

Kincardine & Mearns Area Committee Report 22 August 2017

Reference No: APP/2017/0691

Full Planning Permission for Erection of Dwellinghouse, Detached Garage, Biomass Shed and Storage Building, Formation of Vehicular Access at Site to the South West of Cookney Ridge, Netherley, Stonehaven

Applicant: Mr Douglas Burr, C/o Agent
Agent: Burness Paull LLP, Union Plaza, 1 Union Wynd, Aberdeen

Grid Ref: E:386840 N:793242
Ward No. and Name: W17 - North Kincardine
Application Type: Full Planning Permission
Representations: 92
Consultations: 6
Relevant Proposals: Aberdeen Housing Market Area
Map
Designations: Aberdeen Housing Market Area
Complies with: No
Development Plans:
Main Recommendation: Refuse



NOT TO SCALE

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1. Reason for Report

- 1.1.1 The Committee is able to consider and take a decision on this item in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.3.1h and f of Part 2C Planning Delegations of the Scheme of Governance as the application is recommended for refusal but in the professional opinion of the Head of Planning Building Standards, there has been a substantial body of support for the development and there have been valid objections from six or more individuals or bodies with separate postal addresses.

2. Background and Proposal

Background

- 2.1 Full planning permission is sought for the erection of a dwellinghouse, and associated detached garage, biomass shed and storage building and yard area for a timber and firewood sales business on a site to the south west of Cookney Ridge, Netherley, Stonehaven. The proposal also includes the formation of a vehicular access.
- 2.2 The site is located on the western edge of the settlement of Cookney, approximately 5 miles northwest of Stonehaven, within the Aberdeen Housing Market Area. Access to the site is via the unnamed road between Cookney and the A90, which runs adjacent to the application site boundary to the north. The area comprises a dispersed pattern of development with a mixture of modern and traditional dwellings of various size and proportions. The application site itself is undeveloped agricultural land. To the west of the site there is an existing tree belt and a belt of shrubs bounds the site to the east. To the north, the access road is located with a boundary treatment of shrubs and a dry stone dyke.
- 2.3 The applicant has a timber and firewood/biomass business which currently operates from a site north east of Cookney. The applicant's family home is located directly adjacent to this existing business enterprise. The applicant has clarified that the business does not include the sawmilling, chipping or processing of timber beyond the cutting of logs for firewood and biomass. It is stated by the applicant that the siting of the family home on the site of the business allows the applicant to work out with normal working hours and provides security for the business. In addition, it is stated that the applicant's wife suffers from a medical condition and therefore, the applicant requires to be close by. The current site is located approximately half a mile away from the application site proposed.

Planning History

- 2.4 The application site has been subject to a number of separate pre-application enquiries and a meeting with the planning service. In addition, an application was previously submitted for the same proposal (APP/2016/0152) but was subsequently withdrawn. The applicants have consistently been advised that

the proposal for both the dwellinghouse and business submitted in tandem would not be supported by the Planning Service. This was due to non-compliance with policy and insufficient material considerations to support a departure from policy.

Proposal

- 2.5 The location of the applicants business at present has been somewhat affected by the works on the adjacent Aberdeen Western Peripheral Route (AWPR). The land to the north of the existing business site, used for timber stacking has been compulsory acquired. Therefore, the applicant is seeking to relocate both his business and home away from the route of the AWPR, in order that both can be located on a single site.
- 2.6 The proposed site covers approximately 0.4hectares with the access taken centrally through the plot. It is proposed to site the dwelling towards the eastern boundary of the site with the storage building and associated infrastructure such as the timber stacking area and seasoning area required for the running of the business located to the west and south (rear) of the site. The dwelling would be single storey, orientated north westerly with a detached garage to the east and biomass shed to the south east. A timber clad gable would protrude to the west with the rest of the dwelling rendered with white timber windows and a natural slate roof.
- 2.7 The proposed storage building would have profile steel clad roof and walls grey in colour with a concrete panel base course. The building would measure 18 metres by 12 metres with a height of approximately 6 metres. Both the domestic garage and biomass building would be identical and formed of a slate roof with larch timber clad walls measuring 5.1 metres by 6.2 metres. The drystone dyke boundary to the north would be retained and repaired; conifer tree planting is proposed to run east to west through the site to provide screening of the storage area towards the rear of the site.
- 2.8 A number of documents have been submitted in support of the application these include:
 - Planning, Design and Access Statement (Andrew Ritchie and Burness Paull March, 2017) - attempts to justify the requirement for the dwellinghouse and associated business, design approach taken, policy guidance and historical pattern of development in the locality. A Supplementary Planning Statement has also been submitted in July 2017 attempting to address concerns raised by both the Planning Service and members of the public.
 - Noise Impact Assessment (Sandy Brown, February 2017) – provides recommendations to mitigate the impact of the worst noise levels from the plant. They recommend that all log splitting activities are located against the south elevation of the storage shed.

