

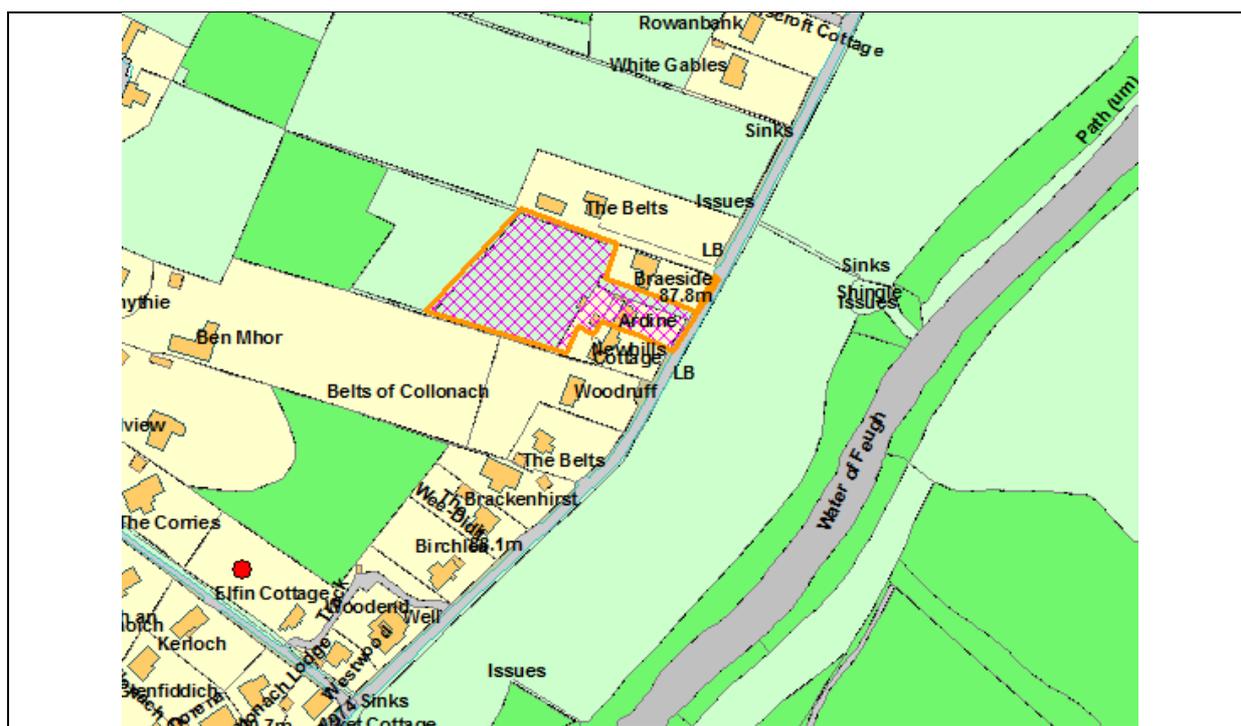
Marr Area Committee Report 19 July 2016

Reference No: APP/2016/0985

Full Planning Permission for Erection of Replacement Dwellinghouse and Detached Garage and Erection of 3 No. Dwellinghouses and Formation of Access at Land at Ardine Belts, Strachan, Banchory, Aberdeenshire, AB31 6NL

Applicant: Veitchi Homes Ltd, Unit 4, Wellington Circle, Altens, Aberdeen, AB12 3JG
Agent: Ken Mathieson Architectural Design Ltd, Mansard House, 15 Oldmeldrum Road, Bucksburn, Aberdeen, AB21 9AD

Grid Ref: E:368784 N:793249
Ward No. and Name: W16 - Banchory and Mid-Deeside
Application Type: Full Planning Permission
Representations: 7
Consultations: 6
Relevant Proposals Map: Aberdeenshire Local Development Plan
Designations: Rural Housing Market Area
Complies with: Yes
Development Plans:
Main Recommendation: Grant



NOT TO SCALE

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1. Reason for Report

- 1.1 The application is being referred to Area Committee because there have been valid objections from more than five separate households.

