

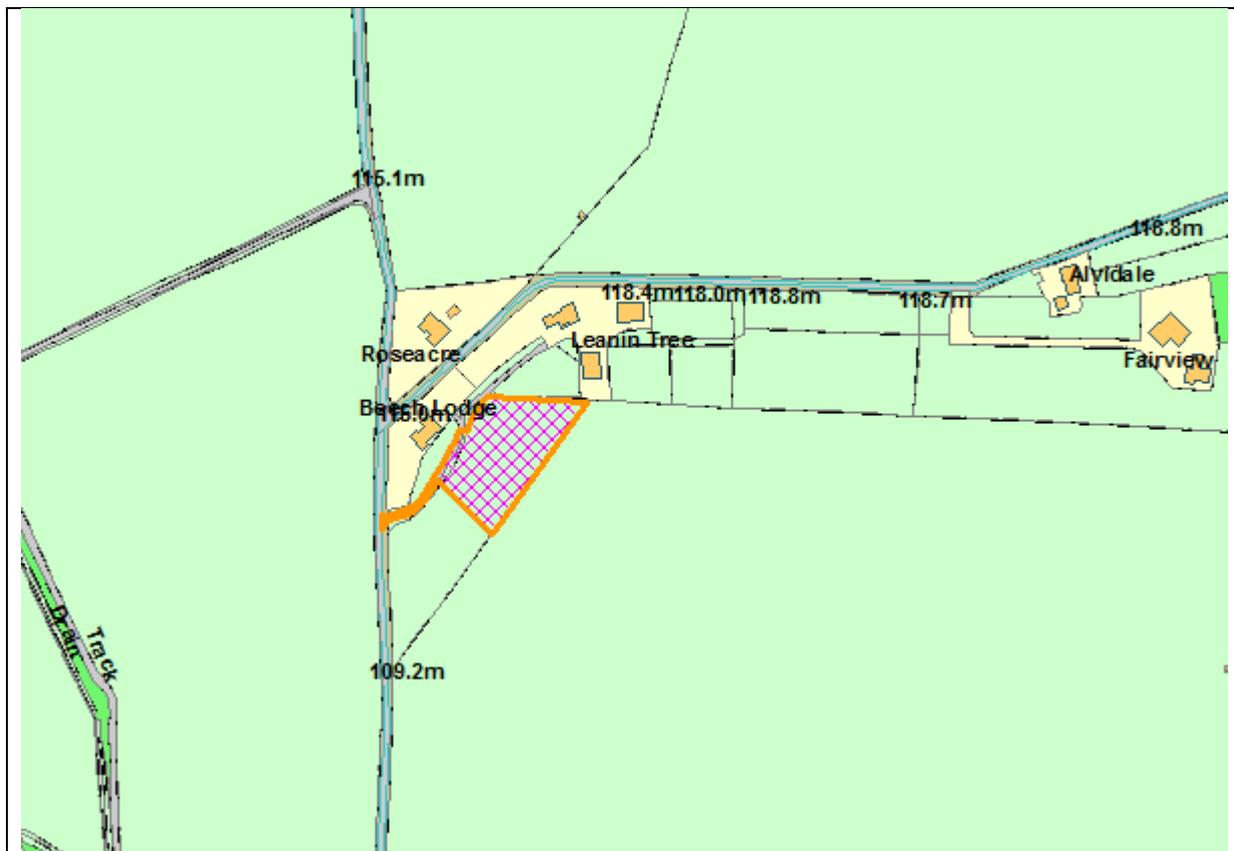
Formartine Area Committee Report - 3 October 2017

Reference No: APP/2017/1841

Planning Permission in Principle for Erection of Dwellinghouse at Site Adjacent to Beech Lodge, Turriff, Aberdeenshire, AB53 8BU

