

ABERDEENSHIRE COUNCIL

KINCARDINE AND MEARN'S AREA COMMITTEE

COUNCIL CHAMBER, VIEWMOUNT, STONEHAVEN, 12 FEBRUARY 2019

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

Apology: Councillor Colin Pike.

Officers: Janelle Clark (Area Manager, Marr), Alison Cumming (Area Committee Officer, Garioch), Peter Robertson (Senior Solicitor), Gregor Spence (Senior Planner), June Cranna (Principle Officer, Finance), Paulene McEwan (Team Leader, Housing), Elaine McCarron (Team Leader, Estates).

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 –

Item 4 – Councillor Evison as she is the Council representative on the Citizen Advice Bureau. Councillor Evison indicated that she had applied the objective test and would continue to take part in considering the item.

Item 6 – Provost Howatson and Councillor Bews indicated that as they had not been at the previous meeting and the site visit, they had missed part of the determination process and would therefore take no part in the decision for this item. Both Councillors left the Council Chamber whilst the application was determined

2A. STATEMENT ON EQUALITIES

In making decisions on the following items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act, 2010:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it.

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

2B. RESOLUTION

The Committee **agreed** in terms of Section 50A(4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of the items specified below so as to avoid disclosure of exempt information of the class described in the undernoted paragraphs of Part 1 of Schedule 7A of the Act.

Item No

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Paragraph No of Schedule 7A

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3. MINUTE OF MEETING OF KINCARDINE AND MEARNS AREA COMMITTEE OF 22 JANUARY 2019

The Committee had before them and **approved** as a correct record the Minute of Meeting of the Committee of 22 January 2019.

4. UNIVERSAL CREDIT FULL SERVICE

As indicated in section 1 of the minute, Councillor Evison declared an interest, but continued to take a full part in considering the item.

A report by the Director of Business Services was circulated providing information and seeking comments on the roll out of Universal Credit and the position regarding rent arrears for Universal Credit claimants.

Members sought clarification regarding the support that will be provided by the Citizen Advice Bureau and the Council. Officers confirmed that from 1 April the principle support would be provided by the Citizen Advice Bureau and that it had been running a pilot to identify the best options for delivery of this support. Officers reassured Councillors that claimants would not be turned away from the Council and would be supported and signposted to appropriate bodies. They also confirmed that Council tenants would still be contacted and visits made to assist them with claims.

Members asked about the implications from the lack of action from the Government in relation to amending the Pre-action Requirements. Officers confirmed that this had been raised through a national forum, but as the Council had not served notice yet and there had been no challenges made nationally to date, this was not an issue at this time.

Members asked whether libraries had scope to provide support. Officers confirmed that libraries were able to provide computer and internet access, but would not have time to support claimants making a claim. Members welcomed the early engagement and efforts made by officers to make the transition to Universal Credit as smooth as possible and congratulated staff on this.

The Committee **agreed** to note the work that is being carried out to support customers in receipt of Universal Credit Full Service and the activities to mitigate rent arrears.

5. ABERDEENSHIRE CHARITIES TRUST (ACT2) – FINANCIAL MANAGEMENT

A report by the Director of Business Services was circulated detailing the current criteria and balances available for the Kincardine and Mearns Wards through Aberdeenshire Charities Trust and asking the Committee to consider if any changes should be made to these.

The Senior Solicitor confirmed that the most up to date information that he had indicated that no applications had been received for the Kincardine and Mearns wards. Members were content to retain the current criteria and balances to see what applications were submitted, but highlighted the need for the publicity of the fund to be stepped up to reach people in need.

The Committee **agreed** to:-

1. retain the current maximum and minimum thresholds for applications for all three wards;
2. retain the current capital and revenue balance splits for all three wards;
3. highlight the importance of publicising the fund at every possible opportunity and in a number of different ways; and
4. receive a report to review the thresholds and Capital and Revenue splits following the next review of ACT2 by the ACT2 Committee.

