

## Kincardine & Mearns Area Committee Report 24 April 2018

Reference No: APP/2017/3202

### Full Planning Permission For Erection of Dwellinghouse at Land North East Of Parklands, Laurencekirk, Aberdeenshire

**Applicant:** A & A Merchant, 4 Gourdon Holdings, Fettercairn, AB30 1PT  
**Agent:** A B Roger & Young Ltd, 9 McGregor Street, Brechin, DD9 6AB

Grid Ref: E:366380 N:771070  
Ward No. and Name: W19 - Mearns  
Application Type: Full Planning Permission  
Representations: 0  
Consultations: 4  
Relevant Proposals: Aberdeenshire Local Development Plan  
Map  
Designations: Rural Housing Market Area  
Complies with: No  
Development Plans:  
Main Recommendation: Refuse



#### **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.3.1i 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.

Councillor Jeff Hutchison - To consider further Policy R1 and R2 in relation to UK standard industrial Classification of Economic Activities 2007; and

Councillor George Carr - Suggest further discussion at Area Committee under Policy R1 Special rural areas, as regards whether this is a primary industry appropriate to the countryside.

- 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 Planning permission is sought for the erection of a single storey dwellinghouse, located to the south of the village of Fettercairn along the B974 from Luthermuir and approx. 2 mile north of the A90 dual carriageway.
- 2.2 The proposal is seeking a new house for an 'essential worker' for a small Clydesdale horse stud business called Rolling Thunder Clydesdales. The business was recently bought by the current owner according to the supporting statement from the applicant, and the operations on site are breeding of Clydesdales using them for showing. The owner has stated aspirations of using the horses for pulling carts '*for agricultural use as well as using them for weddings, funerals and charity works*'.
- 2.3 The applicant has an agricultural holding amounting to 23.47ha between two parcels of land, this application concerns land at Lady Jane Stables. The plot size including areas for drainage requirements is approx 2,617sqm. The site is part of the existing paddock area (1.26ha) associated with the adjacent stable block to the east.
- 2.4 The proposed house is to take the form of a single storey bungalow of modest proportions and includes a detached garage to the side of the property. The materials to be used are natural slate roofing, upvc windows and doors and rendered walls.

### Planning history

- 2.5 There have been previous applications for this site in relation to the Clydesdale horse stable on site, albeit under a different business owner. These applications are APP/2014/2665 refused on 09/09/2014, and APP/2014/3623 refused on 20/11/2014. There were no policy grounds to justify a proposed new house in the countryside at this location. Also the Local Review Body considered these applications under LRB266 and upheld

the appointed officer's recommendation of refusal dated 14th April 2015. Also another application APP/2015/1372 was declined to be determined on the same site for the same proposal on the 19<sup>th</sup> May 2015. In 2016 an enquiry was made for the erection of a house under the cohesive group policy. The agent was advised that the proposed location did not demonstrate connectiveness to the existing grouping of houses and was remote from them and therefore would not comply with policy.

### Supporting Information

- 2.6 The following information was submitted with this application;
- **Design Statement from A.B. Rodger & Young Ltd** – the report identifies the proposed site and house design for the site. It states that an essential worker has been identified in the SAC report, in the interests of security and management of horses.
  - **Revised Design Statement from A.B. Rodger & Young Ltd** - Draws more attention to the historical role that the Clydesdale breed had in agriculture and the SAC report and letters from Vet, Clydesdale Society etc. endorse it is an agricultural animal. It states that Clydesdale horses still have an important role to play in sustainable farming practices. The additional supporting information refers to studies on the horses used for woodland management and their mental health and educational improvements which, according to the agent, is the avenue the applicant wishes to pursue in the local community.
  - **Ground Assessment & Drainage Recommendation Report from S.A. Mc Gregor** - the report includes percolation and infiltration tests along with the certification for proposed foul water soakaway & for proposed surface water soakaway.
  - **Report on proposed farm policy and labour requirements for essential workers house at Lady Janes Stables by SAC Consulting** - the report provides a description of the business named 'Rolling Thunder Clydesdales' - total land ownership (23.47ha) between two holdings at Gordon Holdings and Lady Jane Stables. The Report states there is justification on the grounds of labour requirement, security, safety and animal welfare. The business has 6 Clydesdale horses; 3 broodmares, 1 retired broodmare, a young gelding and 2 month old colt. The Lady Jane stable site utilises 3.64ha and is used as a nursery during foaling season. Mrs Merchant currently has 3 brood mares on her small holding due to foal in spring 2018. The labour requirement is 2,536 per annum (based on generic figures for a stud farm from the Equine Business Guide) which equals 1.3 labour units. The report maintains that due to the nature of the stud breeding business the figures do not take account of additional time for Clydesdale breed or artificial insemination process (AI) or for monitoring pregnancy and birth through to early stages of foals life.
  - **Letter from The Secretary of the Clydesdale Horse Society**
  - **Letter from Dr Ingrid Kidd Veterinary** - impresses upon need for constant supervision, foaling process is long. The breeding of















