

1. Reason for Report

1.1 The Committee is able to consider and take a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1i of Part 2C Planning Delegations 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. Charles Buchan: "To discuss further the reasons for refusal."
- Cllr. Andrew Kille: "To further discuss the interpretation of policies R1, P1 and RD1"

1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

2. Background and Proposal

2.1 Full Planning Permission is sought for erection of a single dwellinghouse and garage at Site adjacent to St Inver, St Combs.

2.2 The proposed site is situated in the countryside on the north of a private single track, approximately 400m off the coastline. The site lies on the northwest of the residential property of St Inver, which is enclosed by a 2m high boundary wall, and another traditional house Bankhead House on the opposite side of the single track. The location is illustrated in **Appendix 1**. The application site is in irregular shape, expanding approx. 140m to the north with a maximum width up to 56m, covering approx. 0.67Ha in area.

2.3 The application site is on relatively flat ground covered by grass with post and wire fence along the single track and on the west. A stable is located to the west of the proposed site on neighbouring land off the track. A site plan is attached as **Appendix 2**. To the north-northwest of the site, approx. 150m, lies a small wind turbine (11m high) (APP/2007/1781), whilst a further wind turbine (80m high) (APP/2010/2708) is located approx. 438m to the northwest of the application site.

2.4 The proposed site is located in the countryside within the Coastal Zone as defined in the Aberdeenshire Local Development Plan 2017. The St Combs settlement boundary is approx. 320m to the southeast of the site. Cairnbulg settlement is about 980m to the north.

2.5 The proposed new dwellinghouse with attached double garage would be sited approx. 106m from the existing private single track. The new house would be 2-storey and measure approx. 21.7m L (including garage) x 13.2m W (gable width 10.7m) x 7.8m H. The proposed external materials of the dwelling consist white Skye marble dry dash roughcast for walls with thin stone cladding on all external corners and mid-sections, Marley Modern Slate

concrete interlocking tiles on roof, grey plastic fascia and soffit boarding, and grey timber windows and doors. Elevation and floor plan details of the house are attached as **Appendices 3 & 4**.

2.6 The proposed development would be accessed via a new access from the existing private single track. Car parking spaces and a lay-by would be provided for the new dwelling on site. The proposed house would be connected to a public water supply and individual private drainage systems including septic tank and soakaway, although no drainage certificate has been provided to support the application. The development would be enclosed by a new post and wire fence.

2.7 Relevant Planning History

None

2.8 Supporting Information

Design statement

3. Representations

3.1 No valid letters of representation have been received.

4. Consultations

4.1 **Business Services (Developer Obligations)** confirm that St Combs Primary School and Fraserburgh Academy are currently operating within capacity. The proposed development does not engage the Developer Obligations and Affordable Housing policies or associated supplementary planning guidance of the ALDP 2017. Therefore, in this instance no contributions are required.

4.2 **Infrastructure Services (Flood Risk and Coast Protection)** advise that having studied the proposal, this development does not lie in a sensitive area and does not require a drainage impact assessment unless objections are raised due to local drainage issues.

4.3 **Infrastructural Services (Roads Development)** has commented that this development takes access via a private road, not maintained by the Roads Authority. Granting this development will result in an increase in usage. Accordingly, there may be an increased liability on those responsible for the maintenance of the private road.

4.4 **Scottish Water** has no objection to the application.

5. Relevant Planning Policies

5.1 Scottish Planning Policy

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and
- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

5.2 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Strategic Development Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In light of this, for proposals which are regionally or strategically significant, or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

5.3 Aberdeenshire Local Development Plan 2017

Policy R1 Special rural areas
Policy P1 Layout, siting and design
Policy C1 Using resources in buildings
Policy RD1 Providing suitable services
Policy RD2 Developers' obligations

5.4 Other Material Considerations

N/A

6. Discussion

6.1 The main planning issues to be considered in this application are the principle of development, the layout, siting, and design, as well as access and servicing of the development.

