



Marr Area Committee Report 29 August 2017

Reference No: APP/2017/0881

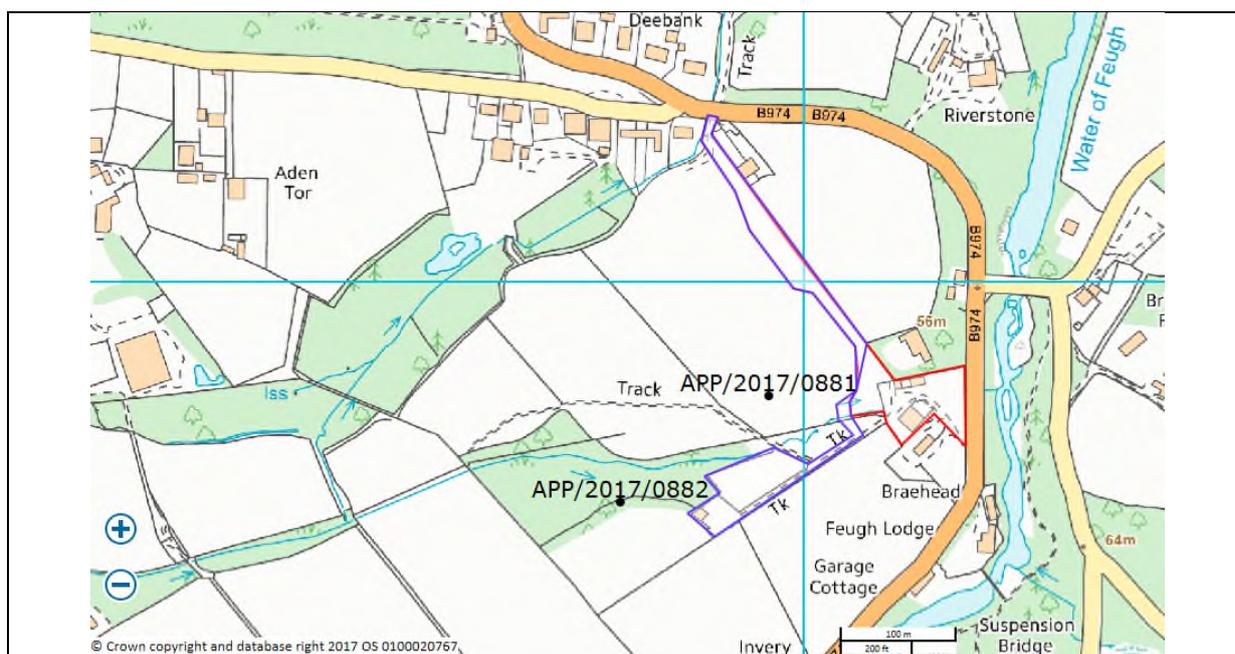
Planning Permission in Principle for Erection of 2 Dwellinghouses and Formation of Access at Land at Braehead Farm, Banchory &

Reference No: APP/2017/0882

Planning Permission in Principle for Erection of Dwellinghouse at Land at Braehead Farm, Banchory

Applicant: Raemoir Properties Ltd, Muirden, Turriff, AB53 4NH
Agent: Colin Thompson Chartered Architect, Old Chapel Road, Inverurie, AB51 4QN

Grid Ref: E:370028 N:795001 & E:369977 N:794960
Ward No. and Name: W16 - Banchory and Mid-Deeside
Application Type: Planning Permission in Principle
Representations: 42 and 27
Consultations: 9 in total
Relevant Proposals Map: Aberdeenshire Local Development Plan
Designations: Aberdeen Housing Market Area
Complies with: Yes
Development Plans:
Main Recommendation: Delegated Grant



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1. Reason for Report

- 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.3.1f of Part 2C Planning Delegations of the Scheme of Governance as there have been valid objections from six or more individuals or bodies with separate postal addresses or premises, and also in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.3.1g of Part 2C Planning Delegations of the Scheme of Governance as there is an unresolved objection from Banchory Community Council.
- 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.

2. Background and Proposal

Background

- 2.1 Planning permission in principle is sought for the erection of 3 dwellinghouses in total, under two applications, and both proposals include the formation of an access, at Braehead Farm, Banchory. Specifically, each application seeks the following:
- APP/2017/0881 – Erection of 2 dwellinghouses and the formation of an access (plots 1 and 2)
 - APP/2017/0882 - Erection of dwellinghouse and the formation of access (plot 3)
- 2.2 The proposed sites lies to the north of Braehead Farm, approximately 1km to the south of the centre of Banchory. Braehead Farm house is a 1 ½ storey stone built dwelling with a slate roof and timber windows with garden ground surrounding and a large sweeping access road to the south, taking direct access off the B976. The Farmhouse is to remain unaltered by the proposed development. The proposed development sites are located to the north and south west of Braehead Farmhouse. The overall farm hub is a substantial size, comprising of a redundant agricultural steading where most of the stone walls remain, but contains no roof. A number of concrete hard standings and a shed is located to the north of the ruined steading. An agricultural storage shed is located to the south west, adjacent to mature trees, and is accessed by an existing track which leads to agricultural fields.
- 2.3 The site is primarily bound by stone wall dykes which are to be retained. A number of mature trees are located to the north of plot 3 and to the north and south of the access onto the B976. The land slopes upwards from Braehead Farmhouse with agricultural land surrounding the farm complex to the north and south west.

