

## ABERDEENSHIRE COUNCIL

KINCARDINE AND MEARN'S AREA COMMITTEE TUESDAY, 23 AUGUST 2022

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

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

**Apologies:** Councillor Burnett.

**Officers:** Bruce Stewart (Area Manager, Kincardine and Mearns), Emma Storey (Area Committee Officer, Kincardine and Mearns), Martin Ingram (Senior Solicitor, Legal and People), Diane Henderson (Area Project Officer, Kincardine and Mearns), Gregor Spence (Senior Planner), Fiona Reid (Senior Policy Planner), Claudia Cowie (Team Leader), Ken Clark (Roads Development and Transport), Lee Watson (Principal Engineer), John Gahagan (Estates Manager), Ewan Smith (Principal Roads Engineer), Ross Anderson (Senior Roads Engineer) and Tom O'Conner (Quality and Resources Manager).

**In Attendance:** Item 5 – Alan Venters Mackie Rugby Club, Item 9 – Martin Webster, Item 12(A) - Jim Titmuss, Applicant, Item 12(C) – Mike Robson, Mearns Community Council and Item 12(D), Natasha Douglas, Bancon Homes.

#### 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 Dickinson indicated that with regards to item 5 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 with regards to item 07 has a connection to the group and has previously participated in promotional recordings, having applied the objective test concluded that she would leave and not take part.

Councillor Turner has a connection to item 5 having previously supported a public petition and having applied the objective test concluded he would leave and not take part.

Councillor Evison had a connection to Item 12A 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 5 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 Black indicated that she had a connection to item 5 in her previous role as a Community Councillor however having applied the objective test concluded that she would remain and take part.

## 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 Integrated 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**  
**13**

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

## 3. MINUTE OF MEETING OF KINCARDINE AND MEARN'S AREA COMMITTEE OF 14 JUNE 2022

The Committee had before them and **approved** as a correct record the Minute of Meeting of the Committee of 14 June 2022, with the following amendment to the noted Declarations of Interest, the word Councillor to Council.

#### 4. 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 23 August 2022.

The Committee **agreed** to discharge item 2, Roads, Bridges, Harbours & Flooding and Landscape Services Works Programme 2022-2023 as this was being discussed later in the agenda.

#### 5. ASSET TRANSFER FOREST PARK, STONEHAVEN

A report 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 Mackie Academy Rugby Club and David a representative from Save Forest Drive Park Campaign. The Committee **agreed** to hear from both requests to speak. A representative from Save Forest Drive Park Campaign was not available at the time of Area Committee.

The Area Manager introduced the report, outlined the Community Asset Transfer process, highlighted key points within the report and welcomed any questions. Members heard from Alan Venters, representative from Mackie Rugby Club in support of their application.

Members sought clarification on a number of points including public engagement and what consultation had been carried, the length of time remaining on their current lease, timescales to prepare the new site, Members heard that the Mackie rugby club attended the Stonehaven and District Community Council meetings twice and held three open days within the community. The Club confirmed they had 3 years remaining on their lease and in they have an alternative site in place this could be extended to five years.

Members sought guidance on the weight that should be attributed to community support, the legal officer confirmed that Members would need to determine what weight they felt was appropriate to attributed. Members heard that other users of the site had agreed to work with the rugby to find alternative locations or indeed remain on the site and work with the club.

Members queried the longevity of the site and the Club confirmed that this site was suitable for long term use, however this would require a drainage solution to be in place. Members asked questions regarding how to assess the application separately from any potential future planning application as the two are intrinsically linked. Members queried if impact assessments regarding noise, traffic and flood

lights had been carried out and heard that these would be covered by the planning application process and that these needed to be assessed separately.

Members heard that members of the public will be able to continue to use the space, any fenced pitches will have small entrances to allow access when required and provide a potentially safer space for users. Members queried if other alternative sites had been considered and heard that yes many sites had been considered however due to costs and infrastructure many were unsuitable.

After further discussion and debate, members highlighted that whilst they fully supported the ambition of the Mackie Rugby club and the need for an alternative location to be found however considered that this site was not the correct location due to the overwhelming responses received from members of the public that place a value on the current use of the land for recreational use and their own wellbeing.

The Committee **agreed** to refuse the asset transfer from Mackie Academy Rugby Football club for ownership of Forest Park, Stonehaven for the following reasons:

The application does not meet the criteria required as provided for in Part 5 of the Community Empowerment Scotland Act 2015, Section 82. In that the request would not promote or improve economic development, regeneration and public health would be diminished in the adjacent neighbourhood.