2. Background and Proposal

- 2.1 Full planning permission is sought for the erection of a replacement dwelling with detached garage, the erection of 3 dwellings and the formation of an access road at land at Ardine, Belts of Collonach, Strachan, Banchory.
- 2.2 The proposed site extends approximately 0.54 hectares and is currently occupied by the vacant dwelling, Ardine, its associated garden curtilage and an uncultivated paddock to the rear. The dwelling fronts the B974 which links Strachan to Banchory. The site extends west encompassing a redundant field which is bound by a drystone dyke. A variety of trees/hedging border the proposed development site, which has a gentle declining gradient from west to east. Two neighbouring dwellings lie adjacent to Ardine, Braeside to the north and Newhills Cottage to the south.
- 2.3 A modern cottage is proposed to replace the existing dwelling at Ardine. The existing dwelling is 1 ½ stories in height, symmetrical in appearance with a slate roof, rendered walls, white UPVC windows and a flat roofed conservatory to the front. To the rear lies a number of sheds/outbuildings. A small access track runs to the north of the dwelling leading to the fields to the rear and driveway/parking area for Ardine. The proposed replacement dwelling would also be 1 ½ stories in height on the footprint of the existing dwelling with a detached garage to the rear and would include timber windows. The cottage would remain to be set in line with the neighbouring dwellings at Braeside and Newhills Cottage, maintaining uniform frontage to the B974.
- 2.4 The three additional dwellings would be located to the west of the replacement dwelling in the currently uncultivated paddock. Plots 2 and 3 would be orientated to face north, 1 ¾ storey in height containing four bedrooms with an integral double garage. Plot 4 would be located opposite plots 2 and 3 with the access road creating the north/south divide of the site, and is of same scale and proportions. All dwellings would be finished in wet harling on the external walls, white timber windows and grey slate lookalike roof. Plots 2, 3 and 4 would be located centrally within the plots with the driveway access to the front and a substantial area of garden ground surrounding the properties. The proposed development offers a mix of house types, Hawthorne and Rowan, both house types ensure the majority of the glazing is on the ground floors, and there is direct access into the open garden ground.
- 2.5 In order to access the proposed dwellings a new access road is required. This would replace the existing track which runs to the north of Ardine and in order to meet the appropriate standards would be 4metres wide and cut across the front garden of plot 1.
- 2.6 The proposal was discussed with the Planning Service in 2014 (ENQ/2014/2860) and then a subsequent meeting was held in February 2015 to discuss the proposal further. The Planning Service were positive during

pre-application discussions and encouraged the applicant to speak to consultees to iron out any requirements pre-submission.

2.7 A number of documents have been submitted in support of the application.

- **Bat Survey** – The survey was carried out on Ardine Cottage as it is situated in an area of good foraging and roosting habitat. The survey concluded that the cottage has some roost potential within the slate roof but no evidence of bats was found internally or externally. The surveyor concluded that the demolition of the cottage would not impact on the conservation status of bats.
- **Tree Survey** – A number of trees within the site are required to be felled to accommodate the development and new access from the B974. In total, 21 trees are to be felled to accommodate the development or for health and safety reasons. 12 trees are to be retained with an additional 20 new trees planted. The replacement planting consists of a vast range of native planting which is considered appropriate to the site. The tree survey carried out by Astell Associates provides detail of the planting plan and tree protection fencing proposed.
- **Construction Method Statement** (Includes Environmental Risk Assessment, Method Statement, Risk Assessment and Management Plan) - The construction method statement submitted confirms that the development can be constructed without impact on the River Dee Site of Special Conservation.
- **Drainage Impact Assessment** - The existing dwelling at Ardine is currently serviced by mains water and foul drainage supply. In terms of foul water from the site for the additional 3 dwellings, these would connect to the adjacent foul sewer in the B974, as to be agreed with Scottish Water. The development would connect to the public water supply network.
- **Planning and Design Statement** - In support of the submission, the applicant's agent has provided a design statement which provides background information, site details and policies relevant. It provides a rationale behind the chosen designs and highlights the importance of each dwelling within the group and how they relate to one another.
- **Rot inspection** - An inspection was carried out of the existing dwelling with quotes for the repairs required to bring it up to a modern, habitable standard. The inspection concludes that the repair required is considerable due to wet rot and rising damp.

2.8 A number of alterations were requested by the Planning Service. These include alterations to boundary treatments - a 1.8 metre timber fence between plot 4 and Braeside and 1.8metre timber fence along the rear boundary of plot 2 and 3 (or until it meets the tree belt). In relation to the replacement dwelling at Ardine, it was requested that the bathroom/ study were swapped on the first floor of the south elevation and bathroom window made opaque glazing to ensure no overlooking between the dormer window on north elevation of

Newhills Cottage and replacement dwelling. Roads Development also requested some additional information to achieve the required visibility splays and requested the addition of visitor parking spaces.