Planning History

- 2.4 There is a complex planning history on the site, in 2015 two planning applications (APP/2015/0225 and APP2015/3663) were submitted on the

agricultural land to the north and west of the sites. The proposals included the residential development of 400 dwellinghouses, health centre, employment uses, formation of Deeside Way hub, extension to Deeside Way, realignment and improvement to the B974, cycle paths, landscaping, open space and ancillary works. The applications were recommended for refusal by the Planning Service, this recommendation was upheld by Committee. The second proposal was then appealed to Scottish Ministers where it was dismissed. In addition, the ruined steading was subject to a planning application in 2010 (APP/2010/0943) for the conversion of the steading to a single dwelling and proposed access through the agricultural field to the north, this application was approved, however the permission was not implemented and has now lapsed.

Proposal

- 2.5 APP/2017/0881 – Permission is sought to demolish the ruined steading to the north of the farmhouse, and replace it with two detached dwellings. Initially, the agent argued that the hardstanding and shed to the north of the steading provided an opportunity for a third dwelling. However, this was considered overdevelopment by the Planning Service, and the proposal was reduced to two dwellings. As this is planning permission in principle, only indicative details are available. It is considered that sufficient space remains within the site to accommodate two dwellings allowing for an appropriate level of amenity space, parking and access arrangements, whilst making use of the redundant buildings to deliver something of an appropriate scale. Revised site plan 021704-P1+2-20 Revision C shows the amended indicative layout. Access shall come from a new track from the north, with the existing access serving the farm, from the south east, being closed off at the edge of the site.
- 2.6 APP/2017/0882 – Permission is sought to demolish the agricultural shed located to the south west of the Farmhouse and build a single dwelling. The existing building is tucked into the north west corner of the walled area with mature trees to the north, and has masonry walls and the roof has a timber structure and is finished in corrugated metal sheeting. As the proposal is for planning permission in principle, only indicative details are available. The indicative layout shows the proposed dwelling to be orientated north-south to optimise the available solar gains and views. It is proposed to maintain the existing boundaries, particularly the stone dyke walls and all existing trees are to remain to allow the dwelling to sit sensitively within the site. This site shall be accessed by the same access road outlined above.
- 2.7 Both applications propose a new access, through the agricultural field to the north of the sites. All three dwellings would utilise the proposed access track. The access will extend approximately 300m and utilise the existing junction with the public road (B974), within a 30mph speed limit area. The access to the field is set back from the road edge, and will sit parallel with the existing stone dyke walling on the northern edge of the field. It is also proposed to provide mixed species planting along the access to reduce visual impact. The track would be constructed in compacted hard-core and therefore will be self-draining. For the avoidance of doubt, the existing access leads onto the B976 to the east, and the proposed new access leads onto the B974 to the north. The eastern access will be blocked off to prevent continued/increased use of

it. Alternative access solutions were explored, but ruled out due to significant landscape impacts, i.e. enhanced visibility at the existing junction would have resulted in significant cutting back of the road verge, resulting in trees loss to the detriment of the wider landscape character.

Supporting Information

2.8 A number of documents have been submitted in support of both proposals and are summarised as follows:

- **Drainage report** (Colin Thomson Chartered Architects March 2017) – The ground conditions on both sites are considered impermeable and therefore a traditional soakaway system would not be appropriate. It is recommended to dispose of effluent via sewage treatment plants with an outfall to partial soakaways and to the existing burn which runs from the site, via a culvert, and discharges to the River Feugh. Rainwater would also discharge to the River Feugh.
- **Ecology Report** (SAC Consulting 21st June 2017) – The report outlines the survey results for habitats and vegetation, site designations and protected species most likely to be present. The survey concludes that there were no signs of protected species or habitats of conservation value on either site.
- **Environmental Appraisal Report** (SAC Consulting 23rd May 2017) – Considers the likely environmental impacts of the two potential vehicle access options. The report concludes that the altering the existing access to Braehead has greater impact than the access to the north due to the large visibility splays required which would affect wooded landscape.
- **Supporting Statements** (Colin Thomson's Chartered Architects May and June 2017) – two supporting statements have been received, one aiming to justify the proposal through providing an overview of the site, access and existing buildings including details regarding the proposed dwellings supported by photographs and drawings. An additional supporting statement was submitted by the agent in response to the neighbouring representations aiming to alleviate concerns.
- **Access Options Assessment** (Colin Thomson's Chartered Architects June 2017) – provides an assessment of four potential access options supported by site plans, and aims to justify the proposed new access. Three options were ruled out – enhance existing access, a new access from the south, and an alternative new access to the north. The statement concludes that access option D (the proposed access) is in keeping with surroundings with the least visual impact.
- **Landscape and Visual Appraisal** (Angus Elder) – considers the potential impact of the proposed access track on the landscape character and visual amenity of the surrounding areas. The appraisal provides a number of viewpoints of the track from key points in the surrounding areas such as Scolty Hill, Falls of Feugh and around

