

Aberdeenshire

COUNCIL

**Infrastructure Services**

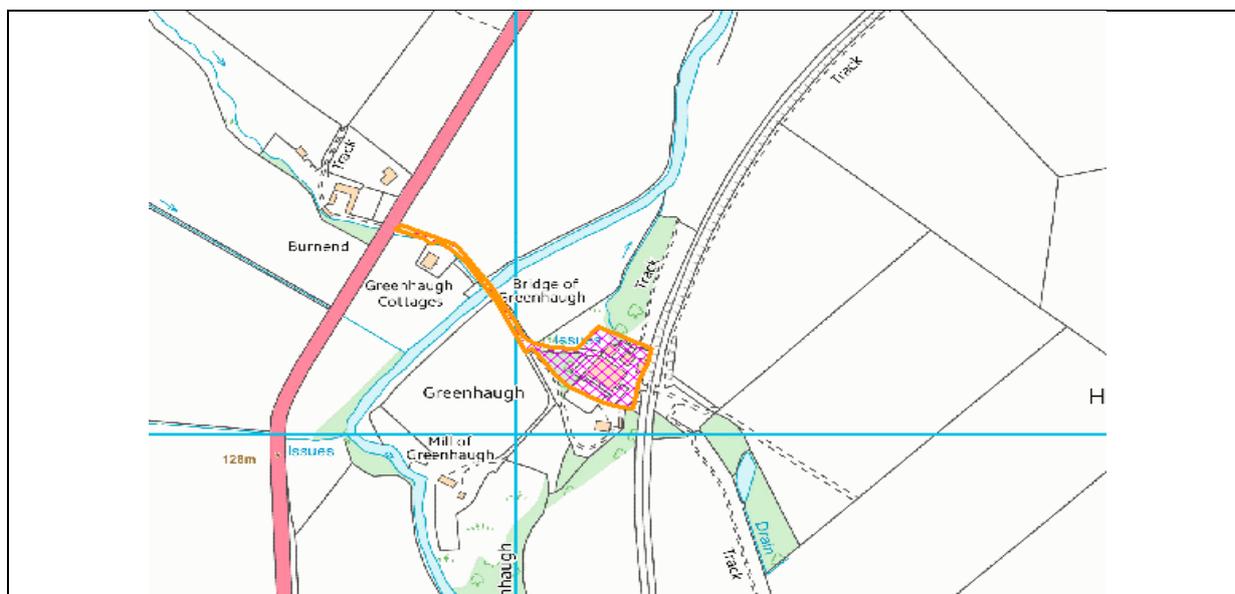
Marr Area Committee Report 02 October 2018

Reference No: APP/2018/1240

Planning Permission in Principle For Erection of 4 Dwellinghouses at Site At Greenhaugh, Huntly, Aberdeenshire, AB54 4PT

Applicant: K Stewart & Sons, Cocklarachy, Huntly, AB54 4RA
Agent: John Wink Design, Midtown of Foudland, Glens of Foudland, Huntly, AB54 6AR

Grid Ref: E:352007 N:838142
 Ward No. and Name: W14 - Huntly, Strathbogie And Howe Of Alford
 Application Type: Planning Permission in Principle
 Representations: 0
 Consultations: 10
 Relevant Proposals: Aberdeenshire Local Development Plan
 Map
 Designations: Rural Housing Market Area
 Complies with: No
 Development Plans:
 Main Recommendation: Grant With Conditions



