

## Marr Area Committee Report 22 May 2018

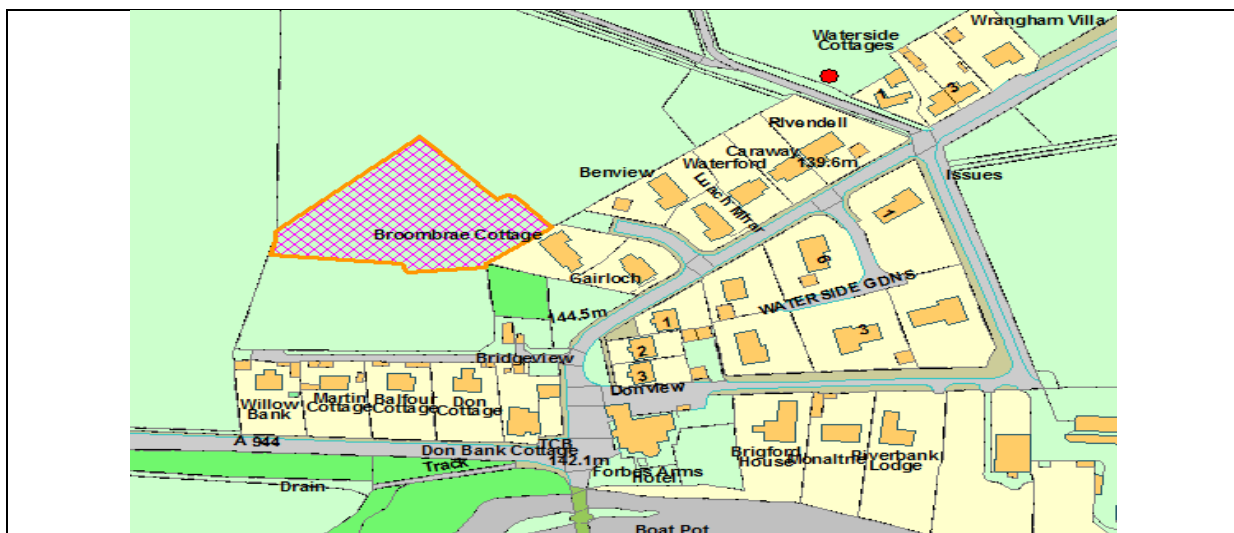
Reference No: APP/2018/0545

### Planning Permission in Principle For Erection of 3 Dwellinghouses Including Change of Use of Land From Agricultural to Domestic Use at Site Adjacent To Broombrae Cottage, Bridge Of Alford, Alford, Aberdeenshire, AB33 8PB

**Applicant:** Forbes Arms Stud, C/o Newton Of Forbes, Forbes, Alford, AB33 8PU

**Agent:** 338 Building Design, 19 Davidson Crescent, Alford, AB33 8TP

Grid Ref: E:356070 N:817344  
 Ward No. and Name: W14 - Huntly, Strathbogie And Howe Of Alford  
 Application Type: Planning Permission in Principle  
 Representations: 8  
 Consultations: 4  
 Relevant Proposals: Aberdeenshire Local Development Plan  
 Map  
 Designations: Rural Housing Market Area  
 Complies with: Yes  
 Development Plans:  
 Main Recommendation: Planning Permission in Principle



#### 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.3.1f of Part 2C Planning Delegations of the Scheme of Governance as there have been valid objections from six or more individuals or bodies with separate postal addresses or premises.
- 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 in Principle is sought for the erection of 3 dwellinghouses, including change of use of land from agricultural to domestic use, at a site adjacent to Broombrae Cottage, Bridge of Alford, Alford.
- 2.2 The site is located just north west of Bridge of Alford, in an agricultural field. The site is located opposite Balfour Cottage and to the rear of Broombrae Cottage. The site is relatively flat and is bound in all directions by post and wire fencing, with mature trees along the south east and east boundaries. The area to the south of the site has planning permission for 3 dwellinghouses, which received PPP approval in 2014 (APP/2013/2709). Further to this, an application for Matters Specified in Conditions (MSC) (APP/2017/1603) was approved in November 2017. The consented houses to the south sit around the turning circle of the approved access road, with Plots 1 and 3 mirroring each other, and with plot 2 sitting centrally. All units are storey and a half dwellings, with traditional dormers, slate roofs, rendered walls with larch clad features.

