



Garioch Area Committee Report – 21 November 2017

Reference No: APP/2017/1576

Full Planning Permission for Conversion of Steading to Form 2 Dwellinghouses with Associated Parking and Gardens at The Blair, Fintray, Aberdeenshire, AB21 0JL

Applicant: Mr Andrew Rennie
Agent: MAC Architects

Grid Ref:	E:384139 N:820522
Ward No. and Name:	W12 - East Garioch
Application Type:	Local
Representations:	0
Consultations:	7
Relevant Proposals Map Designations:	Aberdeen Housing Market Area, Countryside, Agricultural Heartlands
Complies with Development Plans:	No
Main Recommendation:	Grant



NOT TO SCALE

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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.3.1c 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.

2. Background and Proposal

- 2.1 This application seeks full planning permission for an amended scheme for the conversion existing steading at the Blair, Fintray. The site is located on an unclassified road between the B933 at Keith Hall and the B979 to Hatton of Fintray. The site is located approximately 3.8km north of Hatton of Fintray and 2.3km north east of Kinmuck. The application site refers to the south eastern half of an unconverted stone built steading. The north western half of the steading is subject to a pending application for conversion into two units, (APP/2017/1822). The traditional 'U' shaped steading was previously in filled by a cattle court. The building has been stripped out and the cattle court has been removed meaning that the internal north east and north west elevations are currently open to the elements.
- 2.2 The steading as a whole received planning permission in 2014 (APP/2014/1449) for conversion into two 'L' shaped units. At the end of 2016 an application, (APP/2016/3445) for Demolition of Existing Steading and Erection of 2 Dwellinghouses was submitted. Due to the unfavourable recommendation for the application from the planning service the application was withdrawn in January 2017. In February 2017 the steading was sold and the applicant bought the south eastern half of the steading.
- 2.3 This application seeks to subdivide the previously approved south eastern unit into two smaller units. One unit would make use of the frontage of the steading, with the second unit behind in the rear wing. To ensure that the both plots have sufficient usable private garden ground the internal courtyard area will be divided in two diagonally. Small modifications have been proposed to the scheme previously approved to facilitate the division into two units. The principal south west elevation is broadly similar with small modifications to the existing openings and conversion of an existing window into a full length glazed opening. To the south east elevation, openings are proposed to the south west end of the elevation and a triple garage rather than double garage is now proposed to the north east end of the elevation. To the north east elevation first floor and ground floor windows are to be removed and new roof lights added. The north west elevation will now be clad with timber and have additional full height glazed openings and additional roof lights.
- 2.4 Parking will now be provided for Plot 1 to the south-west in front of the principal elevation. It is indicated on the plan that the area can accommodate up to three parking spaces. Parking for Plot 2 will be provided in the integral garaging. A low drystone dyke of 900mm is proposed to run parallel with the south west elevation and the two plots will be segregated by a 1.8m high timber fence. Further 1.8m high timber fencing will be erected between the two plots and the remaining steading to the north-west.

- 2.5 The proposed development will be served by a shared package sewerage system and a new surface water soakaway.

Site History

- 2.6 There is recent planning history to the application and to the surrounding area.
- APP/2008/2241, Full Planning Permission, Erection of Agricultural Building, Approved Sept 2008
 - APP/2014/1444, Part Demolition of Steading, Change of Use of Land to Residential and Erection of 3 no. Dwellinghouses, Withdrawn June 2014
 - APP/2014/1449, Change of Use, Conversion and Alterations of Steading to 2 No. Dwellinghouses, Approved August 2014
 - APP/2016/3445, Demolition of Existing Steading and Erection of 2 Dwellinghouses, Withdrawn, January 2017
 - APP/2017/1822, Full Planning Permission, Change of Use and Alterations to Steading to Form 2 Dwellinghouses, pending

Supporting Information

- 2.7 The application is supported by a range of information including:
- Ground assessment and drainage recommendation report (prepared by S.A.McGregor, dated 4 April 2014)
 - Phase 1 Environmental Risk Assessment (prepared by EnviroCentre, dated July 2017)
 - Design statement (prepared by MAC Architects, dated August 2017)
 - Bat survey report, prepared by Isobel Davidson of Countrywise, dated 26th July 2017
 - Supplementary Economic Justification was produced by MAC Architects, dated November 2017

Variations & Amendments

- 2.8 Revised drawings were submitted to give additional details about boundary treatments and to address the parking shortfall.
- 291(GA)001 (B)
 - 291(GA)002 (A)
 - 291(GA)003 (A)
 - 291(GA)005 (A)

3. Representations

- 3.1 No valid letters of representation have been received.

4. Consultations

- 4.1 **Business Services (Developer Obligations)** advises that no affordable housing contributions are sought. Contributions towards secondary education, sports and recreation as well as healthcare have been agreed and have been received.