Principle of development

6.2 The proposed site is situated in the countryside within the Coastal Zone as defined in the Aberdeenshire Local Development Plan 2017 (Supplementary Guidance 4—The Coastal Zone).

6.3 'Policy R1 Special rural areas' significantly restricts housing and employment development opportunities in the greenbelt and coastal zone to reflect the special nature of these areas. Development which is essential and cannot be located elsewhere only would be allowed.

6.4 In the Coastal Zone, development would only be allowed under the following circumstances:

1. The development must require a coastal location, and the social and economic benefits must outweigh any adverse environmental impact;
2. It must be the redevelopment of an existing building, or within the curtilage of an existing building;
3. Proposals for coastal protection works.

6.5 In any case there must be no coalescence of coastal developments or significant adverse impacts on natural coastal processes or habitats. Great care must be taken to assess flood and erosion risk.

6.6 In this regard, the development site is situated in the countryside currently for agricultural use. The proposed dwelling would be of a private property which does not have to be at a coastal location, or is justified to be located within the Coastal Zone for the social and economic benefits of the wider public. There are no existing buildings or building curtilage within the site which may be redeveloped. The proposal is not for coastal protection works. The proposed development clearly fails to comply with Policy R1. Therefore, the proposal is in principle unacceptable.

Layout Siting and Design

- 6.7 Policy P1 Layout, siting and design only supports development designs that demonstrate the six qualities of successful places, which includes that it is distinctive; safe and pleasant; welcoming; adaptable; efficient and well connected.
- 6.8 The proposed site measures approximately 140 m in length (123m if measured beyond St Inver) and 56m in width. In comparison with the existing curtilage at the immediately adjacent St Inver (37m x 43m) and Bankhead House (20m x 28m), the proposed site is considered excessive, and with a new dwelling within would detract from the character of the surrounding coastal area.
- 6.9 In terms of siting, the new dwelling would be located some 106 metres from the single track road, almost 80 metres from the existing house of St Inver. The proposal would be in contrast to the existing pattern of development in the adjacent area, where only two dwellinghouses are sited immediately adjacent to the single track road. The layout proposed for would also lead to an elongated vehicular access within the site, which is an undesirable feature in a rural setting.
- 6.10 The proposed dwelling features a suburban style 2-storey dwelling on an oblong footprint with a wide gable end balcony facing the road (southeast). Although dormers are proposed, the 2-storey high mid-sections protruding from the front and rear of the main block create a mismatched and asymmetric non-vernacular appearance on the northeast and southwest elevations. The shallow roof pitch of the dwelling further emphasises the non-traditional gable and create a 'top heavy' roof in appearance, which is unappealing. The design, scale and height of the new house are considered as unsympathetic to the exposed and sensitive coastal location.
- 6.11 The proposed external materials of the dwelling are a mix of suburban and traditional types. It is an incongruous combination, however, not considered unacceptable, as adjacent houses have similar features.
- 6.12 The closest residential property, as mentioned above, the St Inver, would be approx. 80m from the proposed house. The property at St Inver is enclosed by a 2m high boundary wall. Given the distance between the two buildings it is not considered that the new development would result in any overlooking or overshadowing issues.
- 6.13 Overall, despite that the proposal would not have an adverse impact on the residential amenity of neighbours, given the excessive plot size, dispersed siting, and the mismatched design, it is considered that the proposal fails to comply with Policy P1, as it fails to demonstrate that the proposed house is of a high quality design and of appropriate siting which would respect the sensitive location.