The proposed asset transfer would be contrary to 83(3)(d) would induce inequality of outcome in respect of social disadvantage concerning the neighbourhood community resulting in the loss of the protected Forest Park.

The proposed asset transfer is also contrary to section 82 (4) in that equal opportunities are neither encouraged nor observed by the proposed asset transfer which would reserve equal opportunities provided by the requirement for provision of and protection of Forest Park arising from the scale of residential development at the former Mill of Forest Farm and as site specific benefit for the developed neighbourhood and the town.

## 6. ROADS CAPITAL WORKS 20-22-23

A report by the Director of Environment and Infrastructure Services had been circulated, which asked the Committee to note the proposal agreed by Infrastructure Services Committee on 8 June 2022, for the Service to develop a method for identifying and prioritising roads related capital works schemes, and to note the roads related capital works programmes for 2022- 23.

Following consideration of the information provided, the Committee:

1. **noted** that the data driven processes would be developed for producing and prioritising roads related capital works programmes,
2. **noted** that the Service would move to a live and transparent method of scheme identification and prioritisation to replace annual roads maintenance works programmes reporting,

3. **noted** that road asset maintenance would be considered across Aberdeenshire as a whole,
4. **noted** the agreed programmes of roads related capital works for 2022-23 as detailed in Appendix 2 of the report, and
5. **provided** the following comments in relation to the draft questionnaire, as detailed in Appendix 1 of the report, which would allow Members to inform the Service of factors that should be considered when assigning a roads maintenance hierarchy designation to a section of road or footway:
  - a) Suggested the approval from ISC was to include Councillor input, as it was recognised that certain situations required the need to be able to address issues out with the data set,
  - b) Suggested it should be a Team approach that allows, Community Councils, Communities and Businesses to have an input,
  - c) Suggested we add a survey question to reflect active travel routes,
  - d) Suggested that footways are given a greater priority if used by those with protected characteristics and those in tourist locations,
  - e) Suggested that the Asset Management Project document is in the public domain,
  - f) Suggested that we focus more on our town centres and general maintenance, line marking etc
  - g) Amendment required to tables,
  - h) strongly disagree on twice, and
  - i) Suggested a revised look at Ward allocation as some incorrect.

## 7. ACT2

A report was circulated by the Director of Environment and Infrastructure Services to Members seeking consideration of an application from the Haven, Stonehaven for ACT2 funding.

The Committee Officer outlined the report which had been deferred for more information regarding the Haven's finances from the August Kincardine and Mearns Area Committee.

The Committee considered the application for ACT2 funding (Ward 18: the relief of poverty) from The Haven, Stonehaven for £1,000.00 and **agreed** to approve the application.

## 8. ANNUAL SCRUTINY AND IMPROVEMENT REPORT 2021-22

There had been circulated a report dated 25 July 2022 by the Director of Business Services. The Scrutiny and Improvement at Aberdeenshire Guidance in Part 4 of the Scheme of Governance required each Committee to consider an Annual Scrutiny and Improvement Report. The report included highlights of key scrutiny activity undertaken by the Committee over the past year and outlined areas for inclusion in the scrutiny programme for the coming year.

The Area Manager outlined the report and welcomed any questions. The Committee discussed the report and

1) **noted** the activities detailed in the report,  
2) **agreed** the proposed programme of scrutiny activity for 2022-23, as detailed in Appendix 1 to the report, and

3) **provided** the following comments:

- a) Would welcome scrutiny of Health and Social Care within Kincardine and Mearns,
- b) Requested the attendance of local road officers at Ward meetings,
- c) Requested formal scrutiny of Community Planning by way of reports, and
- d) Would welcome a future informal session with NHS Grampian and Community Planning.

## 9. AREA COMMITTEE BUDGET 2022-23

A report was circulated by the Director of Environment and Infrastructure Services was circulated to Members as four applications had been submitted for funding from the Kincardine and Mearns Area Committee Budget from Community Learning Development, Stonehaven Lions Club , Stonehaven and District Angling Association and Howe O' The Mearns Heritage Trust .

The Committee Officer introduced the report, outlined the applications and welcomed any questions. Members heard from Martin Webster from Stonehaven and District Angling Association in support of his application.

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

The Committee **agreed** to award the following from the Area Committee Budget:

1. Community Learning Development - £1,459.00,
2. Stonehaven Lions Club - £1,813.30,
3. Stonehaven and District Angling Association - £8,000.00, and
4. Howe O' The Mearns Heritage Trust - £800.00.

