

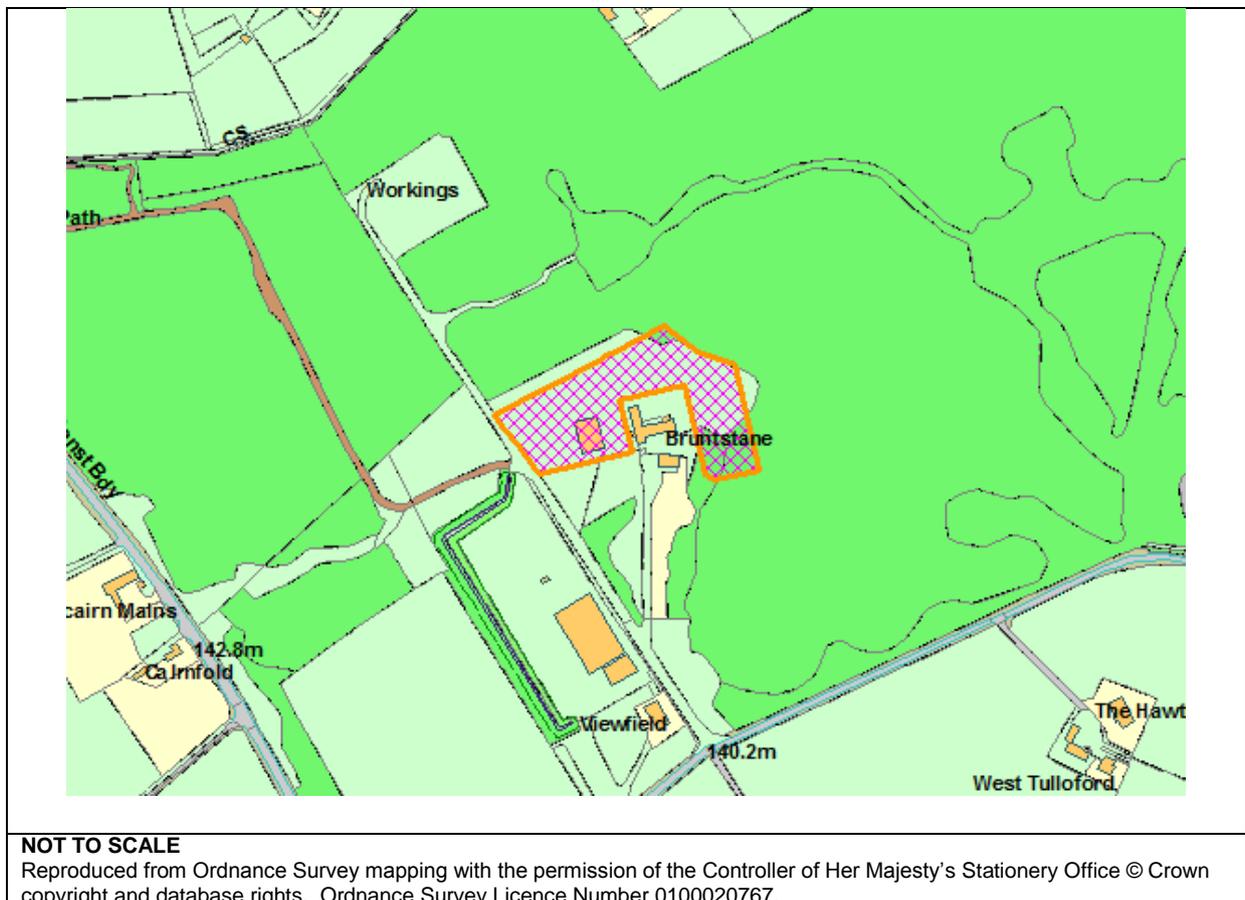
Formartine Area Committee Report - 3 October 2017