- Porosity Test Certificate (Andrew Ritchie Architects, May 2017) – confirms that the ground conditions are suitable for a surface water and foul soakaway and that the proposal is in line with British Standard BS6297:1983.

3. Representations

- 3.1 A total of 92 valid representations have been received, 82 in support of the proposal and 10 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 97 letters in total. All issues raised have been considered. The letters raise the following material issues:

Support

- Potential loss of local business or impact on running of business due to impact of AWPR
- Support of relocation within local area to ensure applicant can continue to trade viably and effectively
- Encouragement for use of a renewable source of energy provided by applicant to reduce dependency on fossil fuels
- Local area does not have access to mains gas and many locals are dependent on the wood as a fuel source
- Services provided by the business are vital for the local area
- Support by Scottish Government for sustainable growth

Object

- Sensitive landscape setting
- Contrary to policy within Local Development Plan
- Access road unsuitable for large vehicles required for business
- Road safety
- Noise impact
- Insufficient justification for relocation of dwellinghouse and business
- Attractive rural area – dwelling and business would detrimentally alter the nature of the area
- Noise pollution, dust and emissions (from HGV, Agricultural vehicles, plant and machinery)
- Disruption during development
- Water run-off
- Precedent of refusals in area

4. Consultations

Internal

- 4.1 **Business Services (Developer Obligations)** has confirmed that agreement has been reached towards the provision of affordable housing. Payment has not yet been requested due to the recommendation by the Planning Service.

- 4.2 **Infrastructure Services (Contaminated Land)** has confirmed that on receipt of further information on the past use of the site this service has no further comment to make on the application.
- 4.3 **Infrastructure Services (Environmental Health)** do not object to the proposal subject to a condition in relation to the log splitting activities (fixed, hand splitting and tractor engine) being undertaken against the south elevation of the large storage shed.
- 4.4 **Infrastructure Services (Roads Development)** has commented that there is sufficient room for parking and manoeuvring any delivery vehicles required for the biomass element of the application. Therefore, Roads Development do not object subject to conditions in relation to the new access, driveway, off street parking, visibility splay, refuse bin uplift store, suitable vehicle turning area and an appropriate kerb and bell mouth.

External

- 4.5 **North Kincardine Rural Community Council** is objecting to the proposal on the basis of the proposals non-compliance with policy. In addition, concern is raised that a dwelling and associated business in this location will impact on the designated 'Valued View'.
- 4.6 **Scottish water** has not provided a response at time of writing. Therefore, it is accepted 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 2017

- Policy P1: Layout, siting and design
- Policy R1: Special Rural Areas
- Policy R2: Housing and employment development elsewhere in the countryside
- Policy RD1: Providing suitable services
- Policy RD2: Developer's obligations
- Policy P4: Hazardous and potentially polluting developments and contaminated land
- Policy E2 Landscape

5.4 Other Material Considerations

Aberdeenshire Local Development Plan 2017 Supplementary Guidance - Aberdeenshire special landscape areas.

