streets we look wider than those involved in the development and legal processes for Chapelton and look to include a range of people involved in the development in the earlier stages, the setting up of small businesses and charity events.

15. AREA COMMITTEE BUDGET 2022-23

A report was circulated by the Director of Environment and Infrastructure Services was circulated to Members as two applications had been submitted for funding from the Kincardine and Mearns Area Committee Budget from Auchenblae Parks Committee and Catterline Community Church.

The Committee Officer introduced the report, outlined both applications and welcomed any questions. Members heard from Jim Titmuss from Auchenblae Parks Committee and Chris Rodger from Catterline Community Church both in support of their applications.

The Committee considered and discussed the applications and **agreed** to approve the grants from the Area Committee Budget as follows:

1. Auchenblae Parks Committee - £8,000.00 and
2. Catterline Community Church - £7,500.00.

16. COMMUNITY COUNCIL ADMIN GRANT 2022-23

A report was circulated by the Director of Environment and Infrastructure Services to outline the process for the allocation of the Kincardine and Mearns Community Council Grants for 2022-2023.

The Committee **agreed** to allocate the Kincardine and Mearns Community Grants for 2022-2023 on the same terms as 2021-2022 as per appendix 1.

17. KINCARDINE AND MEARN'S AREA PLAN

A report by the Director of Environment and Infrastructure Services was circulated to Members providing a mid-year update of progress made in relation to projects/actions within the Kincardine and Mearns Area Plan.

The Area Manager introduced the report and advised the Area Plan report was still under development and welcomed any comments and feedback. Members asked a number of questions regarding the actions within the Area Plan and the Committee **agreed** to

1. Acknowledge and consider progress made in relation to the projects/actions contained within the Kincardine and Mearns Area Plan which supports the Council Plan 2020-23,
2. Instruct the Area Manager to continue to present the twice-yearly progress reports to the Committee, in line with the Corporate Performance Management Framework,
3. Note that the next Area Plan performance and progress report is scheduled for December 2022, and
4. Provided the following comments;
 - a) 2.05 requested a briefing document on how schemes are presented, the criteria and how we measure the success rate,
 - b) 2.08 Updates on the playparks required (Drumoak),
 - c) 2.105 suggested as referred to in the minute to be mindful of language used in the update,
 - d) 2.13 Further update on Castle Street Wall,
 - e) 4.071, further update required and should this include the work required at Newtonhill concerning erosion/landslip,
 - f) 2.017 Greenspace Officers update to be updated as Officers now in post,
 - g) Bridges update requires further info than "top Slice" including Oatyhill Bridge,

- h) 2.31 Suggest Mearns Coastal Healthy Living Network could work with LLA at Edenholme to provide services to elderly,
- i) 2.32 Further update required,
- j) 2.34 Further update required,
- k) 2.012 and 2.013 update requested regarding time delay for affordable housing at Ury Development, Stonehaven,
- l) 3.11 Coastal Path, why is Stonehaven a lower priority than other Coastal Paths,
- m) 2.09 Update and progression needed at Hillside with regards Community Space,
- n) 2.34 Feedback on the Cost of living Crisis,
- o) 2.017 Drainage, timescales for drainage work to be carried out, and
- p) Suggested as a general comment on Area Plan/report still not working, updates out of date and requiring further updates, and the need for more community /locality work linked to the plan.

18. ACT2

A report was circulated by the Director of Environment and Infrastructure Services was circulated to Members seeking consideration of applications from groups for ACT funding

The Committee Officer outlined the report and welcomed questions with regards to the applications being considered. Members queried the funding available, the allocation to different Wards and suggested further information was required in respect of The Haven application.

The Committee considered the applications and **agreed** to

1. Defer the application for ACT2 funding (Ward 18: the relief of poverty) from The Haven, Stonehaven for up to £1,000.00 to allow for further information to be submitted regarding the funds held within their account.
2. Approve the application for ACT2 funding (Ward 18 – The advancement of the arts, heritage, culture or science and the advancement of public participation in sport) from Kincardine and Mearns Festival for £1,000.00,
3. Approve the application for ACT2 funding ((Ward 18 (£300.15) and 19 (£699.85)), the prevention or relief of poverty and the relief of those in need by reason of age, ill health, disability, financial hardship or other disadvantage) from K&M Citizens Advice Bureau for £1,000.00, and

4. The Committee held £1,000.00 from Ward 18: the relief of poverty, until the determination of The Haven application at a future Area Committee.

19. COMMUNITY ASSET TRANSFER

A report was circulated by the Director of Environment and Infrastructure Services was circulated to Members seeking consideration and approval to transfer Forest Park, Stonehaven to the Mackie Academy Rugby Football Club.