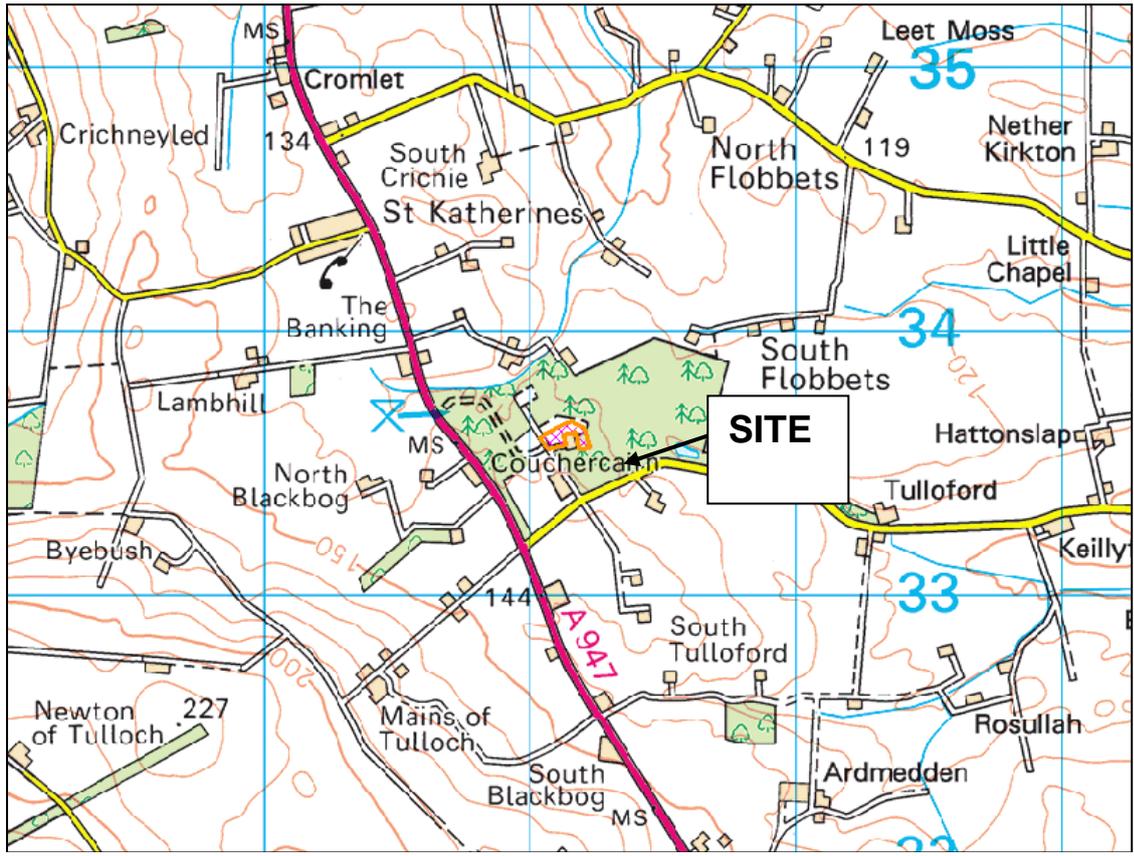
Reference No: APP/2017/1830

Full Planning Permission for Change of Use from Forestry/Agriculture Buildings and External Storage Area to Storage and Distribution (Class 6) (Retrospective) at Land at Bruntstone Farm, St Katherine's, Inverurie

Applicant: Mr Bill Miazek
Agent: Case Consulting Limited

Grid Ref:	E:379102 N:833584
Ward No. and Name:	Turriff and District
Application Type:	Full Planning Permission
Representations:	0
Consultations:	3
Relevant Proposals Map:	Aberdeenshire Local Development Plan
Designations:	RHMA
Complies with Development Plans:	No
Main Recommendation:	Grant





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 are satisfied that the report complies with the Scheme of Governance and relevant legislation.

2. Background and Proposal

- 2.1 Retrospective full planning permission is sought to change the use of 3 buildings and yard area from forestry/agricultural buildings and external storage area to Class 6 Storage and distribution at Brunstone Farm, St Katherine's.
- 2.2 The site is located to the rear of an existing yard area and covers an area of approximately 1 hectare. There are 2 existing agricultural / forestry buildings to the west of the site and a traditional steading sandwiched to the east between sections of the application site. The access would be through an existing yard area located to the south east of the application site before joining the main road.
- 2.3 Relevant planning history includes;
 - APP/2017/1174 – Withdrawn application for Storage of material and equipment on area of hardstanding and within existing buildings (Class 6)
 - APP/2017/1173 – Pending application for Retrospective installation of 3 x 295kW Biomass Boilers and 2 x Biomass Drier Units to head adjacent forestry building.
 - APP/2013/0678 – Full Planning Permission granted 10 May 2013 for 'Alterations & Extension to Agricultural Building & Retrospective Formation of Hardstanding'
 - APP/2008/2386 – Agricultural Notification for Erection of Agricultural Building. Planning permission not required. Dated 8 July 2008.
- 2.4 There has been no supporting information submitted nor any variations or amendments to the proposal.