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.
- 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 4 dwellinghouses on a site at Greenhaugh, Huntly. The site is located in a rural setting on the outskirts of Huntly. It is located less than a mile to the south-west of Huntly. Access to the site is taken from A97 at Burnend via a track road, east of the A97.
- 2.2 The application site comprises an existing shared access road, which includes a bridge across the River Bogie, and an existing group of partially dilapidated and intact farm buildings. The farm buildings include a traditional stone U-shape steading with infilled cattle court within the middle of the site; one traditional stone outbuilding to the north of the steading; the remains of a former mill to the north-east of the main steading; and a grey corrugated steel outbuilding near the foot of the railway line embankment to the east. The remains of the former mill comprises two detached buildings in itself, which are part roofed and part not, but most of the non-roofed element still comprises all walls. All other buildings mentioned above retain original apertures and roofs.
- 2.3 The site is adjacent to Greenhaugh, a category 'B' listed building, which sits to the south of the site, and a Network Rail main railway line to the east.
- 2.4 The site measures approximately 6295sq.m, excluding the existing access track. The proposal seeks to demolish all the existing disused farm buildings and erect four new dwellinghouses. The applicant has indicated that the existing buildings have been redundant for a number of years and are not fit for their original designed purpose. The following points have been provided as justification for the demolition of the buildings:
 - a) The buildings are too small for access with modern machinery, meaning a lot of tasks are required to be undertaken manually, which can put the farmer in serious danger.
 - b) The former mill is now dilapidated and has clearly not been operated for several years.

- c) Due to the age of the existing buildings, it is expected that they would require a large amount of remedial work to ensure that they are suitable for conversion to habitable accommodation.
 - d) Furthermore, significant improvements would need to be made to ensure the buildings meet the current domestic building regulations.
- 2.5 The site has previous permission (APP/2015/3033) for the erection of 2 dwellinghouses, partial demolition of the steading, and change of use of former mill and steading building to form 2 dwellinghouses. Altogether, 4 houses were approved on the site under the previous proposal. The consent remains in place, having been granted on 15th June 2016. Prior to this, planning permission had earlier been granted on the site for temporary change of use of the land from agricultural to class 6 (Storage & Distribution) in connection with the sale of agricultural machinery (APP/2013/3231) on the same site on 5th February 2014. This does not appear to have ever been implemented.
- 2.6 The main difference between the current proposal and the previously approved proposal is the demolition of all the buildings on the site. In addition, the size of the site (excluding the access) will be reduced from approximately 8,600sq.m to approximately 6,500sq.m, removing an area of land to the north of the site. The layout of the houses will also differ from the layout of the previously approved houses, albeit the details within this proposal are indicative.
- 2.7 The indicative site plan shows the possible layout of the houses and some potential landscaping. The indicative layout shows the proposed houses will be detached dwellinghouses, each with a private driveway plus turning area. The existing access shall be utilised, with the right of access retained through the site to serve the listed farmhouse to the south.
- 2.8 The applicant has indicated on the application form that the site would be served by private water supply, and the foul sewage would be disposed of by new septic tanks to soakaways. While drainage certificates have not been provided for this development, the drainage certificate for the previously approved proposal (APP/2015/3033) on the site is considered to remain suitable for this “in principle” application, and it demonstrates the site and ground conditions are suitable for soakaways. The finer detail of the drainage arrangement would come forward at the detailed application stage, ensuring the drainage arrangement is appropriate for the specific house proposed on each plot.
- 2.9 The supporting design statement highlights the approval of application APP/2015/3033 on 15th June 2016 by Marr Area Committee, which establishes the principle of 4 houses on the site.