- 2.9 The existing cypress hedge (5-7metres in height) runs along the north of the site and shall be retained. Additional planting would bound the plots' rear/side gardens. The existing stone dykes within the site are to remain. Between plots 1.8 metre timber fencing is proposed.

3. Representations

- 3.1 A total of 7 valid representations objecting to the proposal have been received as defined in the Scheme of Delegation. This does not include multiple representations from the same household which equate to 8 letters in total. All issues raised have been considered. The letters raise the following material issues:

- Impact on road (B974) safety implications due to speed of traffic and busy road
- Existing facilities locally are overstretched, additional dwellings will add to this
- Potential to disturb stone dyke boundaries
- Impact on Scolty Hill
- Does not comply with policy - is sporadic, intrusive development out of character with the existing pattern of development
- Impact on wildlife
- Flooding
- Overlooking – detrimental impact on Woodruff and Braeside
- Current overprovision of housing in the local area

4. Consultations

- 4.1 **Business Services (Developer Obligations)** have confirmed that agreement has been reached towards secondary education, community halls, sports and recreation and affordable housing.

- 4.2 **Infrastructure Services (Roads Development)** initially objected to the proposal based on insufficient information. The agent provided the required information and additional visitor parking was provided within the development, subsequently roads development removed their objection. The applicant has provided details of a legal agreement between the owners of the neighbouring property (Newhills Cottage), where the visibility is required, providing the visibility splay by the setting back of the hedge along the road frontage to achieve visibility westward.

- 4.3 **Infrastructure Services (Contaminated Land)** initially asked for additional information on the previous uses of the agricultural land. This information was provided to contaminated land and they state that there is no indication of any past use which may have caused contamination.

- 4.4 **Infrastructure Services (Flood Prevention Unit)** were consulted and request that 2 conditions are attached to the consent. These are in relation to

evidence of the proposal being submitted for technical approval from Scottish Water. In addition, that the developer ensures that the proposed property deeds and purchase documents clearly state the presence, location and maintenance responsibility for the individual drainage systems for each property as well as the future maintenance arrangements detailed in Chapter 8 of the Drainage Impact Assessment.

- 4.5 **Infrastructure Services (Environment Team)** were consulted on the bat survey and tree survey. Both surveys were considered acceptable and the Service suggested that an informative is attached to the consent were bats to be found during construction.

A construction method statement was requested to demonstrate that works could be undertaken without impact on the Special Area of Conservation (River Dee). It is considered that the construction method statement provided would minimise the impact on the River Dee SAC. The Environment Team request a condition is attached ensuring work is carried out in accordance with the Construction Method Statement.

- 4.6 **Scottish Water** have not provided a response to the proposal, therefore, it is accepted that they hold no objection to the proposal.

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 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.

5.3 Aberdeenshire Local Development Plan 2012

Policy 3: Development in the countryside

Rural Development 1: Housing and business development in the countryside.

Policy 8: Layout, siting and design of new development

SG LSD2: Layout, siting and design of new development

SG LSD11: Carbon neutrality in new development

Policy 9: Developer Contributions

SG Developer Contributions 1: Developer Contributions

SG Developer Contributions 2: Access to new development

SG Developer Contributions 3: water and waste water drainage infrastructure

Policy 11: Natural heritage

SG Natural Environment2: Protection of the wider biodiversity and geodiversity.

Policy 14: Safeguarding of resources and areas of search

SG Safeguarding3: Protection and conservation of trees and woodland

5.4 Other Material Considerations

Planning Advice 1/2016 - Housing and business development in the countryside and greenbelt.

6. Discussion

6.1 Decision is made in accordance with the Aberdeenshire Local Development Plan 2012 unless material considerations indicate otherwise. What requires to be considered is whether the proposal meets policy, fits successfully within the site, respects the character of the surrounding area, and whether it can be satisfactorily served both in terms of drainage and access.