## 10. ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2022

A report by the Director of Environment and Infrastructure Services had been circulated which presented the draft Aberdeenshire Local Development Plan (LDP) 2022, that incorporated the findings of the Scottish Government Reporter, the "Report to Aberdeenshire Council on the Proposed Aberdeenshire Local Development Plan 2020 Examination" (the "Reporter's Report") following the public

examination on representations to the Proposed LDP 2020. All Area Committees were being invited to scrutinise the conclusions reached in the Examination Report. Following this, Full Council, at a meeting on 21 September 2022, would be asked to make a decision to advise Scottish Ministers of the Plan that they wished to adopt. This would be the settled view of the Council on the LDP 2022.

The modifications being presented for consideration represented the conclusions of a 15-month independent examination of the proposed plan, approved by Aberdeenshire Council in March 2020, following a 3-year period of engagement with communities, stakeholders and elected members. The recommendations contained in the Reporter's Report were largely binding and departures from these could only be made in defined circumstances, as detailed in section 3.1 of the report. Appendix 1 of the report contained a summary the Reporter's Report, with Appendix 2 detailing some additional minor non-notifiable, and consequential modifications.

Officers highlighted points of concern from the report within Kincardine and Mearns to clarify any changes that had been proposed and the Chair invited questions or comments from members.

The Committee discussed the report and thanked the Policy Team, for all their work and

1. **Noted** the Reporter's Report and the proposed non-notifiable modifications; and
2. **Provided** the following comments;
  - a) Suggested a further explanation of the term "wheeling" in relation to Active Travel to include wheeled vehicles including prams,
  - b) Amendments required on typos, Hillhead (pg306) should be Hillside and the insertion of a comma at houses and house types (pg382) and
  - c) Highlighted the need for Communities that have issues to engage and make their views known far earlier in the LDP process.

## **11. ABERDEENSHIRE COUNCIL ROUTE MAP 2030 AND BEYOND**

There had been a report circulated by the Director of Environment and Infrastructure Services, which contained the draft of Aberdeenshire Council's Route Map 2030 and Beyond which had been developed by consultants with the support of Aberdeenshire Council officers. The report went before the Sustainability Committee on 15 June 2022 where it was recommended that the report to be presented to all Area Committees for consideration and comments.

The Committee discussed the report, welcomed the work being carried out and asked a number of questions regarding the carbon budget, public transport, the marginal abatement cost curve (MACC) and if external contractors were included and **agreed** to;

- 1) note the amendments to the estimated Capital investment which had been made since the 15 June 2022 Sustainability Committee, as detailed in Appendix 2 of the report.

## 12. 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

- |                   |   |
|-------------------|---|
| (A) APP/2020/2471 | Full Planning Permission for Erection of Dwellinghouse with Integral Garage at Land at The Schoolhouse, Auchenblae  |
| (B) APP/2022/0898 | Full Planning Permission for Installation of Replacement Windows and External Doors at The Flat, 33 Barclay Street, Stonehaven  |
| (C) APP/2021/2892 | Erection of dwelling house without compliance with condition 3 (tree management) of planning permission in principle reference APP/2017/0433 at Land Adjacent to Kirk House, Crosspoles, Marykirk   |
| (D) APP/2019/1949 | Approval of matters specified in condition 1 a) (layout and siting) b) (external appearance and finishing materials), c) (landscaping and tree protection), d) (levels and cross sections), e) (disposal of foul and surface water), f) (street engineering and quality audit for road network), g) (road/pedestrian/cycle Layout), h) (car parking/vehicle turning area), 4 (protection and enhancement of the water environment) of planning permission in principle APP/2014/3671 for formation of business land (classes 4, 5 and 6) and associated access, drainage and landscaping at Site Adjacent to A92/A957 Junction, East Newtonleys, Stonehaven |
| (E) APP/2021/1634 | Full Planning Permission for Change of use to Storage and Siting of 8 Storage Units (Retrospective) at Hanton's Garage, 25 High Street, Laurencekirk  |

### 13. SALE OF SITE OF FORMER DRUMOAK PRIMARY SCHOOL

An exempt report by the Director of Business Studies was circulated to Members to note a decision taken to approve the sale of site of the former Drumoak Primary School.

The Committee **agreed** to;

1. Note the decision taken by the Garioch Area Manager, deputising for the Kincardine & Mearns Area Manager, as Delegated Officer under Sections B.1 and B.2 of Part 2B of the Scheme of Governance, to approve the sale of the site of the former Drumoak Primary School on the terms set out at 3.5 below.

**KINCARDINE AND MEARNS AREA COMMITTEE, 23 AUGUST 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 the 14 June for a site visit on 23 August as the Committee agreed to see the application site in its wider setting, the overall landscape, the C listed school building adjacent, the trees and the conversation area.