3. Representations

3.1 No valid letters of representation have been received.

4. Consultations

- 4.1 **Business Services (Developer Obligations)** have indicated that contributions have been previously secured for this site via s69 Legal Agreement (Upfront Payment) under APP/2015/3033, which will be applied to the current application. Therefore, in this instance, no additional contribution is required.
- 4.2 **Infrastructure services (Archaeology)** have indicated that the application affects part of the archaeology site NJ53NW0046, a 19TH Century farm and mill complex and therefore archaeological standing building survey condition should be attached to the decision notice.
- 4.3 **Infrastructure Services (Contaminated Land)** have commented that as per the consultation response to APP/2015/3033, it is recommended that the formal note is included within the decision document to advise the applicant of a history of potentially contaminative use of the site.
- 4.4 **Infrastructure Services (Environmental Health)** have no objection to the application subject to conditions relating to private water treatment. They have commented that the information provided on the quantity of water is adequate to support the proposed four dwellinghouses. However, they advise that this flow rate may not remain constant due to environmental factors. If the supply is found to be inadequate at a later date, the applicant may require to make alterations to the water system to ensure that an adequate potable water supply is maintained to the proposed development. On the bacteriological and chemical water samples, the results indicate that the water proposed to supply the dwelling is unwholesome. Therefore the site requires Communal UV, Ph. and Nitrate filters to be installed to satisfy the relevant quality private water supply parameters as per manufacturer's instructions.
- 4.5 **Infrastructure Services (Environment – Natural Heritage)** have no adverse comments to make on the submitted Bat Survey and have advised that SNH licensing should be consulted to establish whether a bat license would likely be granted. In terms of trees, no issues were raised, however, they have indicated that Forestry Commission Scotland (FCS) have raised concerns regarding the survey, in that the survey does not show all trees on site and the applicant should clarify.
- 4.6 **Infrastructure Services (Flood Risk and Coastal Protection)**, in reference to comments dated 12/6/18 regarding development on the site, and having reviewed the current proposals, have noted that the access road to this site is within the SEPA 1 in 200-year flood extent. However, alternative emergency access was agreed within previous application APP/2015/3033 and therefore seek confirmation that this arrangement is still feasible. The applicant has

confirmed that the alternative emergency access agreed within previous application APP/2015/3033 is still feasible.

- 4.7 **Infrastructure Services (Roads Development)** does not object to the application subject to conditions and advisories. They have indicated that the site takes access from the A90 via a private farm road. This is narrow at the junction with the public road and rises steeply to the junction. Visibility southwards is presently obstructed by a bin store, a bridge parapet and trees beyond. A plan has been submitted showing improvement to the access junction with the site access being widened and visibility improved by relocating the bin store and the farm sign. To reduce the gradient on the immediate approach to the A980, the access road will have to be built up and this will provide visibility over the bridge parapet.

External

- 4.8 **Forestry Commission Scotland** have commented that the tree report that has been provided as part of the application does not appear to show all the trees that are currently present. The officer has indicated that the woodlands around the site are part of a core and primary native woodland habitat network. The native woodland survey of Scotland shows the area to be made up of NVC classes W7, W8 and W10. Native woodlands are biodiversity action plan habitats and have a strong presumption against development under Scottish Governments Control of Woodland Removal Policy.
- 4.9 **Network Rail** have indicated that they have no issues with the principle of the proposed development, subject to conditions relating to trespass proof fence, surface and foul water drainage scheme, landscaping, and noise impact assessment.
- 4.10 **Scottish Gas Network** has not identified there is a risk from this development.

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 E1 Natural Heritage

Policy E2 Landscape

Policy C1 Using resources in buildings

Policy RD1 Providing suitable services

Policy RD2 Developer's obligations

Policy HE1 Protecting historic buildings, sites, and monuments

5.4 Other Material Considerations

None

6. Discussion

6.1 Legislation requires decisions on planning applications to be made in accordance with the development plan unless material considerations indicate otherwise, in this case the Aberdeenshire Local Development Plan 2017.

6.2 The main planning issues to be considered in the determination of this application are as follows:

- whether the principle of development is acceptable and in line with the relevant policies of the Aberdeenshire Local Development Plan 2017;
- whether the demolition of all the existing buildings is appropriate;

- whether the layout, siting and design of the new housing is appropriate within the context of the site and surrounding landscape;
- whether any environmental impacts can be appropriately mitigated; and
- whether the site can be sufficiently serviced by the required infrastructure.