Principle of development, layout and siting

6.2 In relation to the replacement dwelling (plot 1) this is assessed under Policy 3 and SG RD1: Housing and business development in the countryside. Policy states *we will approve new small scale development, subject to other policies where it is for refurbishment or replacement of an existing or disused building, or it is on a site which has been previously developed and is now redundant.* A modern cottage is proposed to replace the existing dwelling at Ardine, which would be located on the footprint of the existing dwelling. The rot inspection outlines the requirements for bringing the existing dwelling up to a

modern standard. The existing dwelling is of blockwork construction with rendered walls and white UPVC windows with a flat roof conservatory to the front elevation. In this case, the existing building is of no particular architectural merit and the capacity of the existing building is unsuitable for modern family needs. It is considered that a well-designed replacement house can be far more successful in terms of a more sustainable build and superior design. In this instance, it is considered appropriate to demolish the existing cottage and replace with a suitable new build dwellinghouse.

- 6.3 In terms of addressing the principle of the 3 additional dwellings, the site is located in the Rural Housing Market Area. Policy 3 Rural Development and SG Rural Development 1: Housing and business development in the countryside sets out the terms by which housing in the countryside may be considered acceptable. As the site is currently a greenfield site, development would only be permissible if it was related to a cohesive group, retiring farmer, essential worker or it is for the development that contributes to the organic growth of a settlement identified in appendix one to the guidance of no more than 3 dwellings within approximately 400m of the built up area.
- 6.4 Strachan is considered an organic growth settlement within the Aberdeenshire Local Development Plan 2012 with Belts of Collonach located to the north of Strachan. Planning policy states that organic growth should be approximately 400metres from the edge of the built up area. It is accepted that the site in question is beyond the 400metre requirement; however, planning policy states (Planning Advice 1/2016) that discretion can be exercised where an application out with this distance demonstrates exceptional layout, siting and design. The distance between the edge of the organic growth settlement (Strachan) and the edge of Belts of Collonach is approximately 750metres. From Strachan to the site is approximately 1040metres. Whilst this exceeds the 400m distance referred to in Policy, the Planning Service are of the view that the organic growth of Strachan is better directed to existing built areas rather than sporadic housing popping up in remote areas – i.e. this site within a built up cluster of dwellings further from Strachan is preferred to a site circa 400m away that would sit in isolation. The site is considered to be within a well-established cluster of dwellings at Belts of Collonach and within close proximity to the organic growth settlement of Strachan.
- 6.5 Belts of Collonach can largely be viewed as a 'V' when viewed on a plan image with development fronting the road to the east (B974) and stretching parallel to this up the unclassified road leading to a number of dwellings and Scolty House. In order to comply with the organic growth policy a number of criteria must be met, as outlined in Planning Advice 1/2016.
- Does the site relate well to other nearby dwellings (layout and design)
 - Is the site appropriate in terms of landscape character
 - Does the site have a natural boundary
 - Is the site consistent with the historical growth and pattern of the settlement
 - Is the settlement accessible by foot to/from the settlement/village
- 6.6 In relation to the first three points, the development site is located between two neighbouring properties, albeit set back in the field to the west. The main

character of development in Belts of Collonach is the dwellings fronting the road (B974); however Belts of Collonach does have a scattered pattern of development with this site's neighbouring property, The Belts, set further to the North West in line with plot 4 of the proposed development. In addition, the south side of Belts of Collonach is substantially more built up with infill development allowing the properties to the east of the settlement join with the west. As a result, the Planning Service consider that the proposed development is not considered to detrimentally alter the existing pattern of development at Belts of Collonach or Strachan, as there would still be a substantial area of undeveloped fields to the west of the proposal site. Regarding the third criteria, the infill nature of the site within the cluster of houses at Belts of Collonach ensures that the development site has clear boundaries, a stone dyke to the west and south, which is a natural boundary between the fields/garden grounds and The Belts (and separating cypress hedging) to the north. The landscape impact of organically growing Strachan in this manner is far more sensitive than it would be to have housing sat in isolation in a location closer to Strachan.