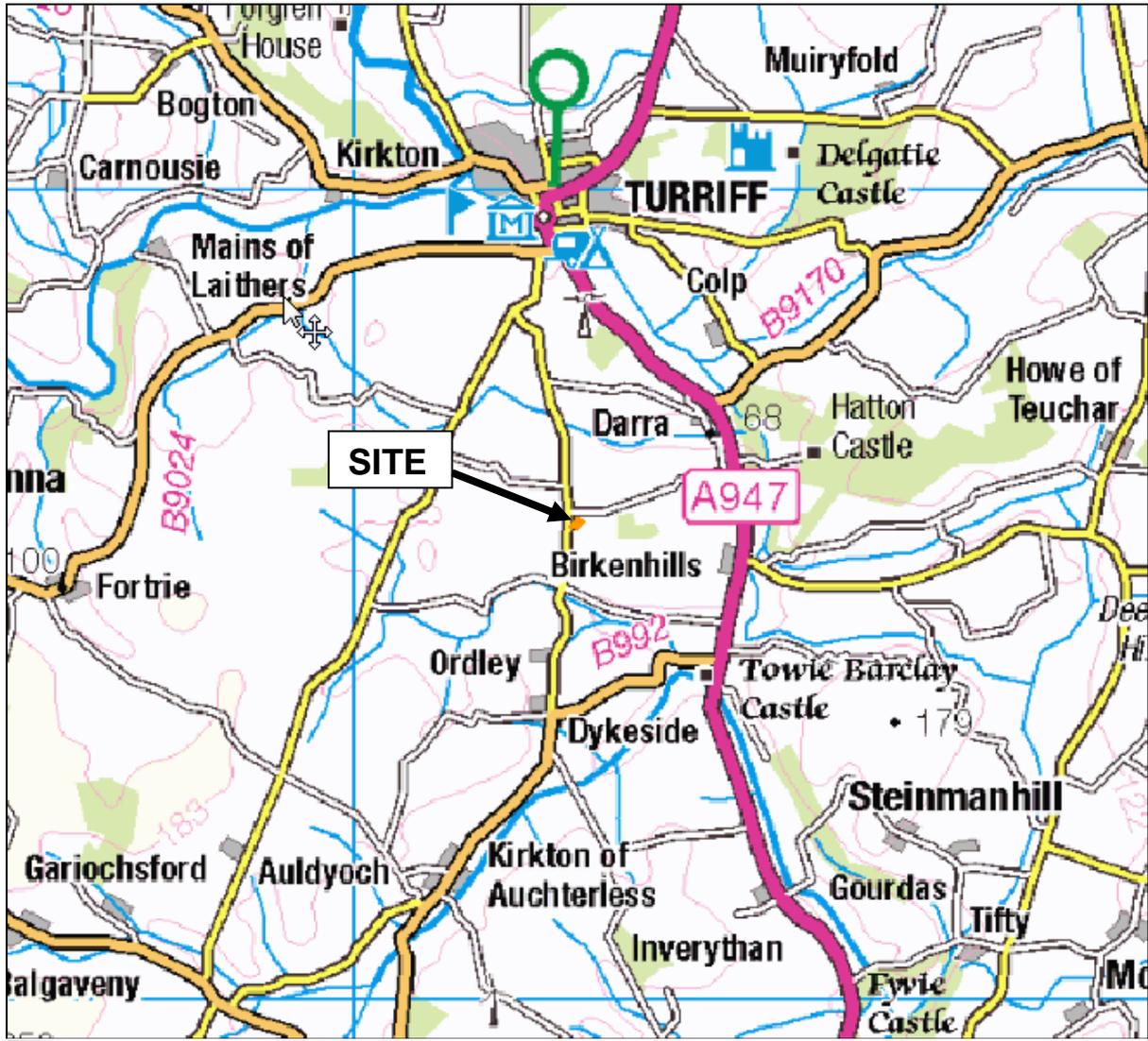
Applicant: Mr and Mrs B Sheridan-Watt
Agent: Baxter Design Company (Old Deer) Ltd

Grid Ref:	E:372717 N:845877
Ward No. and Name:	Turriff And District
Application Type:	Planning Permission in Principle
Representations:	0
Consultations:	3
Relevant Proposals Map:	Aberdeenshire Local Development Plan
Designations:	RHMA
Complies with Development Plans:	No
Main Recommendation:	Refuse



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.3.1i of Part 2C Planning Delegations of the Scheme of Governance as the application is recommended for refusal but at least two Local Ward Members in the Ward in which the development is proposed, have requested that the application be referred to the Area Committee.

- Cllr Anne Stirling – Cohesive group policy requires further discussion
- Cllr Sandy Duncan – Supporting information provided by the applicant requires further consideration.