Banchory. It concludes that sensitive design will ensure the access track is in keeping.

3. Representations

3.1 APP/2017/0881 (plots 1 and 2)

A total of 41 valid representation have been received, 10 in support and 31 objecting as defined in the Scheme of Delegation. All issues raised have been considered. The letters raise the following material issues:

Objecting

- Resources in Banchory cannot cope with additional dwellings
- Drainage solution is not suitable
- Potential surface water flooding
- Habitat for flora, fauna and protected species
- Safety concerns regarding existing and proposed access
- Already existing access to site, this should be improved to benefit wider community
- Visual impact of new access
- Impact on the River Dee Special Area of Conservation
- Noise and environmental pollution from development

Supporting

- Development will bring people into the area – support local shops and businesses
- Proposed access safer than existing
- Reuse of redundant, unsightly buildings

3.2 APP/2017/0882 (plot 3)

A total of 26 valid representation have been received, 8 in support and 18 objecting as defined in the Scheme of Delegation. All issues raised have been considered. The letters raise the following material issues:

Objecting

- Safety concerns regarding existing and proposed access
- Already existing access to site, this should be improved to benefit wider community
- Visual impact of new access
- Drainage solution is not suitable
- Potential surface water flooding
- Impact on the River Dee Special Area of Conservation

Supporting

- Development will bring people into the area – support local shops and businesses
- Proposed access safer than existing

- Reuse of redundant, unsightly buildings

3.3 **Feughdee West Community Council** have objected to both proposals as they consider there to be insufficient information to determine whether the sites are brownfield or not. In addition, they have strong concerns regarding the proposed access road. Primarily in relation to safety concerns, setting an undesirable precedent for development on the agricultural field and it is suggested that the existing Braehead Farm access is improved and utilised which would negate the need for the proposed access road.

4. Consultations

4.1 **Business Services (Developer Obligations)** have confirmed that in relation to both applications, an agreement on contributions has been reached towards affordable housing. Payment can be sought as a delegated matter.

4.2 **Forestry Commission Scotland** were consulted on APP/2017/0882 and have confirmed that they have no comment to make in relation to the application.

4.3 **Infrastructure Services (Archaeology)** have requested a photographic survey condition is attached to APP/2017/0881 to ensure a historic record is kept of the 19th century farmstead.

4.4 **Infrastructure Services (Environment)** were consulted on both applications and raised significant concern regarding utilising the existing access used by Braehead Farmhouse. This is due to the earth works and tree removal this access would require in order to achieve the required visibility splay and subsequent visual impact on the Waters of Feugh. The contents of the Ecology Report are considered acceptable.

4.5 **Infrastructure Services (Flood Prevention Unit)** were consulted on APP/2017/0881 and initially requested further details on the measures proposed to deal with surface water drainage, especially drainage proposal for the new access track. The agent confirmed that the access track is to be formed in compacted hard-core and is therefore self-draining. On receipt of this information, the Flood Prevention Unit confirmed they have no further comment to make on the application.

4.6 **Infrastructure Services (Roads Development)** initially objected to both applications due to concern that residents from the proposed development would be likely to utilise the existing access for Braehead Farmhouse rather than new access proposed. However, the agent has confirmed that only Braehead Farmhouse will utilise the existing access and a stone wall will be erected to ensure there is no through road. Therefore, Roads Development removed their objection subject to a number of conditions in relation to the new access, driveway, parking spaces, visibility splays, refuse bin uplift, a suitable turning area, and a condition in relation to the access restrictions.

4.7 **Infrastructure Services (Waste Management)** initially objected to APP/2017/0881 based on insufficient information submitted in regard to the details and dimensions of the waste collection point at the road end (B974) and the requirement of a bell mouth for waste collection vehicles. Details on

the above were subsequently submitted and waste management removed their objection to the proposal.