### *History*

- 2.3 The application site had approval for the formation of an access road (APP/2016/2405) granted in October 2016. The access was designed to service a residential development for 3 houses (south of the site), to which planning permission in principle was granted in 2014, with MSC consent granted in November 2017, as detailed above.

### *Proposal*

- 2.4 The total area of the site is 3771m<sup>2</sup> and is divided into 3 plots as follows; Plot 4 – 1224m<sup>2</sup>, Plot 5 – 1427m<sup>2</sup> and Plot 6 is 1120m<sup>2</sup>. For the avoidance of any confusion, this application is referred to as “phase 2” by the applicant, with plots 1-3 being within the previously consented proposal to the south of this site. The layout of the site follows the line of the approved access. Plot 4 lies to the south of the access road, and plots 5 and 6 lie to the north of the access road.

- 2.5 As the proposal is for planning permission in principle, detailed designs have not be submitted at this stage. However, a Design Statement has been submitted which shows that the three dwellings would all be of a similar size, comprising single or one and a half storey detached houses in a contemporary rural style with 45 degree pitched roofs. Plots 5 and 6 are south east facing and Plot 4 is north facing. External finishes are likely to include textured silicone render, timber cladding and natural slate roof. Further details will become available on the submission of an MSC application. The indicative details are consistent with that consented in the 3 house proposal to the south.
- 2.6 Each dwelling is indicatively shown to have an integral garage, and would be bound by a mixture of treatments including post and wire fencing, supplemented with hedging. Tree planting is also shown at various locations within each plot.
- 2.7 In terms of infrastructure, the access road to the new dwellinghouses is already consented (APP/2016/2405). The site would be served by a public water supply, but would require private drainage arrangements.
- 2.8 The following documents have been submitted in support of the application, these include:
- Design Statement (338 Building Design, April 2018) outlines the proposal, site description, relevant planning policy, access and landscaping.
  - Ground and Drainage Assessment (S.A. McGregor, 7 March 2018) carries out percolation and infiltration testing to assess the suitability of the underground strata for the discharge of foul and surface waters from the development.
  - Manufacturer's guide (GRAF) detailing the wastewater treatment to be installed.

### **3 Representations**

- 3.1 A total of 8 valid representations (8 objections) have been received as defined in the Scheme of Delegation. This does not include multiple representations from the same household which equate to 11 letters in total. All issues raised have been considered. The letters raise the following material issues:
- Contrary to LDP policy
  - Siting and design
  - Access – entrance to neighbouring property would be vastly reduced.
  - Impact on privacy and amenity – one of the proposed properties is within 7 metres of a neighbouring existing property boundary.

## 4 Consultations

### *Internal*

- 4.1 **Business Services (Developer Obligations)** has commented that in this instance no contributions are required.
- 4.2 **Infrastructure Services (Contaminated Land)** has commented that there is no indication of any past use which might have caused contamination and therefore has no comment to make.
- 4.3 **Infrastructure Services (Roads Development)** has no objection subject to conditions on the dropped kerb, gradient and paving of driveway and parking spaces.

### *External*

- 4.4 **Scottish Water** has no objection to this planning application, however, there is no Waste Water infrastructure within the vicinity of the proposed development and the applicant is advised to investigate private treatment options.

## 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 E2: Landscape

Policy C1: Using resources in buildings

Policy RD1: Providing suitable services

Policy RD2: Developers' obligations

## 6 Discussion

- 6.1 The main planning considerations with this application relate to the principle of the erection of 3 dwellinghouses, including change of use on this site, and the impact this would have upon the character, amenity and overall context of the rural area. Technical matters such as drainage and access will also be considered.

### *Principle of development*

- 6.2 Policy R2 Housing and employment development elsewhere in the countryside allows for the small-scale growth of settlements where a particular need for development has been identified, by the addition of groups of no more than 3 houses within 200m of the settlement boundary. No more than an additional 20% growth of the settlement, up to a maximum of 10 new homes, will be permitted under this policy during the plan period.
- 6.3 At the time of writing this report, Bridge of Alford is considered to have 33 dwellinghouses. Given the size, the Local Development Plan would permit the addition of 6 dwellings within this plan period. As a result, the principle of adding 3 dwellinghouses as part of the small-scale growth of the settlement is considered to be acceptable.
- 6.4 Representations consider the proposal to be non-compliant with the Local Development Plan. However, due to the small-scale growth policy outlined above, the development of 3 units on this site can be supported in principle. There are two further single applications for the erection of dwellinghouses in the catchment of Bridge of Alford, APP/2018/0644 and APP/2018/0641 that have no bearing on this application in terms of the total number of units available in this plan period, but have been raised in the representations. As

stated above, 6 new dwellinghouses would be considered acceptable in this plan period, the 3 units proposed in this application, and the 2 others elsewhere in Bridge of Alford would amount to 5. The proposal therefore complies with Policy R2 of the LDP.