Principle of Development

- 6.3 By way of background, prior to the grant of planning permission for the erection of 2 dwellinghouses and partial demolition of Steading plus change of use of former Mill and Steading building to form 2 dwellinghouses (APP/2015/3033) on 15th June 2016 by Marr Area Committee, planning permission had earlier been granted on the site for temporary change of use of the land from agricultural to class 6 (Storage & Distribution) in connection with the sale of agricultural machinery (APP/2013/3231) on the same site on 5th February 2014. It is worth noting that none of the above permissions have been implemented, however the consent resulting in 4 dwellings remains active and would expire in June 2019.
- 6.4 As indicated previously, the main difference between the current proposal and the previously approved proposal is the demolition of all the buildings on the site and the reduction in the size of the site from approximately 8,600sq.m to approximately 6,500sq.m, plus the modifications in the layout of the houses on the site stemming from proposing 4 new builds rather than conversion to form two of the 4.
- 6.5 The principle of this development would have to be established against Policy R2, which outlines criterion for development proposals in the countryside area outwith the Aberdeen greenbelt and coastal zone.
- 6.6 Policy R2 restricts development to small-scale development that would involve, amongst other criteria, the replacement on the same site of an existing or disused building and/or involve remediation of redundant brownfield land opportunities. For clarification, small-scale development in policy terms is defined as a development of a scale that would be appropriate on the site and in the case of housing development up to 3 single houses.
- 6.7 The proposal does meet R2 in terms of the principle of development, being on the site of an existing or disused building, however the proposed 4 units exceeds the definition of small scale development set out in the LDP. The proposal, by virtue of the proposed 4 dwellings, therefore cannot comply with R2.
- 6.8 As applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, it needs to be established whether there are any material considerations that indicate that the application should be approved as a departure from the Aberdeenshire Local Development Plan 2017.

- 6.9 The planning history is highly material in this regard, the grant of 2 dwellinghouses and partial demolition of Steading plus change of use of former Mill and Steading building to form 2 dwellinghouses (APP/2015/3033) on 15th June 2016, allows development on the site, which would result in 4 dwellinghouses on the site. A refusal of the current application would not, therefore, prevent the introduction of 4 residential units on the site. Part of the justification for this application looks at the integrity of the existing buildings on site, and outlines the cost implications for the previously consented development as a result. Further considerations come from the difficulty in achieving required energy efficiency through conversion. This proposal for four new build dwellings would therefore allow a deliverable development of sustainable homes, both in terms of close proximity to a major settlement but also with regard to the fabric of the house allowing low energy consumption. The principle of 4 dwellings on site is established by the planning history, and this proposal would allow the existing dilapidated buildings to be replaced, to the benefit of the local landscape and setting of the adjacent listed farmhouse. All of these reasons combine to present an acceptable reason to depart from Policy R2 of the LDP, and support for the application.

Layout, Siting and Design of New Development

- 6.10 Policy P1 Layout, siting and design indicates that the Planning Service will approve development designs that demonstrate the six qualities of successful places (distinctive, safe and pleasant, welcoming, adaptable, resource efficient and well connected). The policy further specifies that this will depend on the nature, scale and location of the proposal and not all of the six qualities will apply in equal measure.
- 6.11 As this application is for Planning Permission in Principle, the issues of design would be addressed during the matters specified in conditions stage, or a new application for full planning permission should that come forward.
- 6.12 While the details on the design of the houses is not currently under consideration at this moment, an indicative layout plan has been provided and it does identify the key elements of the proposal including site layout, access arrangements, location of the buildings, location of car parking, amenity space and areas reserved for landscaping. The indicative house plans show that the proposal would be sensitive to the area as it will create new housing plots that will be of a similar shape and size to the local vernacular, whilst maintaining spacing between the buildings to ensure adequate amenity and privacy. The indicative layout plans also show boundary treatments (natural hedges and post and wire fence) to create enclosures. On the whole, the indicative layout plan shows that the site can accommodate 4 new dwellinghouses in an appropriate manner, both in terms of landscape setting, and with respect to the adjacent listed farmhouse.
- 6.13 As indicated earlier in part 2.4 of this report, the applicant has demonstrated that the buildings have been disused for their designed use for a number of years. While agricultural buildings are difficult to assess if they are ever truly redundant, the applicant has demonstrated that the agricultural buildings are

unsuitable from a reasonably practical use, and demolition of all the existing buildings is appropriate. The resultant demolition and improvement of the site through appropriately designed dwellings would have a positive impact on the wider landscape setting.