6. PLANNING 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 | Proposal | Decision |
|-------------------------|--|-----------------|
| APP/2018/1309 | Erection of Replacement Dwellinghouse at Rockhall Bungalow, St Cyrus | Grant |

7. PROPOSED LEASE EXTENSION, UNIT 7 LAURENCEKIRK BUSINESS PARK, LAURENCEKIRK AB30 1EY

A report by the Director of Business Services was circulated detailing the terms for the extension of a lease on Unit 7, Laurencekirk Business Park and seeking approval for the lease extension.

The Committee **agreed** to approve the 10 year lease extension for the Veterinary Surgery, Site 7 Laurencekirk Business Park, Laurencekirk on the terms detailed in the report.

KINCARDINE AND MEARNS AREA COMMITTEE,

12 FEBRUARY 2019

APPENDIX A

PLANNING APPLICATION FOR DETERMINATION

Reference No: APP/2018/1309

**Full Planning Permission for erection of replacement dwellinghouse at
Rockhall Bungalow, St Cyrus, Aberdeenshire, DD10 0DQ**

**Applicant: Snowdrop Developments, Snowdrop Lodge,
Beach Road, St Cyrus, DD10 0BJ**

**Agent: Kerry Smith Architects, 4 John Street, Montrose,
DD10 8LY.**

As indicated in section 1 of the minute Provost Howatson and Councillor Bews indicated that as they had not been present for the entire consideration of the application that they would leave the Council Chamber whilst the application was determined.

The Senior Planner explained that the application had been deferred from the last meeting to allow a site visit to take place to better assess the impact of the proposals on the landscape and the amenity of the neighbouring listed building. He explained that the contemporary 2 storey flat roofed design was different from the current dwellinghouse on site, but that following some amendments to the proposals the design was considered to be appropriate and was not considered to cause a significant impact on the listed building. The Senior Planner indicated that a further condition would be required on any permission to ensure that waste management facilities were provided on site.

Members were satisfied that the application would not have a detrimental impact on the landscape, setting and character of the location.

The Committee **agreed** to grant Full Planning Permission subject to:-

- a) a condition ensuring appropriate waste management facilities are provided on the site; and
- b) the following conditions:-
 01. The dwellinghouse hereby approved shall not be occupied unless off-Street parking for 3 cars has been provided and surfaced in accordance with the details shown on the approved plans. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the retention of adequate off-street parking facilities in the interests of road safety.

02. The dwellinghouse hereby approved shall not be erected unless an Energy

Statement applicable to the building 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 Policy C1 of the Aberdeenshire Local Development Plan 2017.

The development shall not be occupied unless it has been constructed 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 Policy C1 of the Aberdeenshire Local Development Plan 2017.

03. The dwellinghouse hereby approved shall not be occupied unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans (Drainage Calculations, Ramsay & Chalmers, dated 21-09-2018). The foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved maintenance scheme.

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

04. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority.

Details of the scheme shall include:

- a) Existing landscape features and vegetation to be retained;
- b) Protection measures for the landscape features to be retained;
- c) Existing and proposed finished levels;
- d) The location of new trees, shrubs, hedges, grassed areas
- e) A schedule of planting to comprise species, plant sizes and proposed numbers and density;

- f) The location, design and materials of all hard landscaping works including [walls, fences];
- g) An indication of existing trees, shrubs and hedges to be removed;
- h) A programme for the implementation, completion and subsequent management of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

05. No works in connection with the development hereby approved shall commence unless details/the specification and colour of all the materials to be used in the external finish for the approved development have been submitted to and approved in writing by the planning authority. The development shall not be occupied unless the external finish has been applied in accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

Reason for Decision

The proposed development is considered to comply with the criteria set out within Policy R1 Special Rural Areas, as it involves the replacement of an existing building on the site in a coastal area. The proposal will have minimal impact on the setting of the nearby listed building and complies with HES guidance notes and Policy HE1 Protecting historic buildings, sites and monuments and can be accessed and serviced in accordance with Policy RD1 Providing suitable resources of the Aberdeenshire Local Development Plan 2017.