Access and Servicing

- 6.14 Regarding the vehicular accesses and parking spaces, Infrastructure Services (Roads Development) has commented that this development takes access via a private road, not maintained by the Roads Authority. No roads conditions have been proposed by Roads Development. Scottish Water has no objection to the proposal. Infrastructure Services (Flood Risk and Coast Protection) advise that this development does not lie in a sensitive area and therefore a drainage impact assessment is not required.
- 6.15 The proposed foul water for the dwelling would be disposed of through a septic tank and soakaway system. However, the agent has not submitted a drainage certificate to demonstrate that the new development would be adequately serviced.
- 6.16 Despite the fact that the development can satisfactorily meet other aspects of the policy, due to the lack of information on foul drainage, the proposal fails to comply with the Policy RD1, in that the infrastructure provisions for the proposal have not been demonstrated to be sufficient insofar as the proposal would not adversely affect the amenities of the surrounding area.

Other issues

- 6.17 In terms of Developer Contributions, Business Services (Developer Obligations) has confirmed that no contributions are required for this proposal.
- 6.18 In terms of assessment against the Strategic Development Plan, due to the small scale of this proposal the proposed development is not considered to be strategic or regionally significant, or require consideration of cross-boundary issues and, therefore, does not require detailed consideration against the SDP.

Conclusion

- 6.19 In conclusion, the proposed development fails to comply with Policy R1 Special rural areas, Policy P1 Layout, siting and design, and Policy RD1 Providing suitable services of the Aberdeenshire Local Development Plan 2017. The Planning Service therefore recommend for refusal of this application.

7. Area Implications

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

8. Implications and Risk

- 8.1 An equality impact assessment is not required because the granting or refusing of the application will not have a detrimental impact on the protected characteristics of the applicant or any third parties.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

9. Sustainability Implications

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

10. Departures, Notifications and Referrals

10.1 Strategic Development Plan Departures

N/A

10.2 Local Development Plan Departures

Policy R1 Special rural areas
Policy RD1 Providing suitable services
Policy P1 layout, siting and design

- 10.3 The application is a Departure from the valid Local Development Plan and Strategic Development Plan and has been advertised as such. Any representations received have been circulated as part of the agenda and taken into account in recommending a decision. The period for receiving representations has expired.
- 10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.
- 10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

11. Recommendation

11.1 REFUSE for the following reasons:-

01. The proposed development is contrary to Policy R1 Special rural areas, as contained in the Aberdeenshire Local Development Plan 2017, as the proposed dwellinghouse fails to meet the criteria set out in the policy, in that:
 - a. The development fails to justify a coastal location, whereby the social and economic benefits would outweigh any adverse environmental impact;
 - b. It is not a redevelopment of an existing building, or within the curtilage of an existing building;
 - c. It is not for coastal protection works.
02. The proposed development is contrary to Policy P1 Layout, siting and design, as contained in the Aberdeenshire Local Development Plan 2017, as the proposal fails to demonstrate that the proposed house is of a high quality design and of appropriate siting which would respect the sensitive location.
03. The proposed development is contrary to Policy RD1 Providing suitable services, as contained in the Aberdeenshire Local Development Plan 2017, by virtue of lack of information (drainage certificate), to demonstrate that the proposed development can be satisfactorily serviced the and would not adversely affect the amenities of the surrounding area.

Stephen Archer
Director of Infrastructure Services
Author of Report: Timothy Xu
Report Date: 26 July 2019