- 6.14 Policy HE1 Protecting historic buildings, sites and monuments states that the Council will not allow development that would have a negative effect on the character, integrity or setting of listed buildings, or scheduled monuments, or other archaeological sites. Managing Change in the Historic Environment, June 2016, with reference to the setting of a listed building, sets out the principles that apply to developments affecting the setting of historic assets or places including listed buildings. This policy, and the non-statutory guidance notes about managing change in the historic environment, require that the Council protect all listed buildings contained on the statutory list of Buildings of Special Architectural or Historic Interest for Aberdeenshire. Having considered the setting of development, consistent with the nearby listed building (Greenhaugh, a category 'B' listed building), the Planning Service have not identified any significant potential impact on Greenhaugh, a category 'B' listed building, resulting from the demolition. There will have been a historical link between the original farm buildings and the farm house, but this is long since eroded through different ownership and modern additions to the buildings altering their character. The farm buildings are not listed in their own right, nor by curtilage listing, which does demonstrate the lack of functional tie to the farmhouse. As this is planning permission in principle, a further assessment of the impact of the development on the listed building would be carried out during the MSC stage for the design of the house, but in terms of the principle of demolition and the principle of 4 new houses, there is not considered to be an impact on the listed farmhouse. The photographic record, required by Archaeology, will retain information on these buildings for future reference.

Access and Parking

- 6.15 In terms of the access and parking, the indicative layout plan demonstrates a driveway, turning area and 3 parking spaces for each house. As indicated earlier, Infrastructure Services (Roads Development) does not object to the application subject to conditions and advisories. However, they have commented that the site takes access from the A90 via a private farm road. This is narrow at the junction with the public road and rises steeply to the junction. Visibility southwards is presently obstructed by a bin store, a bridge parapet and trees beyond. A plan has been submitted showing improvement to the access junction with the site access being widened and visibility improved by relocating the bin store and the farm sign. To reduce the gradient on the immediate approach to the A980, the access road will have to be built up and this will provide visibility over the bridge parapet. The proposal, therefore, complies with Policy RD1 Providing suitable services.

Servicing

- 6.16 Policy RD1 Providing suitable services supports development that provides adequate road, waste management, water or waste water facilities,

connections and treatment as appropriate. In this case, the proposal would be connected to a private water supply, and the foul sewage would be disposed of by new septic tanks to soakaways. The surface water would also be disposed of by Sustainable Urban Drainage System (SUDS). Finer details of the drainage solutions will come forward at a later stage.

- 6.17 Infrastructure Services (Environmental Health) have no objection to the application subject to conditions relating to private water treatment. They have commented that, based on the information provided, the quantity of water is adequate to support the proposed four dwellinghouses. However, they have advised that this flow rate may not remain constant due to environmental factors. If the supply is found to be inadequate at a later date, the applicant may require to make alterations to the water system to ensure that an adequate potable water supply is maintained to the proposed development. On the bacteriological and chemical water samples, the results indicate that the water proposed to supply the dwelling is unwholesome. Therefore the site requires Communal UV, Ph. and Nitrate filters to be installed to satisfy the relevant quality private water supply parameters as per manufacturer's instructions. Accordingly, conditions would be applied to the decision notice requiring Communal UV, Ph. and Nitrate filters to be installed, ensuring adequate water supply to the properties.

Developer Contributions

- 6.18 Business Services (Developer Obligations) have indicated that contributions have been previously secured for this application via s69 Legal Agreement under APP/2015/3033 which will be applied to the current application. Therefore, in this instance, no additional contribution is required. The proposal is considered to accord with Policy RD2 Developers' obligations.

Technical matters

- 6.19 Forestry Commission Scotland have commented that the tree report that has been provided as part of the application does not appear to show all the trees that are currently present on and around the site. The officer has indicated that the woodlands around the site are part of a core and primary native woodland habitat network. This is planning permission in principle and therefore concerns regarding tree and landscaping proposals would be resolved during the Matters Specified in Condition stage. Details of trees to be retained, and details of the final location of houses to have regard to tree roots etc, will come forward at a later stage. The trees do appear to enclose the existing courtyard of farm buildings, and the indicative layout suggests the housing can fit largely within this opening, therefore the Planning Service do not predict any significant impacts on the existing woodland.
- 6.20 Network Rail require conditions relating to trespass proof fence to prevent access to the railway, surface and foul water drainage scheme to ensure it will not affect the railway, landscaping, and noise impact assessment. Drainage certification has been submitted which confirmed that the ground is suitable for soakaways and therefore it is not likely the development will raise any