The Committee heard from the speaker in support of his application.

During discussion members queried the loss of trees and if these could be replanted, clarification on the policy position and the design and scale of the building.

The Committee **agreed** that authority to grant Full Planning Permission be delegated to the Head of the Planning and Environment Service subject to the appropriate conditions and developer obligations contributions as on balance it complies with policy HE1 and HE2 and with regards to PR1 the loss of trees these could be suitably mitigated.

**(B) Reference No: APP/2022/0898**

Description: Full Planning Permission for Installation of Replacement Windows and External Doors at The Flat, 33 Barclay Street, Stonehaven

**Applicant:** Mr & Mrs Les and Penny Black, 33 Barclay Street, Stonehaven, Aberdeenshire, AB39 2AX

**Agent:** John Aitken, 2 Cameron Court, Stonehaven, AB39 2FH

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 50% or a majority of responding Local Ward Members in the Ward in which the development is proposed have requested that the application be referred to the Area Committee.

- Cllr Sarah Dickinson: 'The impact of the application on Policy HE2 merits further consideration at Area Committee'
- Cllr Wendy Agnew: 'Further discussion required in response of window type and material'

The Senior Planner introduced the report and advised that the site was located in a Conservation Area. Full planning permission was sought for the replacement of all windows located in the property with upvc sliding sash and case units. It was also proposed to replace the existing timber door with a composite door.

Members asked a number of questions relating to energy efficiency, could the application be amended to approve the windows and front door separately. Members also asked when the area became a Conservation Area, could the policy on Conservation area be changed and queried planning enforcement on other properties.

Councillor Agnew seconded by Councillor Turner moved to grant planning permission as the application was not detrimental to the Conservation area.

Councillor Evison seconded by Councillor Sullivan moved as an amendment to support Officers recommendations to refuse planning permission.

The Members voted as follows:

For the motion	(5)	Councillors Agnew, Carnie, Carr, Turner and Victor
For the amendment	(6)	Councillors Aitchison, Dickinson, Black, Evison, Sullivan and Stelfox

The amendment was carried to **refuse** planning permission for Installation of Replacement Windows and External Doors at The Flat, 33 Barclay Street, Stonehaven for the following reasons:

1. The planning authority considers that the application is for a development that is not in accordance with the Aberdeenshire Local Development Plan 2017 . The proposed windows and door would be out of keeping with the age and character of this traditional building and would neither preserve nor enhance its contribution to the character of Stonehaven Conservation Area. As such, the proposal fails to comply with Policy HE2 Protecting historic and cultural areas.
2. The presumption in favour of sustainable development is a significant material consideration, this must be balanced against any adverse impacts of the proposed development which would significantly and demonstrably outweigh the benefits. The proposed development was assessed against the Scottish Planning Policy principles of sustainable development. However, adverse impacts significantly and demonstrably outweigh the benefits of the proposal.

**(C) Reference No: APP/2021/2892**

Description: Erection of dwelling house without compliance with condition 3 (tree management) of planning permission in principle reference APP/2017/0433 at Land Adjacent to Kirk House, Crosspoles, Marykirk.

**Applicant:** Mr Robert Young, Kirk House, Crosspoles, Marykirk, Aberdeenshire, AB30 1PQ

**Agent:** John D. Crawford Ltd, 72 New Wynd, Montrose, DD10 8RF

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 is an unresolved objection from a consultee.

The Chair advised that a request to speak had been received from Mearns Community Council, the committee agreed to hear the request to speak.

The Senior Planner outlined the report and welcomed any questions. Mike Robson from Mearns Community Council addressed the Committee and outlined issues regarding access and the right of way.

Following debate the Committee **agreed** to grant Full Planning Permission subject to the following conditions:

01. Details of the specified matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the

authority has been given, and the development shall be carried out in accordance with that approval.

Specified matters:

- a) Full details of the layout and siting of the proposed development, including any ancillary buildings;
- b) Full details of the external appearance and finishing materials of the proposed development;
- c) Full details of the proposed foul and surface water drainage certification and maintenance scheme.
- d) A desk top noise assessment.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. The drainage details required under Condition 1(c) shall include the following requirements:

The submission of a detailed report to confirm that the soakaway location and design will be effective in all-weather conditions and will not contaminate water supplies. The report should include a maintenance scheme. The report must be certified by a Chartered Civil or Structural Engineer, or similarly qualified person who is indemnified against professional risk. The certificate should be signed and dated. The foul and surface water drainage systems shall be permanently retained thereafter and maintained in accordance with the approved scheme.