- 4.8 **Scottish Water** have provided no response to either application, and therefore it is accepted that they hold no objection to the proposal. Direct consent from Scottish Water is required to connect to their infrastructure, and such process would take place outwith the planning process.
- 4.9 **Banchory Community Council** objected to both proposals as they feel that the proposal stretches the remits of the policy, the dwellings are not located on the 'site' of the existing brownfield opportunities and (the originally proposed) 4 units is overdevelopment. In addition, landscape impact is a concern especially on the approach to the site from the Bridge of Feugh and the scale of the development will erode the character of the area. The proposed access track will also change the character of the area through its siting on raised ground and safety concerns regarding both the existing and proposed access. Concern is raised that pollution from the site will discharge to the nearby watercourses and impact on the River Dee Special Area of Conservation.

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 E1: Natural heritage
- Policy E2: Landscape
- Policy R2: Housing and employment development elsewhere in the countryside
- Policy RD1: Providing suitable services
- Policy RD2: Developers' obligations
- Policy C4: Flooding
- Policy PR1: Protecting Important Resources

6. Discussion

- 6.1 The main planning considerations with these applications relate to the principle of erecting three new dwelling houses, one under APP/2017/0882 and two under APP/2017/0881. In addition, the impact these proposed dwellings would have upon the character, amenity and overall context of the area. Technical matters such as drainage and access will also be considered.

Principle of development

- 6.2 The application sites are within the Aberdeen Housing Market Area and as such, the proposals will be assessed against Policy R2 Housing and employment development elsewhere in the countryside. Policy states the Council will approve new small scale development, of no more than 3 dwellinghouses, 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. The agent has submitted two separate applications for dwellinghouses in replacement of the redundant buildings.

APP/2017/0881 – (plots 1 and 2)

- 6.3 Two dwellings are proposed to replace an existing steading ruin with a footprint of approximately 200m², which is in a poor state of disrepair with a depilated structure and no roof.
- 6.4 Concerns were raised from the Community Council that the proposal is overdevelopment of the site and stretches the remits of policy. In addition, that there is insufficient evidence to ascertain where and how many brownfield opportunities exist. Following a site visit, the overdevelopment concern was shared by the Planning Service. The originally submitted three dwellings proposed was considered to exceed the development potential on the site. Therefore, the applicant agreed to reduce the overall proposal from three dwellinghouses to two, thus utilising the ruin which is considered to be of a substantial footprint to accommodate two dwellinghouses. A revised

supporting statement has been provided justifying the indicative revised layout in context with the surrounding site.

- 6.5 The ruined steading is not considered to be in a suitable state to convert and it is considered a more appropriate solution to demolish and reuse the down takings in two suitably designed, sustainable dwellinghouses. The principle of replacing the redundant steading is considered acceptable due to its redundant nature, and the proposed two dwellings would be an appropriate scale of development relative to the brownfield opportunity on site, therefore APP/2017/0881 is compliant with Policy R2 housing and employment development elsewhere in the countryside of the Local Development Plan 2017 (LDP 2017).

APP/2017/0882 - (plot 3)

- 6.6 In addition, APP/2017/0882 proposes to replace an existing agricultural building with one dwellinghouse. The existing building has masonry walls with corrugated metal sheeting. The agent states that this was previously used for storage purposes and has lain unoccupied for a considerable length of time. The Community Council objections outlined above were also submitted in relation to this individual house plot regarding overdevelopment. However, this single redundant building does present an opportunity for a single dwelling, the scale of what is proposed is well related to what exists on site. The agricultural building is of no architectural merit and the principle of development for APP/2017/0882 is considered compliant with Policy R2 housing and employment development elsewhere in the countryside.
- 6.7 Overall, the amendments are considered to allow the Planning Service to support the principle of development. It is considered to satisfy the criteria for small scale brownfield redevelopment within Policy R2 Housing and employment in the countryside of the LDP 2017.

Layout, siting and design

APP/2017/0881 (plot 1 and 2)

- 6.8 In regard to AP/2017/0881 for plots 1 and 2, concern has been raised regarding the siting of the proposal as policy requires dwellings to be located on the 'site' of the existing brownfield opportunities. As this application is planning permission in principle design details are not available and the siting of the dwellinghouses is indicative. However, the site is rather large given what currently exists on site; a ruin with a floor area of 200m², large area of hardstanding and a shed. Design considerations will come in future MSC submissions, but for the purposes of this PPP submission, a pragmatic approach has to be taken to the dwellings being on the same 'site' when the site is quite large. The indicative layout shown allows for the appropriate amenity space, parking and driveway, all typical expectations for a rural countryside dwelling, respecting the pattern of adjacent dwellings. In addition, as mentioned in paragraph 6.4, the proposal has been scaled down from three dwellings to two which is considered more appropriate for the brownfield opportunities present on site. The site plans indicate an adequate area of garden ground surrounding each plot, with the dwellings orientated to take advantage of solar gain. The site capable of hosting two dwellings, and the

nature of the site is quite flexible to the specific locations of the two dwellings, subject to full design consideration with respect to scale, proportions, materials and amenity.