issues. On landscaping, details would be sought during the MSC stage by way of planning condition in any case. Environmental Health have been contacted on the likely noise nuisance from passing trains, and have no adverse comments to make on the application regarding noise nuisance from passing trains, however a condition will be attached to request noise attenuation measures for the proposed houses on site. Regarding enclosing the railway to prevent trespass, a condition would be applied to the decision notice requiring a suitable trespass proof steel palisade fence of at least 1.8m in height is formed adjacent to Network Rail's boundary, and make provision for its future maintenance and renewal without encroachment upon or over-sailing of Network Rail land.

- 6.21 Turning to biodiversity of the area, a bat survey report by Countrywise dated 19th June 2018 provides an update on the previous bat survey report submitted in 2015. The survey found 6 common pipistrelle bats were recorded in the steading, and 11 in the grain dryer. Droppings were found in various locations in these sheds and it is likely that bats move around with varying weather conditions and temperature. Numbers found are similar to those found in 2015 and the roost in the grain dryer may well be a small maternity roost while the bats roosting in the steading would be non-breeding females or males. The report concludes that the proposals will destroy these roosts and compensation will be required. SNH Licensing was consulted on APP/2015/3033 and the advice was that if the application is approved, even with the mitigation set out in the bat survey report and method statement, a licence from SNH will still be required by the applicant before they can proceed with the development. While the service is currently waiting for SNH advice on the updated bat survey report, the impact of the development on bats, the mitigation set out in the bat survey report and method statement has not changed and it is believed that the SNH advice will remain the same. The final advice of SNH will be captured in the decision, which will likely be for the applicant to obtain a licence and include bat boxes etc. within the final design of the houses to offset the loss of roost space. Provision is made within the conditions to cater for this and can be refined if necessary once the SNH response is obtained.

Conclusion

- 6.22 In conclusion, the site is within a countryside location and has not been allocated for residential development, and while the proposal conflicts with Policy R2 Housing and employment development elsewhere in the countryside by virtue of the number of units proposed exceeding the policy definition of "small scale", the principle of residential development of 4 houses on this site has been established by the grant of 2 dwellinghouses and partial demolition of steading plus change of use of former Mill and Steading building to form an additional 2 dwellinghouses (APP/2015/3033). As indicated earlier, this is considered a significant material consideration, carrying significant weight to support this proposal as a departure. Furthermore, the proposed development would provide 4 new dwellinghouses on a lesser footprint than the previous consent, resulting in improved massing, the potential for high quality designed new dwellings, which would also have a low carbon footprint

within the future dwelling due to ease of achieving high insulation and “fabric first” construction benefits.

- 6.23 Therefore, whilst not complying with Policy R2 of the LDP, the current application is considered to enhance the immediate setting through sustainable redevelopment of the existing farm buildings, and ensure that the development would not harm the countryside setting and the setting of the adjacent listed building. The planning history presents suitable justification to depart from Policy R2, and as such, the grant of planning permission is recommended subject to conditions.

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 proposal does not have a 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 None

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 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, siting and design of the proposed dwellinghouses,
- b. including provision of any noise attenuation measures required, and the provision of bat boxes as necessary.
- c. Full details of the external appearance and finishing materials of the proposed development.
- d. A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point.
- e. Full details of the proposed means of disposal of surface water from the development.
- f. Full details of the proposed access, driveway and car parking/vehicle turning area for the development.
- g. Full details of landscaping proposals and a woodland management scheme for the site and surrounding area. This should include the objectives of the scheme (noise mitigation, enhancement and biodiversity); felling, restructuring and replanting proposals; timescales and an implementation programme of the scheme.
- h. Full details of all enclosures, both for private amenity space of each dwelling and the required trespass fencing adjacent to the railway to the east of the site.
- i. An energy statement demonstrating the efficiency and carbon emissions of each dwelling.

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 condition 1 part h, no individual dwellinghouse 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.