- 6.7 Representations received consider the development to be sporadic and intrusive and out of character with the existing pattern of development within Belts of Collonach itself. It is accepted that the existing development largely follows the line of the B974, however, Belts of Collonach is itself a small satellite village from Strachan and is characterised by an area of scattered dwellings all of varying styles, proportions and on varying plot sizes. The development is not considered to lead to a 'ribbon' effect and demonstrates connectedness consistent with the existing pattern of development. Furthermore the development, whilst forming additional housing within the group at Belts of Collonach, is in fact in principle being supported as organic growth of Strachan, and in the context of the sensitive organic development of the locality it is far more appropriate to locate development adjacent to existing buildings. Belts of Collonach itself has grown, as has Strachan, both of which have been focussed to the core of each cluster. Planning Policy previously would have focussed growth to cohesive groups, but policy now permits organic growth of Strachan. Whilst there may well be appropriate organic growth sites on the periphery of Strachan itself, this site further than the prescribed 400m from the settlement is deemed appropriate since it focusses development to where there has historically been development. Therefore in terms of the fourth criteria of the Planning Advice these dwellings are considered appropriate in the context of Belts of Collonach and Strachan.
- 6.8 In relation to accessibility within planning advice 01/2016, organic growths sites are required to be accessible by foot to/from the settlement village (Strachan). The B974 links Strachan to Belts of Collonach and does not have a pavement or set footpath. Planning policy accepts this may not always be reasonable and that an alternative safe and realistic usable route is acceptable. A desk top study has provided evidence of bus 204 running between Strachan and Banchory, with the closest stop to Belts of Collonach being to the north of the site at Silver Ladies Caravan Park which follows onto Aberdeen and the local surrounding area. In addition, through consultation with the local primary schools they have confirmed that this term, no primary school bus currently stops in Belts of Collonach. This is due to there currently

not being enough demand for such a service. A school bus does however, stop to take children from Belts of Collonach to Banchory High School. This option, as well as the potential for a future primary school bus services if demand allows is considered a sustainable, reasonable and an accessible alternative. Strachan itself does not function as a destination in terms of significant residential amenity, rather residents from there and Belts of Collonach will travel to Banchory. Whilst efforts can be made for public transport, dial-a-ride provision and indeed simple car sharing, it is very difficult to control the free choice people have to use their private car for their convenience. Whilst this criteria within the Planning Advice is perhaps not fully met, the Planning Service are content that as a rural authority there will be many organic growth settlements and rural development opportunities that face this very same issue, and it is just something that has to be balanced; bringing residents in to rural community which supports local schools and the general economy against the sustainability of rural housing and reliance upon the private car. In this case the Planning Service, whilst acknowledging the location is perhaps not the most sustainable, are satisfied that the additional housing is acceptable in line with the Planning Advice, and that the benefit of the additional housing to support the local school roll and increase the potential for public transport to the school is a worthy reason to be supportive in relation to this particular criteria of the Planning Advice.

- 6.9 As touched on above, the additional dwellings would contribute to the local housing stock and help meet local demand and have the potential for additional families who would support the local primary school which was recently re-opened having been mothballed due to the limited number of pupils.
- 6.10 In relation to the principle of development at Belts of Collonach, which itself is considered to be a historical organic growth satellite village to Strachan, is accepted. By locating within an existing cluster close to the organic growth settlement of Strachan, the infill nature of the proposal and the siting of the development would not affect the natural or built character of the area or have any undue effect on the local landscape. Therefore, the proposal can be accepted, in principle, as complying with Policy 3 and SG Rural Development 1.

Design and External Appearance

- 6.11 In terms of siting and design, the proposed house designs are traditional whilst encompassing some modern elements matching in with the more traditional design of adjacent dwellings. Policy 8 and SG LSD2 encourages high quality design that is appropriate to its setting. In terms of siting, the dwellings have been located centrally within the feu to maximise private usable space between each building. Adequate rear/side garden ground remains within each plot to ensure that sufficient amenity space exists for each property, whilst there is sufficient separation to prevent any overlooking or overbearing impacts on the adjacent plots. All dwellings are to be finished in white timber windows and doors, lookalike grey roof slate, white wet harling. The agent states that the granite and stone reclaimed from the existing cottage will be reused in features of the proposed replacement cottage (plot 1). The materials all tie in with each other and the design of the

dwellings are appropriate for the countryside location. There is a variety of materials in the area and therefore, the chosen materials are considered acceptable. Viewing the proposal as a whole, the 4 dwellings present a high standard of design, layout and finish which has potential to enhance the local area.

- 6.12 Policy 8, SG LSD2 aims to ensure that new development does not impact negatively on the character, amenity, biodiversity or neighbouring land uses. Each site is considered to be a substantial size which can accommodate the scale of the proposed dwellings ensuring the development will not erode the character of the area through over-development. The proposal is consistent with neighbouring land uses, with the considerable amount of open space retaining the rural feel of the development. The design of the houses is consistent throughout the development with the materials relating well to each other. The replacement dwelling uses the same materials as the proposed 3 additional dwellings allowing for the development to flow.
- 6.13 Overall, the proposed house designs are considered to demonstrate the requirements set out with Policy 8 and Planning Advice 1/2016 which requires that site to relate well to other nearby dwellings. The site is considered to demonstrate a natural development westwards while ensuring connectivity throughout the site, a balance of house types through the development providing a sense of place and appropriate, contemporary aesthetic appeal.