- 6.9 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, overlooking, overshadowing or overbearing impacts. There is sufficient separation distance between properties, and a band of mature trees separating plots 1 and 2 from the neighbouring property Beechbrae to the north. No loss of sunlight/daylight is considered to arise either given the orientation of the development to the farmhouse, with no overbearing impacts foreseen to occur.

APP/2017/0882 (Plot 3)

- 6.10 Plot 3 is located in isolation to the south west of the main farm hub. The indicative layout shows a dwellinghouse located centrally in the site with all existing boundary treatments remaining including the band of woodland to the rear and stone walls. As per the objection outlined above, the indicative layout shows the dwelling to be located to the east of the agricultural building. However, taking a pragmatic approach, this is considered to be in the approximate 'site' of the redevelopment opportunity, given the building scale and associated manoeuvre space around it. The overall site is a suitable size to allow for appropriate amenity space with no neighbouring properties surrounding. Landscaping and boundary treatments will be provided within the submission of the detailed application, but the overall siting and location is considered to negate the potential for any adverse amenity impacts.
- 6.11 The Planning Service is content that the site can accommodate a dwellinghouse without impacting on neighbouring land uses. The site size ensures that there will be adequate garden ground to the rear and side of the proposed dwelling's location, which for this stage of planning is acceptable in terms of Policy P1 layout, siting and design of the LDP 2017.

Access and landscaping considerations – both applications

- 6.12 A primary concern from members of the public and Community Council, in regard to both proposals, is the new access road to the north of the site. Concern is raised in relation to the landscape impact of the new access and safety implications of both the proposed and existing access and that this opportunity should be used to improve the existing access to the farmhouse to benefit the wider community. There is an existing access to the south east, onto the B976 which currently serves the Farmhouse. This access does not achieve the required visibility splay due to the bend of the road to the south and large areas vegetation to each side of the access road, and the intensification of use of this access in its current form would be unsafe. Therefore, the proposal includes the creation of a new access road to the north of the plots, adjacent to the filed boundary stone wall crossing approximately 300m of agricultural land. It should be noted, the proposed access was previously approved under APP/2010/0943, but never implemented.

- 6.13 In order to ascertain the potential landscape impact from the new access road a number of supporting documents were requested. These include photomontages of the new proposed access, a report assessing the access options, an environmental appraisal report and landscape and visual appraisal. These documents include an assessment of utilising the existing farmhouse access which confirm that in order to achieve the required visibility, 165m at either side of the entrance requires to be cut back, set back 22.5 metres from the edge of the road. In addition a significant amount of earthwork will be required including the removal of approximately 15 large trees and additional smaller stemmed trees. Page three of Access Option's Report provides an overview of the level of 'cutting back' required. Consultation with Roads Development was undertaken to gain their opinion on this statement and the roads engineer confirmed that this statement was accurate. Therefore, in consultation with the Environment Planner, it is considered that utilising the existing access will require the creation of a significant area of hardstanding, tree removal and earthworks to open up visibility at the bend in the road at Feugh Lodge. This would significantly reduce the enclosed, wooded nature of the approach to the Falls of Feugh and Bridge of Feugh from the south-west along the B976, detrimentally altering the landscape character of this popular area.
- 6.14 In regard to the proposed access, the photomontages highlight that the access will be bound by native hedging and constructed in a porous material, and will be unlit to allow the access to blend into the landscape. Roads Development have confirmed that they do not object to the proposal, providing the existing access to Braehead Farm is permanently closed off, and recommend a number of conditions are attached in relation to the new access, driveway, parking spaces, visibility splays, refuse bin uplift and a suitable turning area.
- 6.15 Therefore, notwithstanding the previous permission for the same access (albeit never implemented), the proposed new access is considered to have the least visual impact of all options considered. This is clearly outlined within the supporting documents submitted, which provides an assessment of a number of options and visualisations. The proposed access has been designed in a way to ensure it blends in with the countryside and in addition, provides a safe exit onto the B974 in line with Policy RD1 Providing suitable services and E2 Landscape. The letters of support also consider that the proposed access would be safer than existing arrangements.

Potential impact on habitats – both applications

- 6.16 The site is located within the River Dee Special Area of Conservation (SAC) and Policy E1 Natural heritage states that the Planning Service will only approve development when a baseline ecological survey has been carried out and when the development has been designed to avoid impacts on protected species where possible.
- 6.17 Due to the proximity of the site to the Waters of Feugh, habitats present, the location within the River Dee SAC and concerns raised in representations, an investigation was undertaken of the habitats and vegetation and protected species most likely to be present. The Ecology Report carried out in June 2017 concludes that there were no signs of protected species or vegetation of

value and therefore the proposal is in accordance with Policy E1, as there would be no harm to protected species.