- 4.2 **Infrastructure Services (Archaeology)** has no objection and in this case requires no mitigation as a recording of the building was carried out as part of the previous consent.
- 4.3 **Infrastructure Services (Contaminated Land)** on receipt of additional information that was submitted under the previous application contaminated land is satisfied and recommend a formal note be attached to the consent should the application be granted.
- 4.4 **Infrastructure Services (Natural Environment)** confirm that the bat survey is acceptable.
- 4.5 **Infrastructure Services (Roads Development)** initially raised concerns about a parking shortfall. On receipt of additional information it confirms there is sufficient onsite parking to serve the proposed development.
- 4.6 **National Grid** has not responded and it is concluded that it has no objection to the application.
- 4.7 **Scottish Water** has no objection to the application.

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 RD1 Providing suitable services

Policy RD2 Developers' obligations

5.4 Other Material Considerations

None.

6. Discussion

- 6.1 Full planning permission is sought for the conversion of part of a former steading to form two dwellinghouses with associated parking and gardens. There is recent planning history to the site and the immediate area. The key planning issues are whether the principle of development can be supported, whether the layout and design is appropriate and whether the site can be suitably serviced.

Principle of Development

- 6.2 In terms of the principle of this development, Policy R2 Housing and employment development elsewhere in the Countryside allows for small scale development of up to three dwelling houses out with the Aberdeen City greenbelt. This is subject to other relevant policies and the meeting of the following criteria set out within it:

1. be appropriate in the greenbelt (see Policy R1: Special rural areas); or
2. involve the refurbishment or replacement, on the same site, of an existing house or disused building; or
3. involve remediation of redundant brownfield land opportunities.

In this instance point 2 is applicable as the proposal involves the conversion of a vernacular farm building.

- 6.3 The policy is clear that small scale development constitutes three dwelling houses. The proposal seeks to add an additional unit to half of a steading which was approved for conversion into one unit under a previous application in 2014. This would bring the total number of units within the steading up to three which would be acceptable in principle. However shortly after the submission of the application, a separate application for subdividing the other half of the steading into two units was submitted (APP/2017/1822). This site is under separate ownership with a different agent. Although the application under consideration was submitted first, both applications are under consideration at the same time and cannot be considered in isolation. If both were granted, clearly this would result in four units on the site.
- 6.4 A recent withdrawn application (APP/2016/3445) sought to demolish the steading and erect two dwellinghouses. The proposal could not be supported as the policy presumes against the demolition of attractive vernacular

steadings. This scheme involves retention and conversion of the steading and minimal amendments to the original consent required. Material weight must be given to the proposed sympathetic scheme that seeks to preserve an attractive vernacular agricultural building.

- 6.5 The agent has submitted a justification which gives detailed information and documents the market research carried out to date by the agent that shaped the project in its current format. The report explains that the steading is very large and that the previous scheme for the unit was for a 5 bedroomed 320m² dwelling across ground and first floor. The agent has explained in the current economic climate this it has been difficult to market and there would be issues with viability of such a project. The agent has stated that it is now proposed to make two, 3 bedroomed properties that are more modest in size with Unit 1 being 145m² and Unit 2 being 220m² (including garage) and have appeal to a wider range of buyers. The agent has given examples of steadings and steading sites that have been approved for more than three dwellings. However, it should be noted that these were received prior to the adoption of the 2017 Local Development Plan. The previous 2012 Local Development Plan allowed more flexibility and exceptional circumstances to be taken into account.
- 6.6 The additional information supplied by the agent has been evaluated and it is considered that there is a strong economic justification for amending the scheme to two more modest dwellings. In addition to the economic arguments it is also considered that unit can be unobtrusively divided into two dwellings and the existing form and symmetry of the steading is retained. No previously undeveloped land has been utilised and the additional parking can comfortably be accommodated on site. There will be no additional visual impact from the proposed development. It is therefore concluded that based on the above justification the conversion of half of the steading into two units is acceptable in principle, despite leading to a departure from Policy R2 when considered in conjunction with the tandem application.

Layout and Design

- 6.7 All new development must comply with Policy P1 Layout, siting and design. Small modifications have been proposed to the previously approved design to facilitate the division into two units. The principal south west elevation is broadly similar with small modifications to the existing openings and conversion of an existing window into a full length glazed opening. To the south-east, elevation and openings are proposed to the south west end of the elevation which ensures that privacy is maintained with the existing house to the east. Further details were requested to show a 1.8m timber fence dividing the court yard to ensure that privacy between the two units is created. No extensions or additional upstairs windows are proposed so there are no new issues of overlooking or overshadowing caused by the proposed redevelopment. The use of natural slate, aluclad windows and timber cladding is considered acceptable. The proposal therefore complies with Policy P1 Layout, siting and design.