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

2. Background and Proposal

2.1 This application seeks planning permission in principle for a dwellinghouse on land adjacent to Beech Lodge, Turriff. The site is currently a flat grass field. The area has a rural character but there are 3 properties to the immediate north of the proposed plot.

2.2 The proposed site area measures approximately 4600 square metres and the access into the site adjoins the public road to the west. Parking and turning areas have also been shown on the submitted plan. The site is currently bound by post and wire fencing on the north and eastern boundaries. Rural farmland surrounds the site with 3 residential properties within close proximity which are located to the north of the site. The site plan is attached to this report as Appendix 1.

2.3 The site, situated within the Rural Housing Market Area of the Aberdeenshire Local Development Plan 2017 is located 3 miles south of Turriff.

2.4 The applicant proposes connecting to the public water supply. A new septic tank, foul and surface water soakaways are proposed to service the dwelling. A border is proposed around the plot with significant tree planting and a play area, sensory garden, nature garden and vegetable patch is also shown on the submitted plan. An indicative house layout has been shown to the centre of the plot and a proposed stable building to the north of the plot.

2.5 Previous planning history on this site includes;

- APP/2015/0012 - Planning Permission in Principle for Erection of Dwellinghouse. Refused on 10 March, 2015.
- APP/2013/3984 – Planning Permission in Principle for Erection of Dwellinghouse. Refused on 28 February, 2014. This application was

appealed to the Local Review Body who upheld the decision and refused planning permission.

- APP/2011/4295 – Planning Permission in Principle for Erection of 1 No. Dwellinghouse and Garage and Change of Use from Agricultural Ground to Residential. Refused on 20 February, 2012.

3. Representations

3.1 No valid letters of representation have been received.

4. Consultations

4.1 **Business Services (Developer Obligations)** has stated that the local schools are operating within capacity and the proposal does not engage DO and affordable housing policies or associated supplementary guidance from the Aberdeenshire Local Development Plan 2017. Consequently no contributions are required in this instance.

4.2 **Infrastructure Services (Roads Development)** has no objections to the proposals subject to conditions being met.

4.3 **Scottish Water** has no objections to the proposals.

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 P1 Layout, siting and design

Policy P4 Hazardous and potentially polluting developments & contaminated land

Policy E2 Landscape

Policy C1 Using resources in buildings

Policy RD1 Providing suitable services

Policy RD2 Developer's obligations

5.4 Other Material Considerations

None

6. **Discussion**

- 6.1 The main issues to be considered are the principle of development and whether a dwellinghouse can be accommodated on site without detriment to the amenity of the neighbouring houses.

Principle of Development

- 6.2 The applicants currently reside at Beech Lodge which is located immediately northwest of the application site. The land adjacent to Beech Lodge has been the subject of 3 planning applications in the past, all of which have been refused.
- 6.3 The most recent application on the current site (APP/2015/0012) was for planning permission in principle for a single house which was assessed under the Aberdeenshire Local Development Plan 2012 and was refused when assessed under the cohesive groupings policy.

- 6.4 In 2011 the applicants submitted an application on the current application site for outline planning permission (APP/2011/4295) to erect a dwellinghouse, which was submitted for consideration as an addition to an existing cohesive group. The application was assessed and determined under the now superseded Aberdeenshire Local Plan 2006 (ALP) and was refused planning permission on the grounds that the existing group of 3 dwellings close to the application site did not represent a cohesive group and the proposal did not comply with planning policy at that time.
- 6.5 A similar application (APP/2013/3984) was submitted for planning permission in principle on the site immediately south of Beech Lodge. This application was assessed under the Aberdeenshire Local Development Plan 2012 and was refused planning permission in 2013 as the proposal did not qualify or contribute towards an extension of an existing cohesive group. This decision was appealed and the Local Review Body upheld the appointed officers' decision and refused planning permission.
- 6.6 It is noted that there is no evidence of the site ever having been previously developed. No labour justification has been submitted to support the need to accommodate a worker in a primary industry. The site does not qualify as an organic growth contribution given its remote location from any qualifying settlement. The proposal would also not be permissible within the greenbelt or other special rural areas.
- 6.7 This application seeks approval under the similar policy from the 2017 Local Development Plan as indicated within the submitted justification statement (Appendix 2). Policy R2 Housing and employment development elsewhere in the countryside allows, within the Rural Housing Market Area, an additional dwellinghouse to an existing group of at least 5 dwellinghouses. As was the case in previous applications on this site, there are only 3 dwellinghouses within reasonable proximity to the site which could be considered connected enough to be a grouping. At present Roseacre, Beech Lodge and Leanin Tree are cohesively linked. These 3 properties are spatially close to one another and have similar sized curtilages. Approximately 256 metres to the east is Alvidale and beyond this Fairview and Upper Old Mill Croft. The separation alone is too great for these 6 properties to be considered a group. The presence of high trees to the south boundary of the road, and the bends in the road also visually obscure one grouping from the other which further weakens any sense of the 6 properties being cohesively linked.
- 6.8 Although the size of the proposed plot is in keeping with other properties in the area the fundamental principle of development is not justifiable under Policy R2.