- 6.18 In regard to trees on site, Policy PR1 aims to protect individual and groups of trees as trees contribute to the character and amenity of an area. The agent has confirmed that no trees are to be removed to allow for the dwellinghouses and has identified on site plan 021704-P1+2-SLP Rev C (plot 1 and 2) and site plan 021704-P3-SLP Rev B (plot 3) a significant amount of new planting of mixed species is proposed within the development to provide additional screening. Two large trees, Beech and Common Lime are located along the access road but in the neighbouring field to the north east. Confirmation had been received that it is not necessary to remove these trees, however, some removal of lower branches will be necessary and care will need to be taken when constructing the access track to ensure the roots of these trees are not impacted.
- 6.19 It is considered that a full assessment has been undertaken of the potential protected species present on site as per the policy requirement. The survey concludes that there are no protected species or habitats of interest found. An over provision of tree planting has been provided with specific details regarding locations, species and protection of existing trees being controlled through a condition. Therefore, the proposal is considered compliant with the natural heritage aspects of the LDP 2017 specifically Policy E1 Natural Heritage and Policy PR1 Protecting Important Resources, and will enhance biodiversity on site due to new tree planting.

Technical considerations – both applications

- 6.20 Turning to Policy RD1 Providing suitable services, each plot will drained be via a foul drain to a new sewage treatment plant with discharge to a partial soakaway and outflow to an existing burn leading to the Feugh watercourse. Surface water will also be via a separate partial soakaway with outflow to the watercourse. Representations state that this is not a suitable drainage solution due to ground conditions and that this will create surface water flooding. A drainage report and certification has been carried out by the appropriate persons in line with the relevant British Standard, therefore, there is no reason to suggest that this is not a suitable solution for surface and foul water. Through consultation with the Flood Prevention Unit for plots 1 and 2, confirmation has been received that they are satisfied with the level of flood risk and subsequently means of disposal of foul and surface water. They required additional details on the drainage proposal for the new access track and confirmation has been received that this will be compacted hard-core and therefore self-draining. Therefore, the above is considered compliant with policy RD1 Providing suitable services and Policy C4 Flooding, which also addresses concerns raised in objections.
- 6.21 Developer Obligations have confirmed that agreement has been reached on contributions towards affordable housing. Payment will be sought as a delegated matter, in line with Policy RD2 Developers' obligations. A number of objections have raised concerns regarding insufficient resources within Banchory to cope with additional dwellings. The three additional dwellings would not be considered to significantly impact on the resources of Banchory, there is known education capacity at Primary and Secondary level, a new

health centre is in the pipeline, and ample sports and recreation facilities exist at present. The additional demand on services from 3 dwellings is minimal, and therefore not considered to have any impact.

Representations

- 6.22 Both proposals have received a large number of objections, which have been addressed above. There are several letters of support, which consider that the proposals would allow for the re-use of redundant, unattractive buildings and would promote the area of Banchory. In terms of objections received, these surrounds technical considerations including drainage, flooding, impacts on habitats and the River Dee SAC and environmental pollution; and impacts on safety and visual landscape arising from the proposed access. These matters have been addressed through supporting documents which demonstrate compliance with the relevant policies, as outlined above. Noise from the development was raised as a further concerns from objectors, however noise during construction is not a material planning consideration. Overall, the Planning Service are satisfied that the matters raised in the representations have been addressed and the site can be adequately accessed and serviced with no significant adverse impact on the environment, habitats, amenity, road safety and the wider landscape.

Precedent for future development

- 6.23 Due to the history of the site, the majority of the objections allude to the proposal being a pre-cursor for a future large scale development. By recommending approval of the current proposal, no precedent is set for future development in the vicinity. These applications are very much on their own merits, and indeed the 2010 consent previously established small scale residential development at this location. Any future proposals on adjacent land would be considered on their own merits in terms of planning Policy, and in consultation with the relevant parties.

Conclusions

APP/2017/0881 – (plots 1 and 2)

- 6.24 The proposal involves the redevelopment of existing brownfield opportunities just outside the Banchory settlement. The site is considered an appropriate location for redevelopment close to amenities and with consideration taken to the surrounding landscape. The Planning Service is of the opinion that with the reduction in number of dwellings originally proposed from three to two, this ensures that the proposal would have minimal impact on the character of the surrounding area, with the detailed aspects such as design yet to be agreed. The proposal complies with Policy R2: Housing and Employment Development Elsewhere in the Countryside within the Aberdeenshire Local Development Plan 2017, as such, is recommended for approval.