6. **Discussion**

- 6.1 The main planning considerations in terms of this application relate to the principle of erecting a new dwellinghouse and relocation of an established existing business within the Aberdeenshire countryside. In addition, the impact this proposal would have upon the character, amenity and overall context of the area. Technical matters such as drainage and access will also be considered. The policies contained within the Aberdeenshire Local Development Plan 2017 are the main consideration in this case together with an assessment of any material planning considerations.

Principle of development

- 6.2 The site is located within the Aberdeen Housing Market Area (AHMA) and as such, the proposal is assessed against Policy R2 Housing and employment development elsewhere in the countryside. The proposal includes two separate aspects, firstly the relocation of the existing, established business and secondly, the erection of a dwellinghouse on site.

Principle of Business

- 6.3 The proposal includes the relocation of the business which is asserted to be necessary as a result of the loss of some of the existing storage land to facilitate the AWPR. The existing business site is split across two sites, with the storage of logs located beyond the unclassified road to the north of the main yard. Pages 20 and 21 of the Supplementary Planning Statement provides an overview of the existing site and annotates the route of the AWPR. Due to this impact, the agent argues that both the dwellinghouse and business requires relocation in order to continue as a viable enterprise.
- 6.4 A substantial body of support has been received for the proposal. Members of the public feel that the service provided by the business is vital for the local area and the relocation will allow the business to trade in a viable, effective manner without the detrimental impact caused by the AWPR. In addition, the use of a sustainable form of energy should be encouraged.
- 6.5 The Aberdeenshire Local Development Plan 2017, whilst supportive of business and employment development, seeks to manage the provision of such uses by encouraging this form of development where it will be most appropriately accommodated in terms of its requirement and impact upon the existing character of the area. Generally, this is considered to be within town centres and identified settlements or, in the case of small scale proposals, in the Rural Housing Market Area (RHMA) to support sustainable growth in these areas of lower demand.
- 6.6 Due to the current proposals siting within the AHMA, there is no policy support for the proposed business operation. The proposal fails to comply with the relevant Policy R2 Housing and employment development elsewhere in the countryside. However, the agent has been made aware through ongoing discussions that due to the impact of the AWPR, although difficult for the Planning Service to fully assess the impact the loss of part of the site will have on the existing business, there is potential for the relocation of the business to be supported as a departure from planning policy. However, advice was given prior to the submission that an application for the business element should be submitted independently to allow the merits of this aspect to be assessed. By submitting both elements within the one application, the relocation of business and erection of a dwellinghouse, it renders the whole proposal unacceptable in policy terms.
- 6.7 Overall, the benefit the business brings to the local area is not disputed. However, when assessed holistically as the application is presented, which includes the erection of a dwellinghouse (the principle of which is discussed in detail below) and lack of justification for the relocation of the business enterprise, the proposal is not considered to warrant a departure from the LDP 2017.

Principle of dwellinghouse

- 6.8 In regard to the erection of a dwellinghouse in association with the proposed business relocation, the relevant Policy R2 supports accommodation within the immediate vicinity of the place of employment required for a worker in a primary industry which is appropriate to the countryside and where the presence of a worker is essential to the operation of the enterprise and there is no suitable alternative residential accommodation available.
- 6.9 The agent has provided the argument in the supporting statement that the proposal falls under the above policy requirement as the business is for the purpose of forestry operations - specifically, the storage and selling of timber or firewood. This policy is not applicable to secondary industries such as construction and professionals more traditionally associated with “trades”. These industries fall out with the definition of primary industry and therefore the policy should not be applied to applications seeking permission for accommodation associated for these industries. The glossary definition within the Aberdeenshire Local Development Plan states that primary industries are defined by Section A and B of the Standard Industrial Classification 2007.
- 6.10 The Supplementary Planning Statement argues that the proposal should be considered a primary industry as per this classification. Section A of the 2007 Standards, Division 02 is titled “Forestry and Logging” which by virtue of the title provides a clear separate definition of the two practices and then goes on to sub divide the activities associated with both forestry and logging.
- 6.11 Forestry is considered within this classification to include:
- growing of standing timber: planting, replanting, transplanting, thinning and conserving of forests and timber tracts
 - growing of coppice, pulpwood and fire wood
 - operation of forest tree nurseries
- 6.12 Logging is considered to include:
- production of roundwood for forest-based manufacturing industries
 - production of roundwood used in an unprocessed form such as pit-props, fence posts and utility poles
 - gathering and production of wood for energy
 - gathering and production of forest harvesting residues for energy
 - production of charcoal in the forest (using traditional methods)
- 6.13 Excluded within this classification is wood beginning with sawmilling, the production of woodchips and particles. Whilst there may well be some servicing crossover between the activities. It is the interpretation of the Planning Service that forestry and logging are two different practices/processes. Forestry clearly being identified above as the growth and management of trees and woodland and logging, the felling and processing of timber as a commodity. The agent has confirmed that the timber comes from a number of different locations in the general area, further confirming the disconnection between the source of the timber and proposed site.