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APPENDIX 1 Location Plan

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Aberdeenshire Map Layers

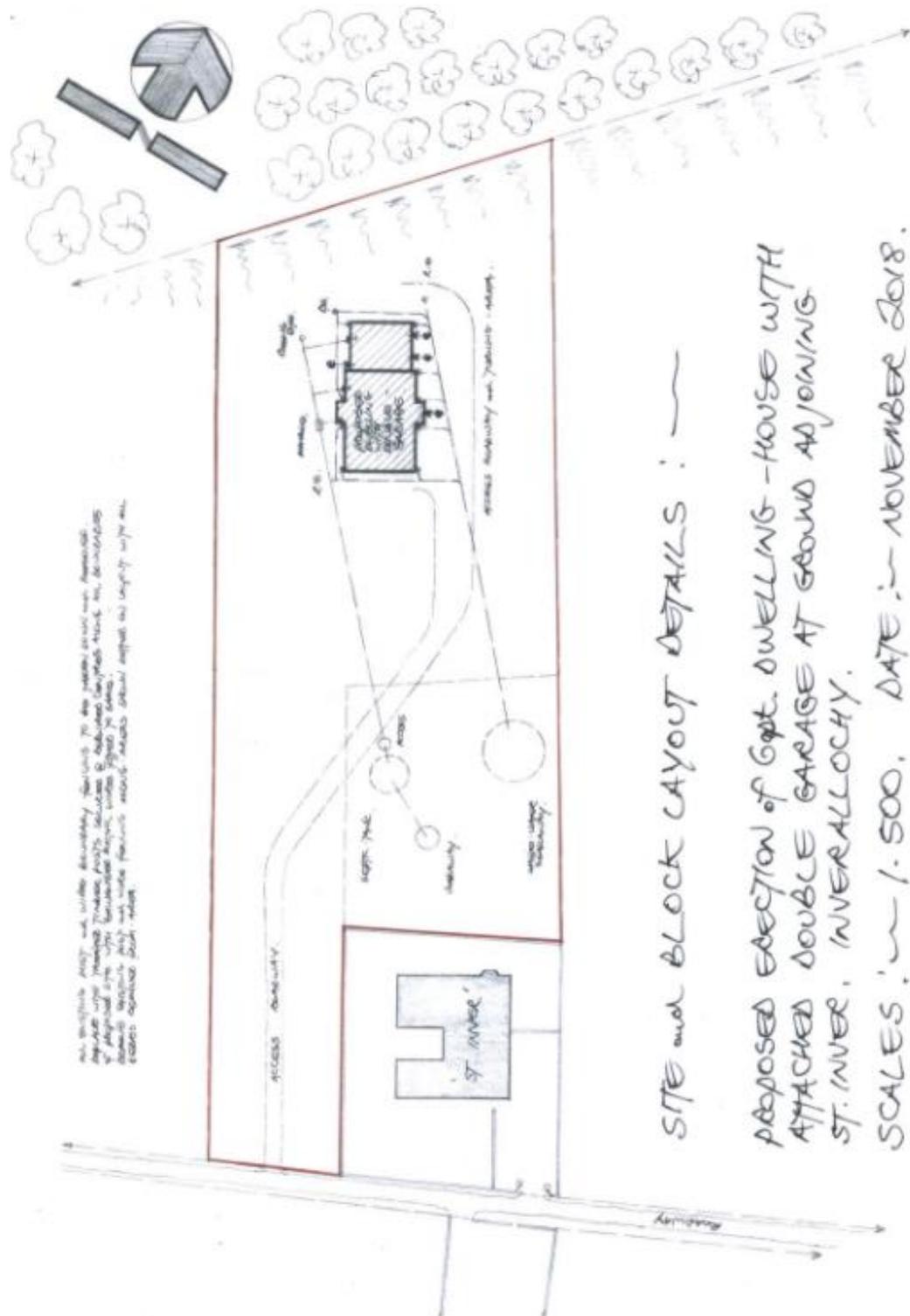
To Farseburgh APPROX 3 miles



*To Combs
APPROX 1/2 mile*

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APPENDIX 2 Site Plan



ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED TO THE CONTRARY. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS OF THE PLOTS OR THE EXISTING STRUCTURES. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS OF THE PLOTS OR THE EXISTING STRUCTURES.

SITE and BLOCK LAYOUT DETAILS : ~

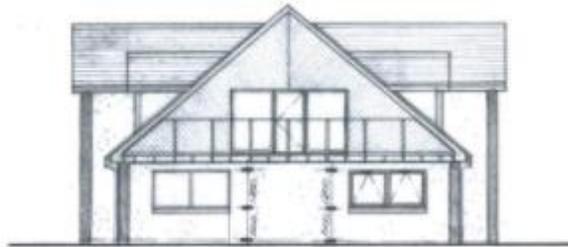
PROPOSED ERECTION OF GPT. DWELLING - HOUSE WITH ATTACHED DOUBLE GARAGE AT GROUND ADJOINING ST. INVER, INVERALLOCHY.