Potential Impacts on Amenity

- 6.14 The development site is located within an uncultivated paddock with a number of neighbouring properties within the immediate area. The Belts is located directly to the north of plot 4, a 5-7 metre cypress hedge bounds this entire site, which is to remain unaltered, therefore no amenity impacts are considered to arise. A number of representations were received raising concerns regarding the potential overlooking between the proposed development and Braeside to the east and the garden ground of Woodruff to the south. To the east of plot 4, Braeside is located. Braeside currently has a very open outlook to the fields beyond with only a 1 metre stone wall creating the divide. Therefore, there The Planning Service shared the concern that there would be an overlooking impact primarily between the open garden grounds. In order to reduce the amenity impact a 1.8 metre close board timber fence is proposed as well as the introduction of hedging and tree planting.
- 6.15 The south of the site is currently bound by a stone dyke and a large tree belt which runs down to the south of plot 3, the stone wall and tree belt are to remain intact. In addition to the tree belt and individual trees/hedges that currently exist, a 1.8 metre timber fence is also proposed as well as additional landscape planting. The combination of the fencing and existing boundary treatments ensure there would not be a detrimental impact on Woodruff to the south. A 1.8 metre timber fence is also proposed between Plots 2, 3 and Newhills Cottage to the east.
- 6.16 Minor alterations were made to the replacement dwelling at Ardine. The first floor of the replacement dwelling had the windows of a study and bathroom on the south elevation. Concern was raised that the window of the study would look directly into the first floor window of neighbouring dwelling Newhills

Cottage. Therefore, these rooms were swapped with the bathroom window being altered to opaque glazing ensuring there is no direct window to window overlooking between properties. The materials used within this window are to be conditioned in perpetuity.

- 6.17 Taking account of all existing and proposed dwellings, there would be no detrimental impact on amenity as a result of this development. Design/landscaping amendments have ensured that any potential amenity impacts are reduced. The application is therefore considered to comply with Policy 8: SG LSD2 of the Aberdeenshire Local Development Plan 2012.

Landscaping/trees

- 6.18 The tree survey and drawing number ACS-1507-LS-A provides details of the landscaping and tree planting plan for the development. As stated above, 21 trees are to be removed to accommodate the development, 12 shall remain and there are 20 proposed replacement trees. A mix of beech and wildlife hedging is proposed in various locations throughout the development. The landscaping provides screening between the development and neighbouring properties and would also allow the development to blend in with the rural area it is set within. All information provided in relation to trees and landscaping has been discussed with the Council's Environment Team, who consider the submitted information and therefore the proposal to be acceptable.
- 6.19 The tree survey also provides details on the fencing and provides advice notes on the fencings use and implementation during the construction works, along with measures to ensure appropriate care is taken on works close to the trees. The tree protection fencing is shown on drawing number ACS-1507-TP and would be controlled via an appropriate condition.
- 6.20 One representation raises concerns in relation to the loss of wildlife due to the development. Every effort has been made to ensure the existing quality of flora and fauna is enhanced rather than lost. This is shown through the planting of further plants/trees/hedging than currently exist on site and through ensuring native species are proposed throughout the development. Planting/replacement would also be controlled via condition. The development is considered to be compliant with policy 14: Protection and conservation of trees and woodland.
- 6.21 The submitted Bat Survey concluded that whilst, the existing cottage had some roost potential, no evidence of bats were found internally or externally. It is therefore considered that no protected species would be impacted upon, in compliance with Policy 11: Natural heritage and SG Natural Environment2: Protection of the wider biodiversity and geodiversity.
- 6.22 Concern is also raised in regard to the visual impact the development would cause on the popular tourist walk up Scolty Hill. The proposal will sit as part of an existing cluster of dwellings and the addition of three dwellings (on top of the replacement) is not considered to detrimentally affect the preservation of this attraction. As outlined above, this approach to organic growth of Strachan is considered far more sensitive to the wider landscape than having housing sat in isolation closer to Strachan.