03. No works in connection with the development hereby approved shall commence unless a Level 2 archaeological standing building survey of the extant buildings and structures on the application site has been undertaken and has been submitted to and approved in writing by the planning authority. The standing building survey shall not be undertaken unless its scope has been approved in writing by the planning authority. The survey must be in a digital format and must be clearly marked with the planning reference number.

Reason: To ensure that a historic record of the building is made for inclusion in the National Record of the Historic Environment and in the local Sites and Monuments Record.

04. The proposed development shall not be brought into use unless the proposed private water treatment system has been installed in accordance with the approved details. The applicant is required to install a Communal UV, Ph. and Nitrate filter to comply with the required parameters. Once installed the private water treatment system shall thereafter be permanently retained.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

05. Further to condition 1 part g, no dwelling shall be occupied until a suitable trespass proof fence of at least 1.8 metres in height is provided adjacent to Network Rail's boundary, and provision for the fence's future maintenance and renewal must be outlined and adhered to thereafter.

Reasons: In the interests of public safety and the protection of Network Rail infrastructure.

06. Further to condition 1 part f, the applicant/developer shall submit details of proposed landscaping to the Planning Authority for approval in writing. This shall include a clear identification of existing trees within and adjacent to the site, trees that shall be retained and protective fencing to protect them during construction, and trees to be felled and how their loss shall be compensated for. No part of the development shall be occupied until the landscaping planting scheme is in place on site, and any planting damaged or dying within the first five years must be replaced. Landscaping must take account of the potential need to provide noise attenuation from the adjacent railway line.

Reason: To ensure the proposed development can be delivered with appropriate associated landscaping and diversity of fauna to the benefit of future resident's general amenity.

07. Further to condition 1 part e, the development shall be served in accordance with the approved drawings and the following details:

- a) At its junction with the A980, the maximum gradient of the first 5m of the access must not exceed 1 in 20.
- b) Prior to occupation of the development, first 5m of access (measured from the edge of A980) to be fully paved.
- c) Prior to occupancy of development, Parking spaces surfaced in hard standing materials shall be provided within the site in accordance with the Councils Car Parking Standards.
- d) Prior to commencement of development, visibility splays measuring 2.4m by 160m to be formed on either side of the junction of the vehicular access with the public road. The visibility splays so formed shall thereafter be kept free of all permanent obstructions more than 0.9m above adjacent carriageway level.
- e) Prior to occupancy of development a refuse bin uplift store area shall be constructed (behind any visibility splay) so as to be accessible for bin uplift and shall be secure enough to prevent empty bins from being wind blown. Details must be submitted to Roads Development for approval.
- f) Prior to occupancy of development a suitable vehicular turning area, measuring not less than 7.6m x 7.6m must be formed within the site to enable all vehicles movements onto or from the public road to be carried out in a forward gear.

Reason: In order to ensure that the development is served by an appropriate standard of access and associated servicing in the interests of road safety.

08. Further to condition 1 part d, the proposed foul and surface water drainage system shall be carried out in accordance with the approved Percolation Test and Surface Water Test undertaken by John Wink - John Wink Design dated 24 September 2015 under APP/2015/3033 and the dwellinghouse 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.

09. Further to condition 1 part f, and in accordance with condition 6, no works in connection with the permission hereby approved shall take place unless the trees/hedging marked for retention on the approved plans have been protected by fencing in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction. No works shall commence unless details of the protective fencing have been submitted to and agreed in writing by the Planning Authority. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks.

Reason: In order to ensure adequate protection for the trees/hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

11.2 That the Committee agree the reason for departing from Policy R2 Housing and employment development elsewhere in the countryside of the Plan.

The planning history on site, which consented 4 dwellings, presents justification to depart from Policy R2 Housing and employment development elsewhere in the countryside and its associated limitation of small scale development consisting of three dwellings. The proposal will result in the same amount of dwellings as consented, but do so in a different manner through provision of 4 new build homes. The proposal is compliant with all other relevant policies of the Aberdeenshire Local Development Plan (2017).

Stephen Archer
Director of Infrastructure Services

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