Justification statement

- 6.9 The justification statement refers to the requirements of the applicants to provide more space for their family and also with consideration that they foster a number of children, some of whom could have special needs and requirements. However, this application proposal is for erection of a

conventional dwellinghouse rather than a home for people with special needs, which would be assessed under different planning policy. Therefore, these personal circumstances have no material weight in determination of this application. Furthermore, since the agent/applicants have not specified any protected characteristics associated with the proposed development, the Planning Services deems that an Equality Impact Assessment is not required in this instance.

- 6.10 Moreover, it is evident that a clear and realisable alternative does exist through the extension of the existing home at Beech Lodge in order to provide extra space to meet the applicants' requirement. Beech Lodge is a large site equating to 0.22ha with sizeable garden grounds. It is the opinion of the Planning Service that extending the existing property is something that should be explored more fully. An annex built within the grounds of Beech Lodge would also be a more reasonable option. It is also possible to accommodate a sensory garden within the curtilage of the existing house. It may also be possible to extend the curtilage of Beech Lodge to accommodate additional garden space, if required.

Suitability of plot in terms of layout, siting and design

- 6.11 Notwithstanding the above, the site is large enough to accommodate a dwellinghouse without detriment to the amenity of any neighbouring dwellinghouses and with sufficient provision of private garden space. As the application is for planning permission in principle only, further design details would be included and assessed at any subsequent Matters Specified in Conditions (MSC) stage application. A house in this location would not have a significant effect on the wider landscape character.

Access and servicing

- 6.12 Access, turning areas and parking spaces have been displayed on the submitted plan. Roads Development were consulted and have no objections to the proposals.
- 6.13 Surface water and foul water drainage certification has been submitted and shown on the submitted plans. These arrangements are considered acceptable. It is proposed to connect to the public water mains which is also considered acceptable.

- 6.14 *Other issues*

In terms of Developer Contributions, Business Services (Developer Obligations) have confirmed that no contributions would be required.

- 6.15 *Conclusion*

There is no existing cohesive group of at least 5 dwellinghouses near the proposed plot. As such, the proposal is not compliant with Policy R2. The

principle of the development is not acceptable and the proposal is therefore 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. 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 Plan. The application has been advertised. 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.