APP/2017/0882 – (plot 3)

- 6.25 The site is considered suitable for redevelopment. The Planning Service is satisfied that the proposal will suitably transform the redundant site to create a dwelling. The development is not considered to result in an adverse effect on

existing visual or residential amenity. The Planning Service support the applications in line with Policy R2: Housing and Employment Development Elsewhere in the Countryside of the Aberdeenshire Local Development Plan (2012) and is therefore 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, Staffing and Financial Implications

- 8.1 An equality impact assessment is not required because the granting or refusing of the application will not have a differential impact on any of the protected characteristics.

- 8.2 There are no staffing and financial implications.

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 Development Plan or Strategic Development 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 That authority to GRANT APP/2017/0881 be delegated to the Head of Planning and Building Standards subject to:-

- (a) Satisfactory resolution of Developer Obligations;
- (b) The following conditions;

01. Details of the specified matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No development shall begin on the site unless all of the details listed in this condition have been submitted to and approved in writing by the planning authority. The development shall be carried out in complete accordance with the details approved in relation to this condition.

Specified matters:

- (a) Full details of the layout and siting of the proposed development;
- (b) Full details of the external appearance and finishing materials of the proposed development;
- (c) A landscaping scheme and tree protection plan including proposed landscape features, including trees to be retained and planted;
- (d) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point;
- (e) Full details of the proposed means of disposal of foul and surface water from the development;
- (f) Full details of the proposed access to the development including visibility splays where appropriate;
- (g) Full details of the proposed car parking/vehicle turning area for the development;
- (h) Full details of refuse bin uplift store.
- (i) Full archaeological photographic survey of buildings to be removed/demolished.

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

02. Further to the requirements of condition 1i, no demolition or any other works in connection with the development hereby approved shall commence unless a photographic survey of the existing buildings and structures on the application site has been submitted to and approved in writing by the planning authority. All external and internal elevations of the buildings and structures together with the setting of the buildings and structures and any unusual features of the existing buildings and structures shall be photographed. The photographic viewpoints must be clearly annotated on a plan to accompany the survey. The photographs and plan must be in a digital format and must be clearly marked with the planning reference number.

Reason: To ensure that a historic record of the building is made for inclusion in the National Monuments Record for Scotland and in the local Sites and Monuments Record.

03. No individual dwellinghouses hereby approved shall be erected unless an Energy Statement applicable to that dwellinghouse has been submitted to and approved in writing by the planning authority. The Energy Statement shall include the following items:
- (a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
 - (b) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with the Council's Supplementary Planning Guidance on Carbon Neutrality in New Developments.

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

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

04. No development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility splays are provided in accordance with details to be submitted under condition 1 part f. Visibility of 59m metres should be provided in both directions along the channel line of the public road from a point 2.4 metres measured at right angles from the existing edge of the carriageway surface along the centre line of the approved new access in accordance with the Council's Standards for Road Construction Consent and Adoption. The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated out with the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

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

05. No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store areas have been submitted to and approved in writing in accordance with the details to be submitted under condition 1 part h. The areas shall be constructed behind any visibility splay and shall be designed so as to be accessible for refuse bin uplift and to prevent empty bins from being wind-blown. The dwellinghouses shall not be occupied unless the refuse bin uplift store areas have been provided and surfaced in accordance with the approved details. Once provided, the refuse bin uplift store areas shall thereafter be permanently retained as such.

Reason: To ensure the provision of an appropriate means of servicing in the interests of road safety.

06. The dwellinghouse hereby approved shall not be occupied unless its lay-by, driveway, parking and turning area has been provided and fully paved in accordance with details to be submitted under condition 1 part g. The maximum gradient of the first 5m of the new access must not exceed 1 in 20. Prior to the occupancy of development, the first 5m of access (measured from the edge of the public road) is to be fully paved and a suitable vehicular turning area, measuring not less than 7.6m x 7.6m must be formed within the site to enable vehicular movements onto or from the public road carried out in forward gear. The access shall be internally drained and formed in such a way to prevent any flow of surface water either onto or from the public road. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of each driveway to an adequate standard to prevent the carriage of loose driveway material on to the public road in the interests of road safety.

07. Prior to commencement of development and further to the details provided under condition 1 part f, the access track from the site through Braehead Farm to the B976 is to be permanently closed, as identified on drawings 021704-P1+2-20 Rev C and 021704-P1+2-SLP Rev C.

Reason: In the interests of road safety.

08. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted in accordance with the details submitted under condition 1 part c and approved in writing by the planning authority.

Details of the scheme shall include:

- (a) A tree survey in accordance with BS 5837:2012;
- (b) Existing landscape features and vegetation to be retained;
- (c) Protection measures for the landscape features to be retained;
- (d) Existing and proposed finished levels;
- (e) The location of new trees, shrubs, hedges and grassed areas;
- (f) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- (g) An indication of existing trees, shrubs and hedges to be removed;
- (h) A programme for the implementation, completion and subsequent management of the proposed landscaping.