Councillors Evison and Turner as indicated left the meeting and took no further part in the determination.

The Chair indicated that two requests to speak had been received from Alan Venters and Neil Foster, both Mackie Academy Rugby Club and David Officer from Save Forest Drive Park Campaign. The Committee **agreed** to hear from both requests to speak.

The Area Manager introduced the report, outlined the Community Asset Transfer process and welcomed any questions.

The Committee **agreed** to defer for a site visit on 21 June 2022 at 10am to see the layout and landscape of the site.

20 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** to this Minute.

Reference Number	Address
(A) APP/2020/2471	Full Planning Permission for Erection of Dwellinghouse with Integral Garage at Land at The Schoolhouse, Auchenblae
(B) APP/2021/1919	Full Planning Permission for Erection of Dwellinghouse at Land to South West of Capo Quarry, Laurencekirk
(C) APP/2022/0043	Full Planning Permission for Installation of 14 Roof Mounted Solar Panels at 7 David Street, Stonehaven

21. EXEMPT STONEHAVEN NEW SCHOOL PROVISION – GATEWAY 1

An exempt report by the Director of Education and Children's Services was circulated to Members asking the Committee to review the proposals for the relocation of Dunnottar School and Carronhill School

The Committee **agreed** to

1. Acknowledge the inclusion of the project to relocate both Dunnottar School and Carronhill School within the Capital Plan, as approved by Full Council in November 2021,
2. Acknowledge the work undertaken in Gateway Stage 1,
3. Instruct officers to proceed to Gateway Stage 2, and
4. Endorse Ury Playing Fields, adjacent to Mackie Academy.

22. EXEMPT NEW PRIMARY SCHOOL IN KINCARDINE AND MEARNs – GATEWAY 0

An exempt report by the Director of Education and Children's Services was circulated to Members outlining progress to date on developing a Strategic Business Case for a new primary school at Chapelton as per the section 75 agreement. The Committee **agreed** to

1. Acknowledge the work being progressed on a new primary school for the Chapelton development, including making amendments to the existing Section 75 agreement; and
2. Comment on the preferred project delivery option of a Phase 1 new build primary school with a capacity for 217 No. P1-P7 pupils and expanded core facilities.

23. EXEMPT SUPPLEMENTARY DIRECTORATE PROCUREMENT PLAN – PROCUREMENT APPROVAL

An exempt report by the Director of Education and Children's Services was circulated to Members seeking approval to the addition of three capital projects relating to Sport and Physical Activity in Stonehaven following a participatory budgeting exercise.

The Committee **agreed** to

1. Consider the Directorate Supplementary Procurement Plan as detailed in Appendix 1,
2. Approve the items on the Supplementary Procurement Plan,
3. Approve the Procurement Approval Form for approval of one item which is within the Committee's remit as the value of the matter is over £1,000,000, and

4. Not reserve the award of the final contract for any matters over £1,000,000 and noted that if not reserved the Head of Communities and Partnerships has the delegated powers to award the final contracts

Councillor Presiding over meeting

Print Name

Signature

Date

DRAFT

KINCARDINE AND MEARNS AREA COMMITTEE, 14 JUNE 2022 APPENDIX A

PLANNING APPLICATIONS FOR DETERMINATION

(A) Reference No: APP/2020/2471

Description: Full Planning Permission for Erection of Dwellinghouse with Integral Garage at Land at The Schoolhouse, Auchenblae, AB30 1WQ.

Applicant: Mr Jim Titmuss, The Schoolhouse, Auchenblae, Laurencekirk, AB30 1WQ

Agent: AC Architects, Lewis House, 213 East Way, Hillend Industrial Estate, Hillend, Dunfermline, KY11 9JF

A report by the Director of Environment and 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 is proposed, had requested that the application be referred to the Area Committee.

- Councillor George Carr – “Suggest further discussion at Area Committee as regards Policies PR1 and HE2”
- Councillor Jeff Hutchison – “Discuss further against Policy HE1, HE2 and PR1”

The Chair advised Members that a request to speak had been submitted from the applicant, Jim Titmuss, the Committee **agreed** to hear the request to speak.

The Senior Planner introduced the report and advised that the application was deferred at the last meeting of the Kincardine and Mearns Area Committee on 26 April 2022 as the Committee agreed that the application should be determined by the newly elected members of the Kincardine and Mearns Area Committee.

The Committee heard from the Senior Planner that full planning permission was sought for the erection of a dwelling house with integral garage within the Auchenblae Conservation Area. The site was also located within the garden grounds of the category ‘C’ listed Schoolhouse.