3. Representations

- 3.1 No valid letters of representation have been received.

4. Consultations

- 4.1 **Infrastructure Services (Environmental Health)** has not made any observations and has no objection.
- 4.2 **Infrastructure Services (Roads Development)** has no objection.
- 4.3 **Infrastructure Services (Contaminated Land)** has no objection and requested that an informative regarding the finding of any contamination during development is attached to any approval.

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 R2 Housing and employment development elsewhere in the countryside
Policy E2 Landscape
Policy RD1 Providing suitable services

5.4 Other Material Considerations

None

6. Discussion

6.1 The main issues for consideration in determining this application are the potential for any impact on the character and amenity of the surrounding area

6.2 It should be noted that this application is the result of a complaint and subsequent enforcement investigations (COMP/2016/0334).

6.3 The principle issue in the consideration of this application is whether a change of use of these buildings and associated yard area is considered acceptable in this location and whether it would comply with the Local Development Plan.

6.4 In relation to employment proposals within the countryside, Policy R2 states that if they are 'small-scale' then they may be considered acceptable within the Rural Housing Market Area. The Local Development Plan's interpretation of 'small-scale' in the case of employment, is a site of less than 0.5 hectares and employing 5 or less full time people. As previously stated this application site exceeds this and is therefore not considered to be small-scale. In addition, the site lies within the Aberdeen Housing Market Area.

6.5 Although the proposal is contrary to Policy R2, it is considered that in this instance the retrospective proposal is acceptable for the following reasons;

1. The location of the application site is situated centrally within an existing established wood and therefore is not visible from the surrounding area and within a rural area.
2. The proposed use of the buildings as storage and distribution would be considered to be either equal to or would have a lesser impact on the surrounding area in terms of activity compared to forestry and agriculture.
3. The building respects its rural location and the re-use of an agricultural building is commonplace in the countryside.
4. The site only lies 255m from the Rural Housing Market Area.

6.6 Infrastructure Services (Contaminated Land) has confirmed that they have no objection and their requested informative will be added should this application be approved.

6.7 Infrastructure Services (Roads Development) have confirmed that there is ample space to accommodate additional parking spaces and the existing

junction of the private access road with the public road would be unaffected by the proposed development. As such, with no concerns raised, the Planning Service are content that the proposal complies with Policy RD1.

- 6.8 Given the buildings already exist and are considered to be of typical agricultural design and blends in with the existing countryside, the Planning Service is content that there will be no adverse impact on the landscape character of the area. As such the proposal is in compliance with Policy E2 Landscape.

Conclusion

- 6.9 Overall, it is considered that although the proposal does not comply with Policy R2 Housing and employment development elsewhere in the countryside, the location being contained within an existing established forest, being rural, not being visible from the surrounding area and that it is considered that it would have either an equal or lesser impact on the surrounding area in terms of activity compared to its current use that in this instance the Planning Service is recommending that this is acceptable as a departure from the Aberdeenshire Local Development Plan 2017.

7. Area Implications

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

8. Implications and Risk

- 8.1 An equality impact assessment is not required because the development is not considered to give rise to any differential impact on any of the protected characteristics.

- 8.2 There are no staffing and financial implications.

- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the Planning Authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

9. Sustainability Implications

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

10. Departures, Notifications and Referrals

10.1 Strategic Development Plan Departures

None

10.2 Local Development Plan Departures

Policy R2 Housing and employment development elsewhere in the countryside

10.3 The application is a Departure from the valid Local Development Plan. It has been advertised in the Johnston Press. 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 Full Planning Permission

11.2 That the Committee agree the reason for departing from the 2017 Plan.

01. That although the proposal does not comply with Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017, the location of it being contained within an existing established forest, being rural, not being visible from the surrounding area and that it is considered that it would have either an equal or lesser impact on the surrounding area in terms of activity compared to its current use that in this instance are acceptable.

Stephen Archer
Director of Infrastructure Services
Author of Report: Jennifer Chalmers
Report Date: 15 September 2017