*Layout, siting and design*

- 6.5 The layout, siting and design of this proposal is assessed against Policy P1. This states that new development must be appropriately designed and in-keeping with the character and setting of the surrounding area.
- 6.6 The application is for planning permission in principle and as such, no detailed designs have been submitted at this stage. Full details of the design will become available with the submission of the MSC application. However, an indicative design statement has been submitted and shows that the proposed dwellinghouses will be single or one and a half storey detached houses in a contemporary rural style with 45 degree pitched roofs. External finishes are likely to include textured silicone render, timber cladding and natural slate roof. The three houses will be located around the central access road. This is similar to the consented details of the 3 house proposal to the south, and the applicant does refer to this application as “phase 2”, citing the plots as 4, 5 and 6, with the consented plots to the south being 1, 2 and 3. This proposal, whilst considered on its own merits, is very much a continuation of the small scale development previously consented to the south, all in compliance with the LDP.
- 6.7 Representations raise concerns with the impact on privacy and amenity. The letters state that one of the proposed properties (Plot 4) is within 7 metres of a neighbouring existing property boundary (Broombrae Cottage) to the east. Whilst this is the case, adequate separation distance between properties can be achieved at final design stage. The indicative details shown 14.5 metres between properties, which is not dissimilar to the 14 metres separation distance between Broombrae Cottage and the neighbouring property to the east. Therefore, at the planning in principle stage, the site does have capacity to deliver 3 dwellings without impacting on the amenity of neighbouring properties.
- 6.8 Similarly, the Planning Service is content that the site can accommodate 3 dwellinghouses without impacting on the character of the rural area. The scale of the proposal and size of the site ensures that the proposal can be designed to ensure suitable separation distance between the new dwellinghouse and existing properties adjacent to the site, in keeping with the wider pattern of development in Bridge of Alford. Landscaping and boundary treatments will be provided on the submission of the final details, and based on the indicative details provided so far are considered capable of negating the potential for any adverse amenity impacts. Overall, the indicative layout and siting are considered to be compliant with Policy P1 and would not result any adverse amenity impacts.

- 6.9 Policy E2 Landscape states that developments will be refused where they cause unacceptable effects through its scale, location or design on key natural landscape elements, historic features or the composition or quality of the landscape character. In relation to the landscape impact, the site is very much part of Bridge of Alford, although it sits just beyond the built environment of the recognised settlement boundary. The proximity to the boundary ensures that a dispersed pattern of development is avoided. Further details will be required at the MSC stage to ensure that the materials used and final design do not negatively impact on the landscape. At this stage, the proposal is considered to comply with Policy E2 Landscape.

*Technical considerations*

- 6.10 Turning to Policy RD1 Providing suitable services, each plot will connect to the public water supply network and will make private drainage arrangements. Scottish Water were consulted and confirmed they do not object to the proposal. However, there is no Waste Water infrastructure within the vicinity of the proposed development and the applicant is advised to investigate private treatment options. The Ground and Drainage Assessment concludes that septic tanks would be suitable however, due to the proximity to other dwellings and the nearby River Don, it is recommended to install secondary treatment prior to discharge. Details have been provided at this stage which provide a solution to the drainage requirements of the development.
- 6.11 The letters of representation highlight three areas of concern relating to drainage and waste treatment. The first was related to a typo in the report, as the certificate for the proposed surface water disposal refers to plots 1, 2 and 3. This was amended and a revised report referring to plots 4, 5 and 6 was submitted. The second relates to the location of soakaways which don't comply with building regulations. However, this is a matter for Building Standards and will be addressed through that process at a later date, should consent be granted. The final comment relating to drainage states that the secondary treatment for waste water is not shown on the drainage plans. The revised drainage plan provides further detail on the secondary treatment to be installed, and confirms that the systems installed will require to be registered with SEPA under the CAR Licence process. Therefore, it is considered that a suitable drainage arrangement can be provided, alleviating the objectors' concerns. The proposal is considered compliant with policy RD1 Providing suitable services.
- 6.12 One of the concerns raised by an objector relates to the access arrangement, and states that the entrance to a neighbouring property would be vastly reduced. The access formed part of a previous application (APP/2016/2405) and received approval in October 2016. In addition, Roads Development were consulted and they have no objection subject to conditions on the dropped kerb, gradient and paving of driveway and parking spaces. Therefore, as there is not considered to be any significant road safety impact resulting from this development, it is considered compliant with Policy RD1 Providing suitable services.

