



## Marr Area Committee Report 29 August 2017

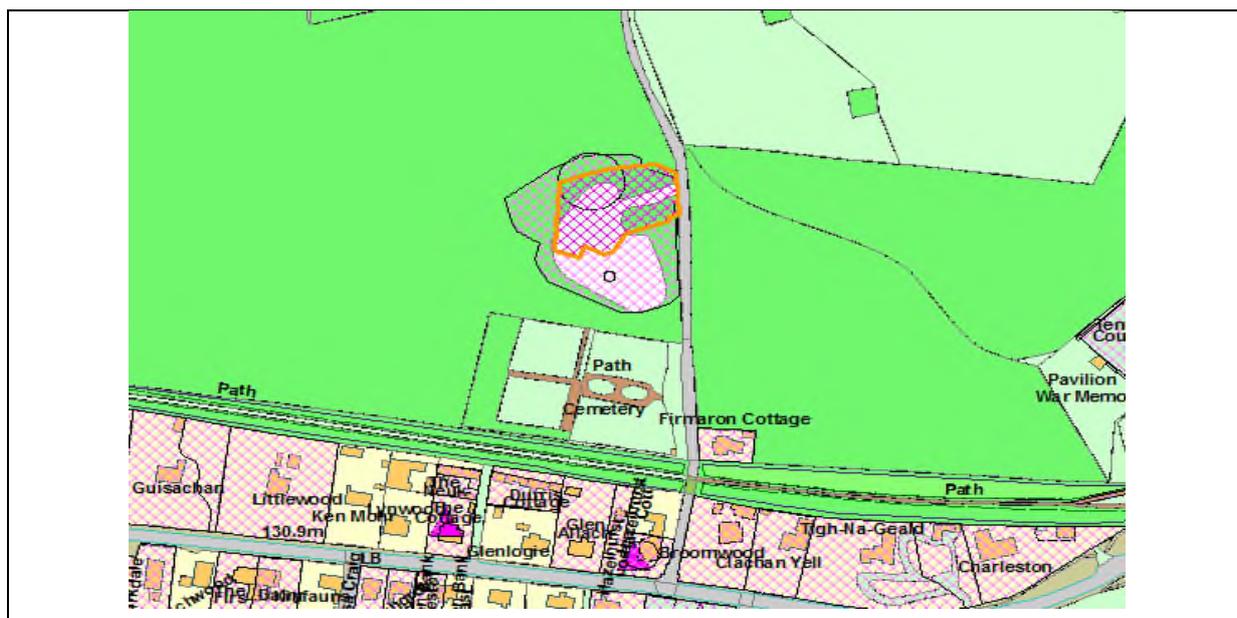
Reference No: APP/2017/1365

**Full Planning Permission for Erection of Men's Shed (Class 10 Non-Residential Institution) and Installation of Air Source Heat Pump at Land to North of Cemetery, Cemetery Road, Aboyne, Aberdeenshire,**

**Applicant:** Aboyne Men's Shed, Unit 9, Aboyne Business Centre, Aboyne

**Agent:** Gerry Robb Architectural Design Services, Bridgend, Bridgeview Road, Aboyne

Grid Ref: E:352484 N:798780  
 Ward No. and Name: W15 - Aboyne, Upper Deeside And Donside  
 Application Type: Full Planning Permission  
 Representations: 8  
 Consultations: 6  
 Relevant Proposals: Aberdeenshire Local Development Plan  
 Map  
 Designations: Rural Housing Market Area  
 Complies with: No  
 Development Plans:  
 Main Recommendation: Grant with Conditions



**NOT TO SCALE**

Reproduced from Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright and database rights. Ordnance Survey Licence Number 0100020767.

## **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.3.1c of Part 2C Planning Delegations of the Scheme of Governance as the application for development is a departure from the Development Plan and is recommended for approval.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and they are satisfied that the report complies with the Scheme of Governance and relevant legislation.