SCALE : ~ 1:500, DATE : ~ NOVEMBER 2018.

APPENDIX 3 Elevations



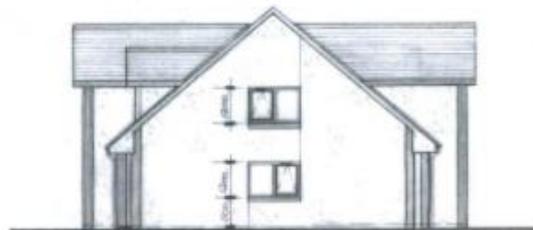
SOUTH - WEST FACING : —



SOUTH - EAST FACING : —

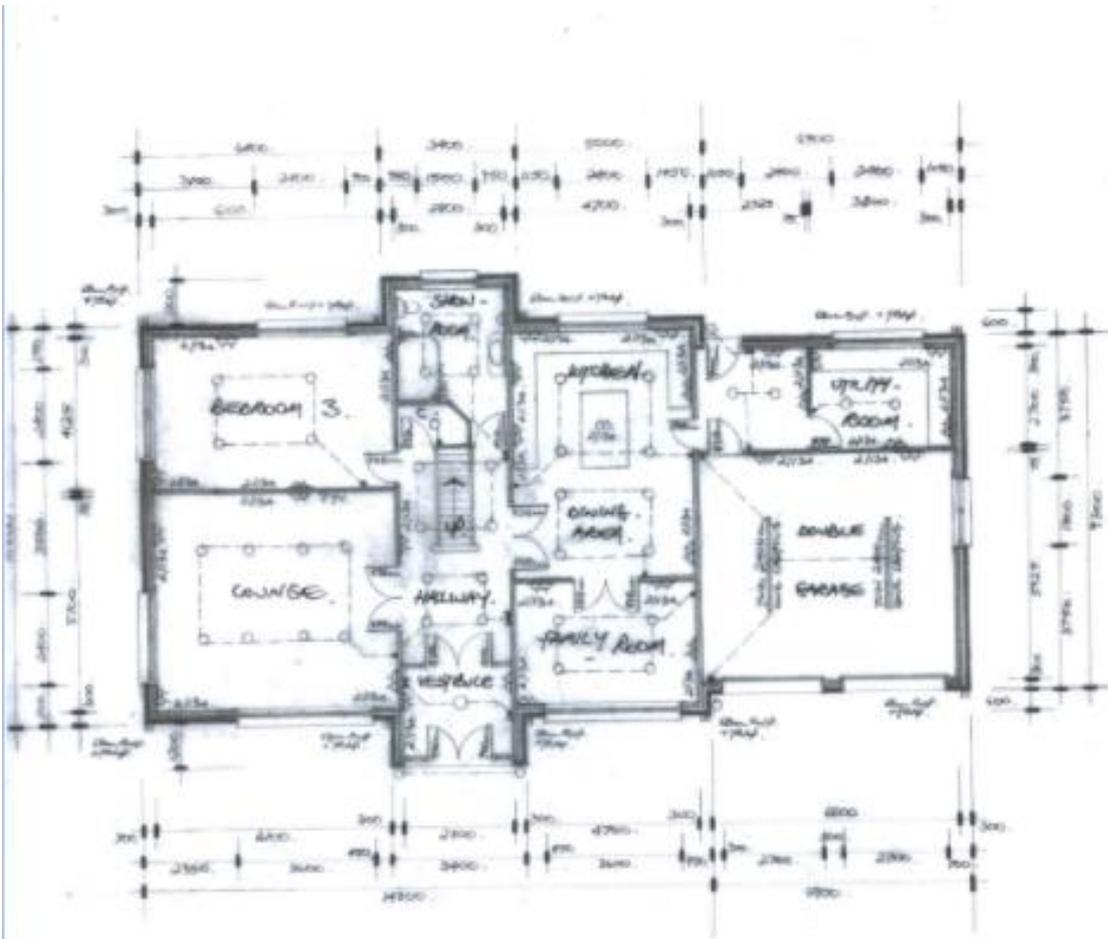