Access and servicing

- 6.23 The existing dwelling at Ardine is currently serviced by mains water and foul drainage supply. It is proposed to accommodate the three additional dwellings by connecting them to the new, recently installed waste water treatment plant at Belts of Collonach. Cameron and Ross have prepared a Drainage Impact Assessment to consider an appropriate drainage proposal. In terms of foul water from the site, this will connect to the adjacent foul sewer in the B974, as to be agreed with Scottish Water. The development would connect to the public water supply network.
- 6.24 In terms of the surface water proposal. Due to the site characteristics the ground is insufficient in porosity; therefore soakaways are not deemed suitable for the disposal of storm water run-off. It is therefore proposed to use filter strips and then attenuation via storage tanks. This would connect into a new surface water sewer which would discharge into a ditch north of the site. Control chambers will be used to discharge the water from the site at the appropriate green field run off rate. Initial concern was raised regarding the sewer along the B974, if a private sewer this could require additional consent from roads development to be implemented. However, the agent has confirmed that this sewer is to be adopted by Scottish Water and confirmation from Scottish Water has been received by Roads Development.
- 6.25 One representation has raised concerns regarding the existing problems on the site from flooding. The Flood Prevention Unit were consulted and confirm that the site appears well outside the boundary of the functional floodplain as shown on SEPA's indicative flood maps. They request that 2 conditions are attached to the consent. These are in relation to evidence of the proposal being submitted for technical approval from Scottish Water. In addition, that the developer ensures that the proposed property deeds and purchase documents clearly state the presence, location and maintenance responsibility for the individual drainage systems for each property as well as the future maintenance arrangements detailed in Chapter 8 of the Drainage Impact Assessment.
- 6.26 Roads Development initially objected to the proposal due to a lack of visitor parking places. In addition, the formation of the visibility splay to the south west affects the hedging at Newhills Cottage and Woodruff, no evidence was provided that this visibility splay could be achieved. After discussion between the agent and Roads Development, revised drawings were received (001 Rev J) this provided additional visitor parking addressing this concern. In addition, the applicant has provided details of the legal agreement that has been agreed with the owner of Newhills Cottage providing for setting back the hedge along the road frontage so as to achieve the agreed visibility to the south west. The 2.4m by 74m visibility splay that has been agreed is that which can be achieved without affecting the tree on the west boundary of the property. Therefore, Roads Development removed their objection subject to a number of conditions being attached to the consent in relation to the upgrade of the access, off street parking provision, visibility splays, suitable turning area and that all of the requirements are implemented in line with Drg. A/15160 904 Rev.1.

- 6.27 The neighbouring property, Braeside, raised the concern that they were planning on planting hedging to the front of their property along the access road, thus blocking the visibility for the proposed development east. The Roads Engineer confirmed that if this was to be the case, the occupants would be impeding on their own visibility splay as well of that of the development. In addition, the assessment of the Planning application is made on the current situation rather than a potential scenario. Whether someone plants a tree/shrub or not is outwith the control of planning, planting trees does not require planning consent therefore this concern is not material to the proposal.
- 6.28 A number of representations have been made highlighting the safety implications of the increase of traffic on the B974. Roads Development were consulted on the proposal and do not raise this as an issue. The scale of the development is minor and is not considered to create an unacceptable level of additional traffic on the B974, thus complying with Policy 9 and SG Developer Contributions 2: Access to new development.
- 6.29 Developer Obligations has confirmed that agreement has been received and contributions are sought towards secondary education, community halls, sports and recreation and affordable housing. One representation has been received concerned that the local facilities are currently over stretched. The contributions sought are in order to ensure the funds are in place towards the provision of any community facilities. Furthermore, if there is an existing issue with any existing facility it is not for this application to right that wrong, it is only appropriate to seek contributions based on any additional resource requirement stemming from this development. The payment of the required contributions, will contribute to enhancing amenities in the local area. The application is considered compliant with Policy 9: Developer Contributions.

Conclusion

- 6.30 Taking all of the above into consideration, the proposed development is considered as appropriate way to organically grow Strachan in line with Policy 3 and SG Rural Development¹ of the LDP. Whilst the site lies beyond the 400m distance referred to in Policy, it is felt that locating the housing within an existing group is more appropriate in terms of landscape and visual impacts than it would be to locate the housing in an isolated setting within 400m of Strachan. Furthermore the proposal will enhance the local housing stock and help sustain the school role within the catchment of Strachan School, which is of benefit to the local community. The design of the dwellings are considered acceptable on this overall site and will not adversely impact on the character of the area, or the amenity of any existing adjacent dwellings. Therefore, the application complies with the requirements of relevant planning policies within the Aberdeenshire Local Development Plan 2012 and is recommended for approval.