## **2. Background and Proposal**

- 2.1 Full planning permission is sought for the erection of a building for class 10 use (non-residential institution), on land to the north of Aboyne, outwith the settlement boundary. The applicant is the Aboyne Men's Shed group, and the building would be used as a Men's Shed in the uses within this use class are as a crèche, for provision of education, for the display of art, as a museum, library, public hall or as a place of worship. The Aboyne Men's Shed is a group that hosts various workshops, classes and is a local social group.
- 2.2 The site lies to the north of the cemetery, accessed via a minor road leading north from Ballater Road, between the residential properties Hazelhurst Lodge and Broomwood. A minor forestry track continues north from the road, with a parking area adjacent to the cemetery. The site is a former quarry, and sits at a low ground level, surrounded by woodland to the north, west and east, with the existing Aboyne Games Store sitting to the south of the former quarry area.
- 2.3 The proposal will realign the existing access track leading into the former quarry to serve the Games Store, and provide two disabled parking spaces – one at the top of the access track for ground level entrance there, and one within the former quarry area to access the lower level of the building. The building itself is two storey when viewed within the former quarry, but single storey on approach from the existing access track. The lower level of the building shall be finished in roughcast render, with the upper level being larch cladding, with a profile metal sheet roof. Some minor cutting to the ground level within the quarry area will take place, to level out the ground to host the building; and to cope with the drop in ground level to the building's base, a raised footbridge shall connect the main entrance to the upper floor to the access track/parking bay, which also involves some minor ground raising to create a suitable gradient of access ramp. The building also incorporates sustainable technologies, in the form of photovoltaic panels and solar water heating panels on the south plane of the roof. Air to air heat exchangers will also be utilised to heat the building.
- 2.4 In support of the application, the following documents have been submitted;

- Drainage Report – confirms the sand, gravel and cobble nature of the site is well drainage and suitable for foul and surface water drainage soakaways. A 3,800 litre capacity septic tank will be provided for foul drainage. Both soakaways shall sit within the flat area of the former quarry base.
- Design Statement – reviews the site context and setting, analyses potential amenity impacts and opportunities for solar gain, outlines project objectives, and provides the design ethos and summarises the final proposal.
- Ecology Survey – identifies the site is of little ecological value. Clearing in surrounding woodland/grassland were likely from dog walkers, and there is no evidence of burrowing/habitation in the face of the former quarry. 5 semi-mature birch trees will be removed, and this should be mitigated through replacement planting of rowan, elder, guelder rose or eared willow. There is an opportunity for habitat enhancement and wildflower planting.
- Supporting Statement – prepared by Aboyne Men's Shed, this focuses on site selection and the benefits of a Men's Shed. The sequential site selection rules out other options in Aboyne, citing the need for a purpose built facility that doesn't require timely set up/tidy time at the ends of each session. The statement also identifies potential use of the facility for other community groups, as well as the social and well-being benefits such a facility can have.

### 3. Representations

- 3.1 A total of 8 valid representations (support) have been received as defined in the Scheme of Delegation. All issues raised have been considered. The letters raise the following material issues:
- Well sited building
  - Accessible location
  - Community benefits
  - Social and wellbeing benefits

### 4. Consultations

- 4.1 **Infrastructure Services (Roads Development)** has no objection, stating the disabled and cycle parking, and further parking at the cemetery, is sufficient.
- 4.2 **Infrastructure Services (Environmental Health)** note the inclusion of air source heat pumps, however do not foresee any likelihood of complaints/impacts due to the separation from noise sensitive properties.
- 4.3 **Infrastructure Services (Waste Management)** has no objection subject to acceptance from Roads Development.
- 4.4 **Infrastructure Services (Flood Prevention)** notes the site lies outwith the medium likelihood flood extent of the SEPA Flood Map, and that surface water shall be suitably dealt with via a soakaway.

4.5 **Scottish Water** has no objection.

4.6 **Forestry Commission Scotland** seek a tree protection plan by condition.