There was discussion of the application site in relation to the conservation area, the C listed school building on site and the potential impacts on trees. The Committee **agreed** to defer for a site visit on 23 August at 9am to see the application site in its wider setting, the landscape, the C listed school building adjacent, the trees and the conservation area.

(B) Reference No: APP/2021/1919

Description: Full Planning Permission for Erection of Dwellinghouse at Land to South West of Capo Quarry, Laurencekirk, AB30 1RQ.

Applicant: Ms Caroline Milne, Capo Cottages, Whinhurst, Fordoun, Laurencekirk, AB30 1SL

Agent: About Planning Ltd, Millars House, 41 Gray Street, Broughty Ferry, Dundee, DD5 3BJ

A report by the Director of Environment and 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 there have been valid objections from five or fewer individuals or bodies with separate postal addresses or premises, and at least two of the total number of Local Ward Members in the Ward in which the development is proposed have requested that the application be referred to the Area Committee.

- Councillor George Carr – “Suggest further discussion at Area Committee under Policy R2 Housing and Employment”
- Councillor Jeff Hutchison – “Discuss further against Policy R2”

The Chair advised Members that a request to speak had been submitted from the applicant, Caroline Milne, the Committee **agreed** to hear the request to speak.

The Senior Planner introduced the report and advised the application was for full planning permission for erection of a dwellinghouse in the Aberdeenshire Countryside. The proposed dwellinghouse is a two bedroom modern bungalow, that accommodates a laundry room and office which was related to the existing holiday rental business. The rental business comprises of four dwellinghouses located to the south east, owned and operated by the applicant. The Committee heard that the applicant currently travels to and from the site to manage the holiday lets.

Members heard that the application was for a development that was not in accordance with the Aberdeenshire Local Development Plan 2017. The proposed dwellinghouse was not considered to be required for a worker in a primary industry which was appropriate to the countryside and where the presence of a worker was essential to the operation of the enterprise. In addition, the proposal also fails to accord with any of the other criteria outlined within Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017. Therefore the proposal is recommended for refusal.

Members heard from the applicant in support of their application.

Members discussed the report and raised questions around supporting tourism in the countryside and the economic benefit of having a manager on site.

The Committee **agreed** the authority to grant full planning permission be delegated to the Head of Planning and Economy subject to the appropriate conditions. On the grounds that:-

1. The application would provide support for tourism facilities, employment in a rural location and onsite support for the business. It was therefore considered appropriate to depart from policies R2 and B3, and
2. That there are no adverse impacts which would significantly and demonstrably outweigh the benefits of the proposal.

(C) Reference No: APP/2022/0043

Description: Full Planning Permission for Installation of 14 Roof Mounted Solar Panels at 7 David Street, Stonehaven, Aberdeenshire, AB39 2AJ.

Applicant: Mr Derek Seward, 7 David Street, Stonehaven, AB39 2AJ

Agent: No Agent

A report by the Director of Environment and 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 is recommended for refusal but at least two Local Ward Members in the Ward in which the development is proposed, have requested that the application be referred to the Area Committee.

- Cllr Dennis Robertson: 'I wish to refer the application to the Area Committee under Policy C2: Renewable energy to allow Members to debate whether this application of solar panels is appropriate and correctly designed for this location and whether the weighting placed on Policy HE2 against C2 is appropriate in this case.
- Cllr Sarah Dickinson: 'To discuss further the visual impact of the solar panels on the conservation and surrounding area.

The Chair advised Members that a request to speak had been submitted from the applicant, Derek Seward, the Committee **agreed** to hear the request to speak.

The Senior Planner outlined the application, Members heard that the planning authority considers that the application is for a development that is not in accordance with the Aberdeenshire Local Development Plan 2017. The siting of six solar panels on the principal, street facing elevation of the dwelling house would have a significant detrimental visual impact on the character of the dwelling house and row of slated cottages and set an undesirable precedent that could lead to the incremental erosion of the Stonehaven Conservation Area. This would be contrary to Policy HE2 Protecting historic and cultural areas that seeks to ensure that new development located within conservation areas preserve and enhance their character. Therefore the proposal is recommended for refusal.

The Committee heard from the applicant in support of the application. The Committee discussed the proposal and in particular the distance from the boundary of the Conservation area and the need for properties to be more energy efficient. The Committee **agreed** the authority to grant full planning permission be delegated to the Head of Planning and Economy subject to appropriate conditions. On the grounds that;

1. In the particular circumstances of this application with the need to upgrade properties to be more energy efficient and the property being located close to boundary of the conservation area it was considered that the visual impact of the proposals would not have an unacceptable impact on the conservation area, the application is therefore considered to comply with Policy HE2, and
2. That there are no adverse impacts which would significantly and demonstrably outweigh the benefits of the proposal.

DRAFT