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. Equalities and Financial Implications

- 8.1 An Equalities Impact Assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics.

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

None

10.2 Local Development Plan Departures

None

- 10.3 The application is not a Departure from the Local Plan or Structure Plan and no departure procedures apply.
- 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 GRANT Full Planning Permission subject to the following conditions:-

01. The development shall be served in accordance with the approved drawings and the following details:
- a) The maximum gradient of the first 5m of the upgraded access must not exceed 1 in 20.
 - b) Prior to occupancy of development, first 10m of upgraded access (measured from edge of road) to be fully paved.
 - c) Prior to occupancy of development, Off-Street parking for 11 cars, surfaced in hard standing materials must be provided within the site as shown on site layout plan 001/J.
 - d) Prior to commencement of development, visibility splays measuring 2.4m by 74m to be formed on the southwest side and 2.4m by 120m on the northeast side of the junction of the vehicular access with the public road. The visibility splays so formed shall thereafter be kept free of all

permanent obstructions more than 0.9m in height above adjacent carriageway level.

- e) Prior to occupancy of development a refuse bin uplift store area shall be constructed (behind any visibility splay) so as to be accessible for bin uplift & shall be secure enough to prevent empty bins from being wind blown. Details must be submitted to Roads Development for approval.
- f) Prior to occupancy of development a suitable vehicle turning area must be formed within the site to enable all vehicle movements onto or from the public road to be carried out in forward gear.
- g) The junction that the proposed vehicular access forms with the public road to be kerbed to radii and width as shown on Cameron & Ross Drg. A/15160 904 Rev.1. The area within the bell mouth & for a minimum distance of 10m from the public road carriageway, to be constructed in accordance with the Council's Specification appropriate to the type of traffic which will use the access, & shall be surfaced with dense bitumen macadam or asphalt.

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.

02. Prior to the construction of any dwellinghouses an Energy Statement applicable to those dwellinghouses must be submitted to and approved in writing by the Planning Authority, including the following items:

- (i) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development.
- (ii) 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. (In this case the development will achieve at least a Bronze Active rating under Section 7 of the Building Standards Technical Handbook).

The development 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.

03. The proposed foul and surface water drainage systems shall be carried out in accordance with the approved plans (A/15160 905 Rev 1) and Drainage Impact Assessment carried out by Cameron and Ross in July 2015 and shall not be occupied unless the approved drainage system has been implemented in this form, unless otherwise agreed in writing with the Planning Authority. Following provision of the drainage system it shall thereafter be maintained by the developers or their successors in accordance with the approved maintenance scheme.

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

04. All construction works in connection with the development hereby approved shall be carried out in complete accordance with the approved construction method statement (Veitchi Homes - 28th April 2016).

Reason: In the interests of protecting the natural environment.

05. For the avoidance of doubt, unless otherwise agreed by the Planning Service, the bathroom window on the south elevation of the first floor of Plot 1, shall be obscure glazing. Once installed, the obscure glazing shall be permanently retained thereafter and the window shall not be altered without permission from the Planning Authority.

Reason: In the interest of the residential amenity of the adjacent property.

06. All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. 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.

In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long term management and maintenance of all the approved landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation 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 and to ensure that the landscaping is managed and maintained in perpetuity.

07. That no works in connection with the permission hereby approved shall take place unless the trees/hedging marked for retention on the approved plans have been protected by fencing in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction. No works shall commence unless details of the protective fencing have been submitted to and agreed in writing by the Planning Authority. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks.

Reason: In order to ensure adequate protection for the trees/hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

08. The development hereby approved shall not be brought into use unless evidence of the proposal being submitted for technical approval from Scottish Water (the email submitted is not sufficient) has been submitted too and approved in writing by the planning authority.

Reason: In order to ensure the development can be adequately serviced.

Reason for Decision

01. The proposed development is considered an appropriate organic growth addition to Strachan in that it is located within the nearby cluster of dwellings at Belts of Collonach, providing additional housing to the local area in a sensitive location that will also help sustain the local school roll. The design of the dwellings are considered acceptable and would not adversely impact on the character of the area or landscape setting, or on the amenity of any existing adjacent dwellings. The application complies with the relevant policies within the Aberdeenshire Local Development Plan 2012.

Stephen Archer
Director of Infrastructure Services
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