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

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

09. No dwellinghouse hereby approved shall be occupied unless the proposed foul and surface water drainage systems has been provided in accordance with the details to be submitted under condition 1 part e and approved plans and report by Colin Thompson Chartered Architect dated March 2017. The foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved maintenance scheme.

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

10. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

11.2 That authority to GRANT APP/2017/0882 be delegated to the Head of Planning and Building Standards subject to:-

- (a) Satisfactory resolution of Developer Obligations;
 - (b) The following conditions;
01. Details of the specified matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No development shall begin on the site unless all of the details listed in this condition have been submitted to and approved in writing by the planning authority. The development shall be carried out in complete accordance with the details approved in relation to this condition.

Specified matters:

- (a) Full details of the layout and siting of the proposed development;
- (b) Full details of the external appearance and finishing materials of the proposed development;
- (c) A landscaping scheme and tree protection plan including proposed landscape features, including trees to be retained and planted;
- (d) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point;
- (e) Full details of the proposed means of disposal of foul and surface water from the development;
- (f) Full details of the proposed access to the development including visibility splays where appropriate;
- (g) Full details of the proposed car parking/vehicle turning area for the development;
- (h) Full details of refuse bin uplift store.

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

02. No individual dwellinghouse hereby approved shall be erected unless an Energy Statement applicable to that dwellinghouse has been submitted to and approved in writing by the planning authority. The Energy Statement shall include the following items:
- (a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
 - (b) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with the Council's Supplementary Planning Guidance on Carbon Neutrality in New Developments.

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

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

03. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

04. No dwellinghouse hereby approved shall be occupied unless the proposed foul and surface water drainage systems has been provided in accordance with the details to be submitted under condition 1 part e and approved plans and report by Colin Thompson Chartered Architect dated March 2017. The foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved maintenance scheme.

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

05. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted in accordance with the details submitted under condition 1 part c and approved in writing by the planning authority.

Details of the scheme shall include:

- (a) A tree survey in accordance with BS 5837:2012;
- (b) Existing landscape features and vegetation to be retained;

- (c) Protection measures for the landscape features to be retained;
- (d) Existing and proposed finished levels;
- (e) The location of new trees, shrubs, hedges and grassed areas;
- (f) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- (g) An indication of existing trees, shrubs and hedges to be removed;
- (h) A programme for the implementation, completion and subsequent management of the proposed landscaping.

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

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

06. The dwellinghouse shall not be occupied until the proposed access has been formed as per approved plans and is fully operational.

Reason: For the interest of public safety.

07. No development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility splays are provided in accordance with details to be submitted under condition 1 part f. Visibility of 59m metres should be provided in both directions along the channel line of the public road from a point 2.4 metres measured at right angles from the existing edge of the carriageway surface along the centre line of the approved new access in accordance with the Council's Standards for Road Construction Consent and Adoption. The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated out with the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

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

08. No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store areas have been submitted to and approved in writing in accordance with the details to be submitted under condition 1 part h. The areas shall be constructed behind any visibility splay and shall be designed so as to be accessible for refuse bin uplift and to prevent empty bins from being wind-blown. The dwellinghouses shall not be occupied unless the refuse bin uplift store areas have been provided and surfaced in accordance with the approved details. Once

provided, the refuse bin uplift store areas shall thereafter be permanently retained as such.

Reason: To ensure the provision of an appropriate means of servicing in the interests of road safety.

09. The dwellinghouse hereby approved shall not be occupied unless its lay-by, driveway, parking and turning area has been provided and fully paved in accordance with details to be submitted under condition 1 part g. The maximum gradient of the first 5m of the new access must not exceed 1 in 20. Prior to the occupancy of development, the first 5m of driveway (measured from the edge of the public road) is to be fully paved and a suitable vehicular turning area, measuring not less than 7.6m x 7.6m must be formed within the site to enable vehicular movements onto or from the public road carried out in forward gear. The access shall be internally drained and formed in such a way to prevent any flow of surface water either onto or from the public road. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of each driveway to an adequate standard to prevent the carriage of loose driveway material on to the public road in the interests of road safety.

11.3 Reason for Decision

01. The proposal is considered an appropriate site for redevelopment of an existing brownfield opportunity in an appropriate location, close to amenities and with consideration taken to the surrounding landscape. Therefore, the proposal is considered compliant with Policy R2: Housing and Employment Development Elsewhere in the Countryside within the Aberdeenshire Local Development Plan 2017.

Stephen Archer
Director of Infrastructure Services

Author of Report: Louise Smith
Report Date: 20 July 2017