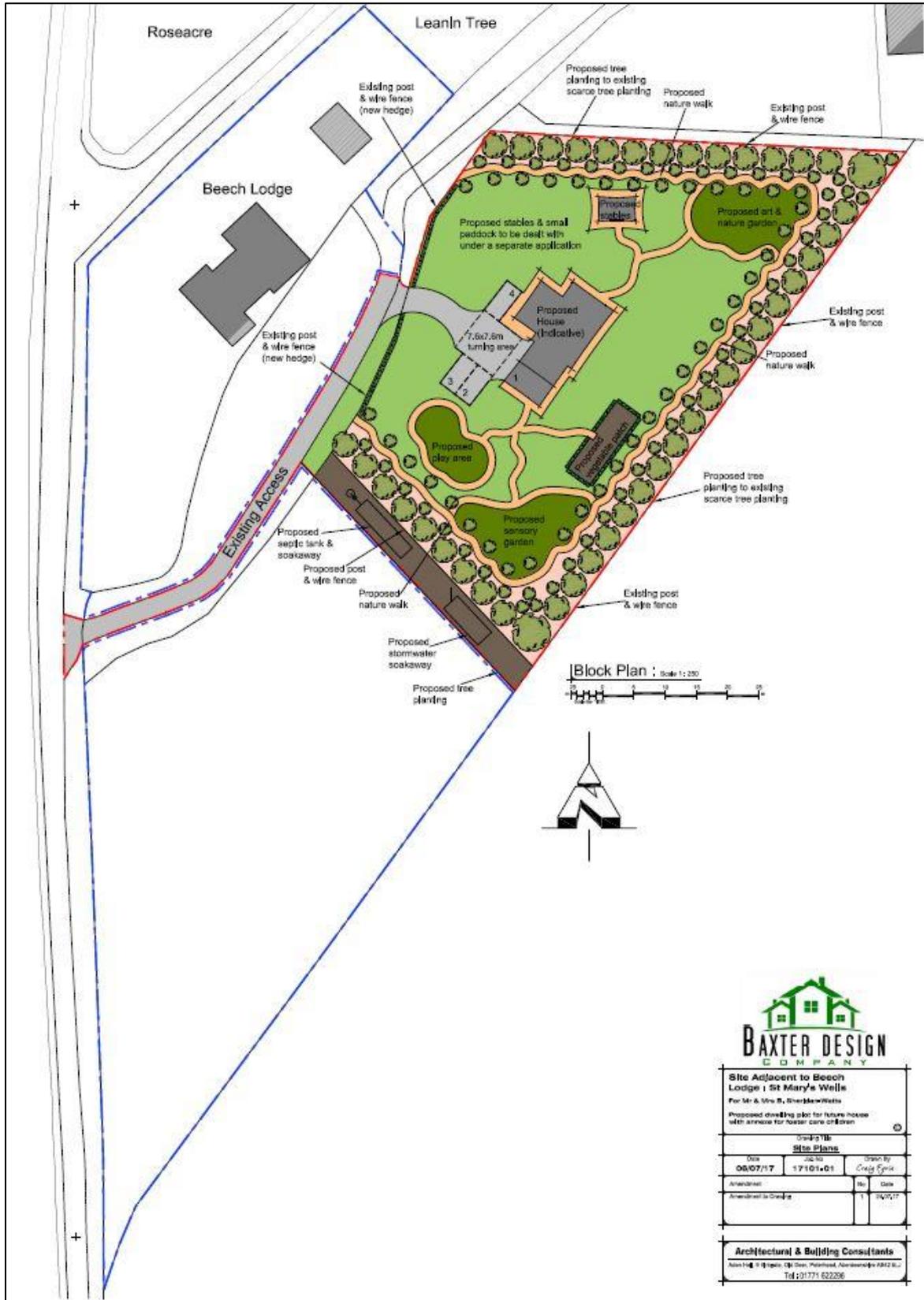
10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

11. Recommendation

11.1 REFUSE for the following reason:-

01. The proposal is not compliant with Policy R2 Housing and employment development elsewhere in the countryside from the Aberdeenshire Local Development Plan 2017 as the plot is not located within reasonable proximity to a minimum of at least 5 existing dwellinghouses which are considered to be a connected cluster. In addition the proposal fails to comply with any other criteria of this Policy.

Stephen Archer
Director of Infrastructure Services
Author of Report: John Todd
Report Date: 20 September 2017




BAXTER DESIGN
 COMPANY

Site Adjacent to Beech Lodge St Mary's Wells			
For Mr & Mrs B. Sheehan/Wells			
Proposed dwelling plot for future house with annex for foster care children			
Drawing No. Site Plans			
Date	Job No.	Drawn By	
06/07/17	17101-01	Craig Byrne	
Amended:	No.	Date	
Amended to Drawing	1	04/07/17	
Architectural & Building Consultants			
<small>Units 10 & 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000</small> Tel: 01773 622296			

Proposal Background

Since 2009 Brian and Jacqueline Sheridan-Watts have been fostering children with special needs and primarily children that come from a disadvantaged and/or abusive background. They currently have all of the necessary qualifications and certification for fostering and have gained their 5 year award from the National Fostering Agency. (see appendix for certification)

Brian and Jacqueline's current house at Beech Lodge has become unsuitable for their needs. They wish to continue fostering and most importantly improve on their already exceptional record.

As well as long term fostering, they offer respite for north-east families by looking after children with additional needs for a number of days at a time to allow the families to recuperate. They currently have one room (converted study) for this, however it would not pass modern building regulations because of the size. They also require an office and meeting room because there is a vast amount of paperwork involved with fostering and respite. A meeting room is essential going forward because privacy is required when discussing individual cases with various social workers, mental health consultants, therapists etc without the child present.