Reason: In order to ensure that adequate drainage facilities are provided, retained, maintained and to provide clarity of maintenance responsibilities, in the interests of the amenity of the area.

03. The noise assessment required under Condition 1(d) shall include the following requirements:

- a) A desk top noise assessment to identify any sufficient noise attenuation measures that may be required to mitigate road traffic noise from the A90 trunk road.

Reason: To ensure the implementation of a satisfactory means of noise attenuation in the interests of the residential amenities of the occupiers of the proposed development.

04. No works in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility of 2.4 metres by 59 metres along the channel line of the public road has been provided in accordance with the Council's Standards for Road Construction Consent and Adoption. The visibility splays shall be physically formed on the

ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated out with the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason: To enable drivers of vehicles using the access to have a clear view of other road users and pedestrians in the interests of road safety.

05. Prior to occupancy of the development, parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the Council's Car Parking Standards. Once provided, all parking spaces shall thereafter be permanently retained as such.

Reason: In order to ensure that the development is served by an appropriate standard of access and associated servicing in the interests of road safety.

06. That the dwellinghouse hereby approved shall not be constructed unless an Energy Statement applicable to that dwellinghouse has been submitted to and approved in writing by the planning authority. The Energy Statement shall include the following items:

- a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development.
- b) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with the Council's Supplementary Planning Guidance on Carbon Neutrality in New Developments.

The development hereby approved shall not be occupied unless it has been carried out in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: To ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and the Council's Supplementary Planning Guidance - Carbon Neutrality in New Developments.

### **Reason for Decision**

The Planning Authority considers that the application is for a development that is in accordance with the Aberdeenshire Local Development Plan 2017. The removal of the woodland from the approved domestic curtilage associated with the new dwelling house (ref APP/2017/0433) negates the need for the condition and therefore the proposal can be supported on the basis that the no adverse impact would occur on the woodland as a result of the proposed new dwelling house in accordance with Policy PR1: Protecting important.

The presumption in favour of sustainable development is a significant material consideration, this must be balanced against any adverse impacts of the proposed development which would significantly and demonstrably outweigh the benefits.

The proposed development accords with the Scottish Planning Policy principles of sustainable development. This carries significant material weight lending itself to an approval.

In assessing the proposed development there were no adverse impacts which would significantly and demonstrably outweigh the benefits of the proposal.

**(D) Reference No: APP/2019/1949**

Description: Approval of matters specified in condition 1 a) (layout and siting) b) (external appearance and finishing materials), c) (landscaping and tree protection), d) (levels and cross sections), e) (disposal of foul and surface water), f) (street engineering and quality audit for road network), g) (road/pedestrian/cycle Layout), h) (car parking/vehicle turning area), 4 (protection and enhancement of the water environment) of planning permission in principle APP/2014/3671 for formation of business land (classes 4, 5 and 6) and associated access, drainage and landscaping at Site Adjacent to A92/A957 Junction, East Newtonleys, Stonehaven.

**Applicant:** Bancon Group & Dickinson Trust Ltd, c/o Burnett House, Burn O'Bennie Road, Banchory Business Park, Banchory, AB31 5ZU.

**Agent:** Mackie Ramsay Taylor, 47 Victoria Street, Aberdeen, AB10 1QA

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.

- Cllr Sarah Dickinson: 'For further discussions on the drainage arrangements'
- Cllr Wendy Agnew: 'Further discussion required in respect of traffic management, road safety, layout, siting and design'

The Senior Planner introduced the report. The Committee **agreed** to defer for a site visit on 6 September at 9am to see the application site in its wider setting, layout and location.

**(E) Reference No: APP/2021/1634**

Description: Full Planning Permission for Change of use to Storage and Siting of 8 Storage Units (Retrospective) at Hanton's Garage, 25 High Street, Laurencekirk.

**Applicant:** Mr Alan John Benton, 8 Gardenston Street, Laurencekirk, AB30 1UG.

**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 there is an unresolved objection from a consultee. In addition, the Committee is able to consider and take a decision on this item in terms of Section C.3.1c of Part 2C Planning Delegations of the Scheme of Governance, as the application for development is a departure from the Development Plan and is recommended for approval

The Senior Planner introduced the report. Members sought clarification on the removal of the storage containers, what was contained within and retrospective applications.

Following discussion the Committee **agreed** to grant full planning permission for Change of use to Storage and Siting of 8 Storage Units (Retrospective) at Hanton's Garage, 25 High Street, Laurencekirk.