### *Conclusion*

- 6.13 It is the opinion of the Planning Service that the proposal would be an appropriate housing development in the countryside, as organic growth of Bridge of Alford, and would have little negative impact on neighbouring properties. The proposal satisfies all technical matters and there are no outstanding material considerations which would warrant refusal of planning permission. Aspects in regard to the layout, design, landscaping and final drainage solutions will be considered further through the submission of an MSC application in the future. Sufficient information has been submitted for the Planning Service to be content that the site can accommodate the development. The application therefore is considered to comply with the relevant policies of the Aberdeenshire Local Development Plan 2017 and is recommended for approval.

## **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 proposed development is not considered to give rise to any differential impacts on those with 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**

None



- 10.3 The application is not a Departure from the Local Development Plan or Strategic Development Plan and no departure procedures apply.
- 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 Planning Permission in Principle subject to the following conditions:-

01. Details of the specified matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No development shall begin on the site unless all of the details listed in this condition have been submitted to and approved in writing by the planning authority. The development shall be carried out in complete accordance with the details approved in relation to this condition.

#### Specified matters:

- a) Full details of the layout and siting of the proposed development;
- b) Full details of the external appearance and finishing materials of the proposed development;
- c) A landscaping scheme including proposed landscape features, details trees to be removed, retained and planted;
- d) A detailed levels survey of the site and cross sections showing proposed finishing ground and floor levels relative to existing ground levels and a fixed datum point;
- e) Full details of any proposed boundary treatments;
- f) Full details of the proposed means of disposal of foul and surface water from the development;
- g) Full details of the proposed car parking and bin uplift store area for the development; and
- h) Full details of the proposed access to the development including visibility splays where appropriate.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

- 02 Further to the matters required under condition 1 part f, no dwelling shall be occupied until the proposed foul and surface water drainage systems have

been provided in accordance with the approved plans and the Ground Assessment and Drainage Recommendation Report by S.A McGregor dated 7 March 2018, or a suitable alternative as agreed under condition 1f. The foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved maintenance scheme.

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

03. 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.

04. Further to the matters required under condition 1 part h, the vehicular access, driveway and parking area hereby approved shall not be brought into use unless both have been provided and surfaced in accordance with the details shown on the approved plans and the drop kerb footway crossing has been formed at the new access. For the avoidance of doubt, the first five metres of the driveway measured from the back of the footway shall be fully paved and shall have a maximum gradient not exceeding 1:20. Once provided, the access, driveway and parking area shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the access, driveway and parking area 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.

- 05 Further to the matters required under condition 1 part g, prior to occupancy of development, parking spaces, surfaced in hard standing materials shall be provided within each plot in accordance with the Council's Car Parking Standards.

Reason: To ensure the timely completion and retention of the on-site facilities to an adequate standard in the interests of road safety.

- 06 No individual dwellinghouses hereby approved shall be erected unless an Energy Statement applicable to that dwellinghouse has been submitted to and approved in writing by the planning authority. The Energy Statement shall include the following items:

- a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
- b) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to

comply with Policy C1 of the Aberdeenshire Local Development Plan 2017.

The development shall not be occupied unless it has been constructed in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: To ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and Policy C1 of the Aberdeenshire Local Development Plan 2017.

## **11.2 Reasons for Decision**

The erection of 3 dwellinghouses is acceptable in principle as it is for the small scale growth of a settlement within 200 metres of the settlement boundary. Therefore the proposal accords with Policy R2 Housing and employment development elsewhere in the Countryside. All technical matters have been addressed and the proposal complies with all other relevant policies of the Aberdeenshire Local Development Plan (2017).

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

Author of Report: Stephanie McMillan  
Report Date: 30 April 2018