It is their wish that a new house could be built that allows an increase in the amount of children that they can foster. An annexe would also be of great benefit for the children to encourage and develop their independence. With an annexe, this would be possible because they will still require additional support from Brian & Jacqueline. The annexe will be used to teach the older children essential life skills, such as cooking, cleaning and personal care. This will ultimately give the child a safe level of independence.

Brian and Jacqueline's greatest desire is to educate, train and prepare numerous foster children in their care to be able to progress and be the best that they can be.

The new build is particularly required to develop the character and skill sets, of the children that are fostered. The children require a safe environment to develop and thrive in. This can be achieved using many different methods, some of which are specifically designated and outlined, on the planning application drawing and the below site plan. These areas include a nature walk, sensory garden, stables, vegetable patch and play area. Other areas that would be incorporated in to a future house design would be a sensory and soft play room.

The designated outdoor areas mentioned are focused on children that may have been diagnosed with autism or are found to be on the autistic spectrum or have autistic tendencies. These areas are also incredibly beneficial to children who have suffered some form of emotional and/or physical abuse.

APP/2017/1841

Appendix 2

Autism is a developmental disability that impairs social interaction, communication, and behaviour. Sufferers find it hard to understand the emotions of others, and often have delayed language development. It is common for individuals with autism to suffer from a variety of cognitive, learning, emotional, and behaviour problems. There is no cure for autism, but speech and language therapy, occupational therapy, educational support, and a number of autism interventions are available to help sufferers and improve their way of life.

For example a sensory garden stimulates all senses: sight, touch, taste, and sound, all through the use of different plants and materials. These gardens allow autism sufferers to explore their senses in a safe and stimulating environment. Early intervention is important for autistic children, and a sensory garden allows children to explore their senses without feeling overwhelmed by them.

Studies have suggested that contact with nature can reduce symptoms of Autism Spectrum Disorder. Many children with autism also have a form of Sensory Integration Dysfunction (SID), which brings a hyper-sensitivity to all things sensory, so a carefully planned sensory garden and nature walk provides a calming space for children to play outdoors.

Providing distracting activities, such as gardening(vegetable patch), is a good way to help autistic children to overcome the hyper-sensitivity to their surroundings. Generally, being in nature is good for the health and well-being of an individual, but having a space designed specifically for an autism sufferer allows them to explore a space and find an area which makes them feel good. Giving individuals a choice of activities to participate in, or areas to explore, gives them a sense of control and feeling of empowerment and self-confidence.

Activities such as caring for horses can also give the children and enormous sense of purpose. There are other dwelling houses nearby that have stables, so this would not be out of place. Horse riding for children with cerebral palsy is a new therapeutic activity that can significantly benefit the child with the warmth, motivation, shape and rhythmic motion of a horse throughout out his or her lifetime.

“Therapeutic horse riding or equestrian therapy can help in the development of cognitive and sensory-motor of the child while enhancing sense of responsibility as well as self-confidence in an adolescent.

We trust that the above outlines the requirement for a new dwelling and associated annexe and stables. It is hoped that this outline application could be supported in order to allow Brian and Jacqueline to continue to provide and care for the many children that need their daily help and support.

We believe that our site fits in with the guidance outlined in "9 B.2) COHESIVE GROUPS"

- The site is consistent with the pattern of the existing cohesive group.
- The site is appropriate in terms of landscape character.
- The site has a natural boundary consistent with the other properties.
- Meets the criteria in Figure 3 of the above policy.

conclusion

In conclusion, it is our belief that the proposed outline planning application is compliant with the relevant policies. The scale of the site is in keeping with surrounding properties and would be of benefit to the existing cohesive group. The proposals for development demonstrate "connectedness" and are "sympathetic in size and character to the existing cohesive group".

Furthermore, we believe that the purpose of the new dwelling and associated annexe and stables is a significant step forward for foster caring as a whole. It is hoped that this application would indeed be one that is ground breaking in the care for foster children and for development and progression of their mental health and well-being.

In recent times there has been a government led focus on the mental health and well-being of the public. We believe that this application could be of great significance in modelling care and compassion for children that have through no fault of their own had a tough beginning to life or suffer from on going struggles.