- 6.14 In addition, evidence from a Scottish Government appeal (appeal reference ENA-340-2020) which was a similar enterprise, considers the operation of machinery to turn timber into woodchips different from a wood chipping process carried out on trees which have been felled in the same forest or woodland in which the chipping operations are taking place. The Reporter considered that wood chipping operations should be closely related to the use of land for forestry or woodland and part of the forestry use. Therefore, there are clear precedents that for forestry operation to be considered a primary industry it must be sited at the 'source' of the location of the woodland and felling being undertaken. Therefore, it can be considered that the proposed business does not constitute a primary industry and therefore the dwellinghouse would not be supported under Policy R1. The business is not in or adjacent to a forest being managed. It is for the sale of timber which has been logged elsewhere, and brought to the applicant's site for storage and distribution.
- 6.15 Furthermore, in order to be considered compliant with the aforementioned policy, the worker shall be required to have an essential presence on site on a full time basis with justification submitted to demonstrate the need for a permanent presence on site to operate. The storage and distribution of firewood does not require 24 hour on site presence in the same manner that livestock/animal welfare operations would, and insufficient evidence has been put forward to justify otherwise.
- 6.16 Additionally, the Policy requires that all alternative options have been considered. While it is recognised that there is no brownfield opportunity at this location the site is in close proximity to the applicant's existing home, being only 0.5 miles away from the proposed site. Furthermore, the Stonehaven settlement is approximately 7 miles away where there is ample housing stock. This proximity is considered to be within reasonable commuting distance. As such, the Planning Service do not consider that alternative options have been explored and are of the opinion that there is suitable accommodation available nearby. Therefore the proposal fails on this element of the policy in addition to the other failures previously outlined.
- 6.17 The applicant has confirmed that his wife suffers from a medical condition and highlights that this further justifies the proposed dwellinghouse at the site of the business on this basis. An argument put forward both through letters of representation and the agent for the business and associated dwelling is the need for the applicant to be on site to assist his wife and who he is the sole carer of. As unfortunate as the circumstances are, health and wellbeing is not a material planning consideration and therefore cannot be taken into account in the determination of the application in terms of relevant planning policy. However, as a situation has arisen that affects a person with a protected characteristic, an Equalities Impact Assessment has been undertaken and is attached as Appendix 1 which takes into account this aspect. Whilst the Equalities Impact Assessment identifies that the proposal, if granted, could have a positive impact in terms of the protected characteristic identified and in the inverse a negative impact in the case of the proposal being refused, the outcomes of the assessment are not considered by the planning service to be

of significant material weighting to override relevant planning policy in this instance.

- 6.18 Overall, both the principle of a dwellinghouse and associated business are considered non-compliant with Policy R2 Development elsewhere in the countryside. The proposed dwellinghouse has not been appropriately justified in terms of planning policy due to the business not being a primary industry, there being no requirement for an essential on-site worker, and as there are suitable alternatives available. The proposed location for the business does not comply with policy due to the siting within the AHMA, therefore, the application cannot be supported and is recommended for refusal on this basis.