Technical Matters

- 6.8 Roads Development initially raised concerns about a parking shortfall. The plans were amended and a triple garage is now proposed to the rear of Plot 2 and three parking spaces are indicated to the south west of unit 1 (south

west). On receipt of additional information it confirmed there is sufficient onsite parking to serve the proposed development. A condition will be attached to retain the garage for parking purposes.

- 6.9 A drainage report was prepared by SA McGregor and states that the proposed development will use standard sub-surface soakaway systems for disposal of foul and surface water. The report confirms that these will be effective in all weather conditions. Scottish Water confirmed that there is currently sufficient capacity at the Invercarnie water treatment works. It has been demonstrated that the proposed development can be adequately serviced and the proposal complies with Policy RD1 Providing suitable services

Other Matters

- 6.10 Archaeology does not object to the proposed development and in this case requires no mitigation as a recording of the building was carried out as part of the previous permission. Contaminated Land confirms on receipt of additional information that was submitted under the previous application that it is satisfied and recommend a formal note be attached to the consent should the application be granted. Due to a previous bat survey carried out in 2014 that found the building to be used by bats an updated survey was requested. Since the previous bat survey was carried out the cattle court has been demolished and internal elevations have been left exposed to the elements. A further bat survey was carried out in July 2017. Due to the poor condition of the building and low bat roost potential only one emergence survey was carried out. The report concludes that no bats were found and no mitigation is required. It has been confirmed that the bat survey is acceptable.

Conclusion

- 6.11 The proposed development is considered an acceptable departure from Policy R2 Housing and employment development elsewhere in the Countryside. The application in isolation would create a total of three units, which is supported by policy. However, the tandem application submitted shortly after this application (APP/2017/1822) would bring the total numbers for the steading up to four which would be in excess of small scale development. The agent has carried out robust market research and has developed a viable scheme to retain the steading. The proposed high quality design that facilitates the retention of an attractive vernacular building which at one stage was earmarked for demolition is a material consideration. It is also considered that the two units can easily be accommodated within the steading and no extensions or previously undeveloped land are required to accommodate the addition unit. It is therefore concluded the proposal is an acceptable departure to Policy R2 Housing and employment development elsewhere in the Countryside.

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 granting or refusing of the application will not have a detrimental impact on the protected characteristics of the applicant or any third parties.
- 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 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 Full Planning Permission subject to the following conditions:-

1. No development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility of 2.4 metres by 60 metres is formed on either side of the junction of the vehicular access with the public road has been provided 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 outwith 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.

2. 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 by the planning authority. 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. *No dwellinghouse shall 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.

3. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority.

Details of the scheme shall include:

- a) Existing and proposed finished levels.
- b) The location of new *trees, shrubs, hedges and grassed areas*
- c) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- d) The location, design and materials of all hard landscaping works including *walls, fences and gates*
- e) 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.

4. The vehicular access and driveways hereby approved shall not be brought into use unless they have been provided and surfaced in accordance with the details shown on the approved plans. Prior to occupancy of each dwelling, 2 off street parking spaces surfaced in hard standing materials must be provided within each plot. The first 5 metres of the access measured from the edge of the road or back of the footway shall be fully paved and shall have a maximum gradient not exceeding 1:20. 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, the access, driveway and parking area shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the access and driveway to an adequate standard; to prevent the carriage of loose driveway material on to the public road and to ensure the retention of adequate off-street parking facilities, all in the interests of road safety.

5. 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.

6. That the proposed foul water drainage system shall be carried out in accordance with the Drainage Recommendation Report dated 4 April 2014 and the approved plans and the dwellinghouses shall not be occupied unless the approved drainage system has been implemented in this form, unless otherwise agreed in writing with the Planning Authority. Following provision of the drainage system it shall thereafter be maintained by the developers or their successors in accordance with the approved maintenance scheme.

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending, revoking or re-enacting that Order no means of enclosure, other than that shown on the approved plans shall be erected on the site under the terms of Class 3E of Schedule 1 to that Order without an express grant of planning permission from the planning authority.

Reason: In the interests of the character and appearance of the development.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending, revoking or re-enacting that Order the garage shown on the approved plans shall be permanently retained as such and shall not be altered in any way under the terms of Schedule 1 to that Order without an express grant of planning permission from the planning authority.

Reason: To ensure the retention of adequate off-street parking facilities within the site in the interests of road safety.

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

The proposed development would ensure the reuse of the existing attractive vernacular steading building that was at one stage intended to be demolished. The additional unit requires no extension to the existing steading and no previously undeveloped land is required. The Planning Service therefore supports the proposed development as an acceptable departure to Policy R2 Housing and employment development elsewhere in the Countryside.

Stephen Archer
Director of Infrastructure Services
Author: Hilary Wilkinson (Planner)
Date: 07/11/2017