## 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

P1 Layout, siting and design  
 P6 Community infrastructure  
 E1 Natural heritage  
 E2 Landscape  
 HE2 Protecting historic and cultural areas  
 C1 Using resources in buildings  
 RD1 Providing suitable services

## 6. Discussion

- 6.1 This proposal seeks permission to erect a community building for class 10 purposes, specifically as a Men's Shed. The building lies outwith the settlement boundary, and Policy P6 explicitly stipulates support will be given for community facilities within settlements. The proposal therefore is not in compliance with Policy P6 of the LDP.
- 6.2 The location is however adjacent to an existing community asset, the cemetery. The site is close to the main pedestrian and vehicular thoroughfare, sitting some 190m north of Ballater Road, sitting quite centrally within Aboyne, approximately 300m from Charlestown Green. The site is therefore easily accessed and central to the town's population.
- 6.3 Policy P6 does also stipulate community infrastructure should be available to all community residents. A Men's Shed does suggest that the use is exclusive to men, which excludes females and children. The supporting statement from the Men's Shed does suggest they will encourage shared use of the facility with groups such as Forget Me Not, Heritage Society, Camera Club, Craft Club, Canoe Club, British Legion, Art Club etc. This does promote a more inclusive use of the building, and for planning purposes the building is being considered for class 10 use, not specifically as a Men's Shed.
- 6.4 The siting and accessibility of the building, along with the potential inclusive use for multiple uses within class 10, gives the Planning Service comfort that, whilst sitting outwith the defined settlement boundary, the site is an appropriate location for a community building. The proposal is therefore recommended, in principle, for approval as a departure from Policy P6 of the LDP.
- 6.5 The scale, design and finish of the building is appropriate for the setting; the siting will not impact on the public thoroughfare, amenity or Aboyne Conservation Area; the siting has no impact on ecology; and the drainage arrangement, parking provision and access are all acceptable. The proposal is therefore considered to comply with policies P1, E1, E2, RD1 and HE2 of the LDP.
- 6.6 The proposal includes air source heating, solar panels and photovoltaics, all of which will greatly assist the building's efficiency and carbon footprint. A condition will be attached to the consent to fully ascertain the successful merit of these technologies, in line with condition C1 of the LDP.
- 6.7 As outlined above, the proposal does not comply with Policy P6 of the LDP due to being sited outwith the settlement boundary. However, the proposal is close to Aboyne town centre and the main road through the town, resulting in it being easily accessed by a varied means of transport, and the proposal complies with all other relevant policies of the LDP, so is recommended for approval as a departure from Policy P6 of the LDP.

**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 proposal has been designed to provide equal opportunities and multiple ease of access points, and is not considered to 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**

Policy P6 Community infrastructure

- 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 GRANT subject to the following conditions:-

01. No works in connection with the development hereby approved shall commence unless a tree protection plan has been submitted to and approved in writing by the planning authority. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:
- (a) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);
  - (b) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction);
  - (c) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas;
  - (d) An arboricultural impact assessment which evaluates the direct and indirect impacts of the proposed development on the trees to be retained and proposed mitigation;
  - (e) An arboricultural method statement to demonstrate that operations can be carried out with minimal risk of adverse impact on trees to be retained;
  - (f) A method statement for any works proposed within the root protection areas of the trees shown to be retained.

No works in connection with the development hereby approved shall commence unless the tree protection measures have been implemented in full in accordance with the approved tree protection plan. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the planning authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

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

02. No works in connection with the permission hereby approved shall commence unless a scheme of compensatory tree planting, to offset the loss of 5 birch trees, has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
- (a) The location of the compensatory tree planting;
  - (b) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
  - (c) A programme for the implementation, completion and subsequent management of the proposed compensatory tree planting.

The compensatory tree planting shall be carried out in complete accordance with the approved scheme and any planting which, within a period of 5 years from the completion of the compensatory tree planting, 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.

The agreed compensatory tree planting scheme MUST be comprehensive and include timescales for the implementation of the works.

Reason: In order to maintain woodland cover in accordance with the aims of local and national planning policies.

**11.2 That the Committee agree the reason for departing from the Aberdeenshire Local Development Plan (2017):-**

01. Whilst situated outwith the settlement boundary, the site is well located in relation to Aboyne and the wider population, and the site is accessible by a varied means of mode of transport, and is compliant with all other relevant policies, and is therefore acceptable as a departure from Policy P6 Community infrastructure of the Aberdeenshire Local Development Plan (2017).

**Stephen Archer**  
**Director of Infrastructure Services**

Author of Report: Neil Mair  
Report Date: 10 August 2017