Layout, siting and design – dwelling and business

- 6.19 Notwithstanding the above the Planning Service must consider the layout, siting and design of the proposal. Policy P1: layout, siting and design states that new development must be appropriately designed and in-keeping with the character and setting of the surrounding area.
- 6.20 The proposal seeks a simple bungalow of 'L' shape form with a projecting timber gable. The dwelling would be orientated north westerly with an individual access and driveway leading to a detached garage of timber construction. In terms of scale, the dwelling is a modest size reducing any potential visual impact with appropriate amenity space to the front (north) and side (west). The materials are of a high quality, generally traditional while encompassing modern elements, render on the main section of the house with a timber clad gable on the west elevation, appropriate to the countryside location and surrounding dwellings.
- 6.21 In regard to the buildings associated with the running of the business. The storage shed will be located to the south west of the site behind the band of mature woodland set within an area of hard standing. The biomass shed will be located to the rear of the dwellinghouse to the east side of the site. The biomass building will mirror the design of the garage with a relatively small footprint, timber clad which is appropriate to the countryside mirroring the garage. The storage shed is of a typical design expected for an industrial style storage shed acceptable in terms of Policy P1.
- 6.22 As with all new developments privacy impacts need to be considered. It is not considered that there will be any adverse impacts on the neighbouring properties in terms of privacy and overlooking. Neighbouring property Cookney Ridge to the north east is sited approximately 70metres and Cookney Lodge to the northwest approximately 120metres from the proposed dwelling. Therefore, there is a considerable separation distance between properties to ensure no adverse impact is created.
- 6.23 Overall, the proposed house design is not considered to be of particular architectural merit, however, the layout, siting and design and use of high quality materials are not considered to be worthy of a refusal based on design

grounds. However, as outlined in section 6.2-6.15, the principle of development is considered non-compliant with policy.

Landscape

- 6.24 A primary concern from North Kincardine Rural Community Council and letters of representation received objecting to the proposal is the potential adverse visual impact on a sensitive landscape setting. As outlined above, the design of the infrastructure associated with the business is typical of agricultural style storage buildings. However, the siting and infrastructure required could create an adverse visual impact on a largely non-industrialised area characterised by rolling hills with scattered dwellings and previously designated as a 'Valued View'. For the avoidance of doubt, Valued Views are no longer contained within the Aberdeenshire Local Development Plan 2017. These have been replaced by 'Special Landscape Areas' (SLA). The proposed site is not located in an area identified as an SLA and therefore has no specific landscape designation, nonetheless, the potential landscape impact must be considered.
- 6.25 Policy E2 Landscape aims to promote the protection and management of the landscape. Specifically, development will only be approved where the scale, location and design is appropriate to the landscape character of the area. The agent argues that the significant tree cover to the west of the application site and siting of the proposed development back from the roadside and behind the proposed dwellinghouse will ensure no impact is created on the character of the area. The land rises significantly from the west to east with undulations in the hillside allowing the proposal site to sit in a crevice on the hillside. Therefore, it is predicted that the existing view from the C listed Church on the crest of the hill (Cookney Church) and neighbouring dwellings to the east will not be adversely effected, primarily due to the separation distance of approximately 200metres and undulating ground. Neighbouring properties, Cookney Ridge and Cookney Lodge will be located closest to the proposed site, however, again, the siting back from the road and screening is considered to reduce the impact.
- 6.26 On balance, it is accepted that the siting of the business and dwelling, existing tree planting and natural boundary treatments which are to remain will help assist the proposal blend into the landscape, compliant with policy E2 Landscape.

Technical considerations

- 6.27 Turning to Policy RD1: Providing suitable services, a number of objections are concerned with regard to road safety as they consider the access road to be unsuitable for large vehicles that will be required for the business. Infrastructure Services (Roads Development) has commented that there is sufficient room for parking and manoeuvring any delivery vehicles required for the biomass element of the application. They do not share the concern that the access road is inappropriate. Therefore, Infrastructure Services (Roads Development) do not object subject to conditions in relation to the new

access, driveway, off street parking, visibility splay, refuse bin uplift store, suitable vehicle turning area and an appropriate kerb and bell mouth.