NORTH - EAST FACING : —

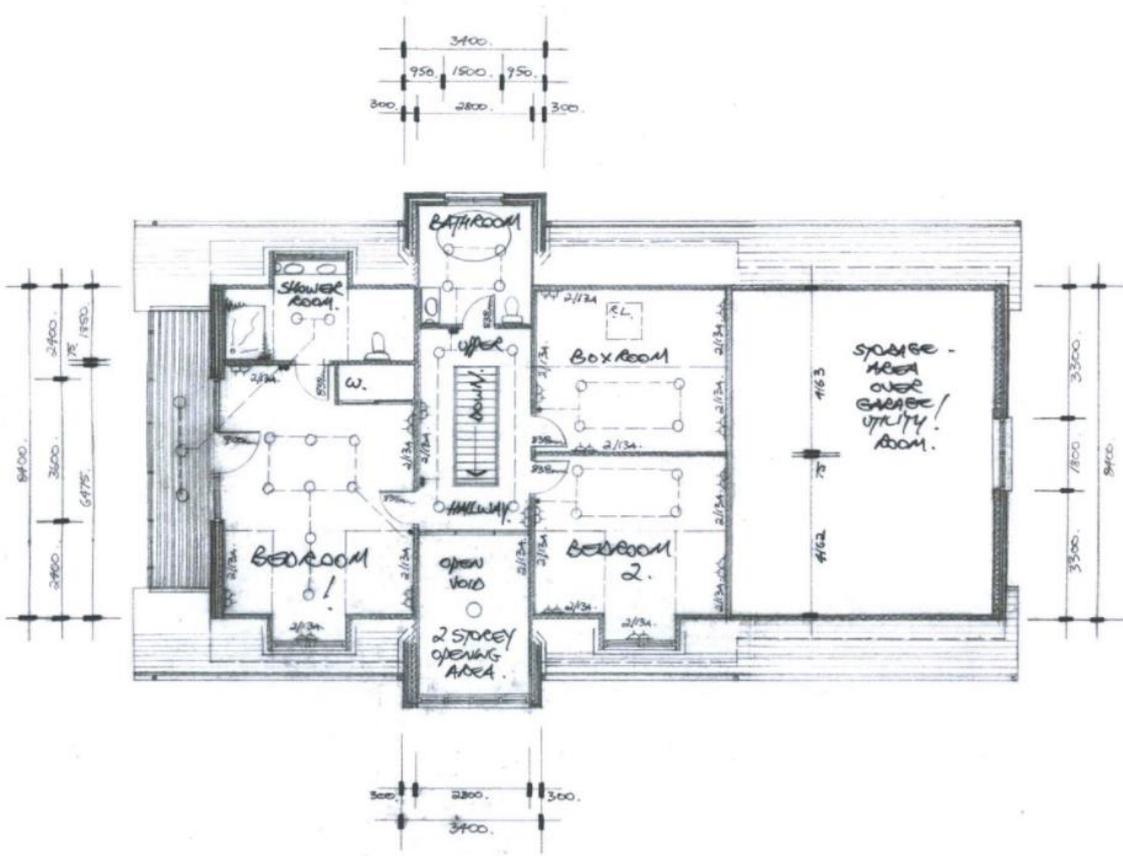


NORTH - WEST FACING : —

APPENDIX 4 Floor Plans



PROPOSED GROUND FLOOR LAYOUT :-



proposed first floor layout: ~~~~~