- 6.28 Scottish Water have been consulted regarding connecting to the public water supply network but have not responded at the time of writing, however any developer is required to obtain the direct consent of Scottish Water to connect to their infrastructure, and this matter lies out with the realms of planning control. Foul water will be dealt with via a septic tank and soakaway with surface water also discharging to a soakaway. Concern has been raised regarding surface water run-off from the proposed development. The site is not highlighted within SEPA's database that the area is liable to flood and the drainage report has been carried out by the appropriate persons in line with the British Standard and therefore, there is no reason to suggest the proposed means of surface water drainage is not suitable.
- 6.29 Letters of representation received raise the potential amenity impact caused by the noise from the proposal as a concern. A Noise Impact Assessment has been undertaken to establish existing noise levels at the proposed site and measure the noise levels due to typical activities at the existing plant. The survey carried out by Sandy Brown (consultants in acoustics, noise and vibration) provides a number of measures to mitigate the impact of the worst case noise levels from the plant. It is recommended that all log splitting activities are located against the south elevation of the storage shed which is considered within the Noise Impact Assessment to provide adequate screening to the nearest dwellings. Environmental Health were consulted who hold no objection to the proposal subject to the above mitigation measure which, if the application is approved, can be dealt with through condition. This should alleviate concerns from neighbouring properties.
- 6.30 Developer Obligations have contacted the applicant in terms of required contributions and agreement has been reached towards affordable housing provision. However, payment has not been sought at this stage given the recommendation by the Planning Service.
- 6.31 Additional comments have been raised in regard to noise pollution, dust and emissions from HGV, Agricultural vehicles, plant and machinery and disruption during construction of the development. These are not material planning considerations.
- 6.32 Overall, the Planning Service are content with the proposals compliance with Policy RD1 Providing suitable services and Policy RD2: Developer's obligations, albeit concern remains regarding the principle of development, as outlined above.

Conclusion

- 6.33 Overall, whilst the siting of the proposal is considered inappropriate. The Planning Service accept that there is scope to support the relocation of the business as a departure from policy providing full and sufficient justification

can be provided in relation to the impact created by the AWPR. However, the need for the dwellinghouse for an essential working, whilst desirable for a number of reasons outlined, is not considered to be justified. The business operated by the applicant is not considered by the Planning Service to be a 'primary industry'. Further to this, the applicants existing dwellinghouse is considered to be located in close enough proximity to the proposed site to service the highlighted on site operations and provide for adequate supervision and care for his wife in light of the stated protected characteristics. The submission of the application which includes the erection of dwellinghouse, renders the entire proposal unacceptable as has been outlined to the applicant and his representatives by the Planning Service from the outset. Therefore, the proposal is not considered to comply with Policy R2 Housing and employment development elsewhere in the countryside within the Aberdeenshire Local Development Plan 2017 and is subsequently recommended for refusal.

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, Staffing and Financial Implications

- 8.1 An equality impact assessment has been carried out as part of the development of the proposals set out above. It is included as Appendix 1 and the following impacts have been identified which cannot be fully mitigated as explained:

Refusal of the application would mean that the proposed development would not be carried out and existing conditions would remain, which may have an adverse impact for the well-being of the applicant's wife.

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

R2 Housing and employment development elsewhere in the countryside

- 10.3 The application is a Departure from the valid Local 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 for the erection of a dwellinghouse and relocation of an existing business enterprise in the Aberdeenshire countryside is not considered to be justified in terms of relevant planning policy as the proposed dwellinghouse has not been demonstrated to be required for the purposes of an essential worker, related to a primary industry, who's presence on site is required on a full time basis. Furthermore, as the site is located within the identified Aberdeen Housing Market Area, relevant planning policy does not support the creation or re-location of employment development of this scale in this location. The proposal therefore fails to comply with the relevant provisions of Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017.

Stephen Archer
Director of Infrastructure Services
Author of Report: Louise Smith
Report Date: 4 August 2017