

Kincardine & Mearns Area Committee Report 20 November 2018

Reference No: APP/2017/2957

Full Planning Permission For Change of Use from Quarry to Plant and Equipment Operator Training and Assessment Centre and Installation of Modular Units and Generator (Retrospective) at Pitdrichie Quarry, Drumlithie, Aberdeenshire,

Applicant: Sibbald Limited, Sibbald Training Centre, 1 Shona's Way, Blackridge, West Lothian, EH48 3BN

Agent: No Agent

Grid Ref: E:379847 N:782069

Ward No. and Name: W19 - Mearns

Application Type: Full Planning Permission

Representations 1

Consultations 3

Relevant Proposals Aberdeenshire Local Development Plan

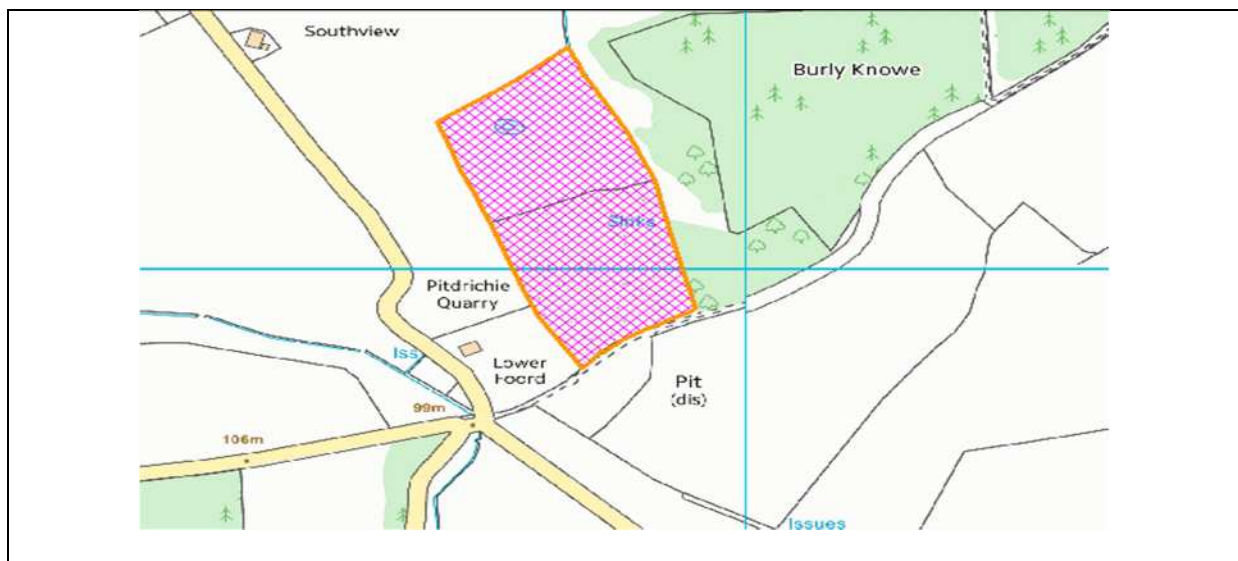
Map

Designations: Aberdeen Housing Market Area

Complies with No

Development Plans:

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.8.1 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 Retrospective planning permission is sought to change the use of the former Pitdrichie quarry into a plant and equipment operator training and assessment centre including the installation of modular units.
- 2.2 The application is located approximately 1.5km northwest of Drumlithie and 1.7km north of the A90. It is accessed via a network of minor roads leading onto a private road which also serves a number of residential properties located at Keabog, Lambroos and Upper Foord Croft.
- 2.3 The site covers an area of approximately 1.5ha. Two modular units housing the welfare unit, classroom unit and the generator have been positioned to the southeast of the site and east of the site entrance. An informal car park has been created to the southwest of the site, to the north of the site entrance. No other structures (permanent or temporary) are being proposed.
- 2.4 A noise impact assessment was carried out and recommends mitigation measures to control noise impact from the high ground areas of the quarry. It is stated that this should consist of noise barriers of 3 metres effective height constructed on the entire northwest boundary with a return along the majority of the southwest boundary of the Pitdrichie Quarry site to reduce the impact of external high ground daytime activities at the nearest dwellings. In addition, a supporting statement was provided by the applicant. This details the proposed operating arrangement (including hours of operation) of the facility and implications for vehicular movements (employees/instructors and trainees). It is stated that:
 - The site would operate between 8am and 4pm Monday to Friday with occasional weekends;
 - There would be a maximum number of four instructors on site;
 - There would be a maximum number 12 trainees on site, in order to comply with the industries restriction of 1 instructor for 3 trainees;

- The only traffic movement associated with the proposal would be restricted to private cars (trainees and employees). Heavy equipment (e.g. plants) would be transported on site and kept there.

2.5 Although a 3m, 353m high noise attenuation barrier was originally proposed, following discussion with the Planning Service, the application site boundaries have been amended to negate the need for a sound barrier recommended in the original noise impact assessment. The site now omits the high ground located on the periphery of the original application site.

3. Representations

A total of one valid representation has been received as defined in the Scheme of Delegation. The letter raises the following material issues:

- Full access to existing residential properties should be maintained at all times;
- 'Giveaway' signage should be installed for vehicles leaving the quarry site; and
- Limitation to the use of the site at weekends should be agreed to minimise any disturbance to residential properties.

4. Consultations

4.1 **Infrastructure Services (Contaminated Land)** has no objections to the development.

4.2 **Infrastructure Services (Environmental Health)** has commented that provided site activities are restricted to the lower ground (in accordance with the recommendations contained in the noise assessment) and within the amended application site boundaries, this Service does not object to the proposal.

4.3 **Infrastructure Services (Roads Development)** has no objections to the 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 E2: Landscape

5.4 Other Material Considerations

Not applicable.

6. **Discussion**

6.1 The key issues relating to the determination of this application are:

- 1) Development Principle;
- 2) Landscape impact; and
- 3) Residential amenity impact.

Development principle

6.2 Policy R2 Housing and employment development elsewhere in the countryside supports new businesses providing they are located in the Rural Housing Market Area. The application site is located in the Aberdeen Housing Market Area and as such the principle of the development would

not normally be supported. However, given the type of business and the fact that it is likely to be far less intensive than the approved quarrying operations, the Planning Service is willing to support a departure from policy for a temporary period of 2 years. This temporary permission would enable the Planning Service to monitor and review the impact on the amenity of the area and assess whether full planning permission for a change of use could be entertained.

Layout, siting and design

- 6.3 Policy P1 Layout, siting and design seeks to ensure that new development is laid out, sited and designed to reflect the character of the site and surrounding area. Although not the best aesthetically, the modular units currently on the site are well screened and located within the boundaries of a quarry. As such, they are considered appropriate in this instance.
- 6.4 Policy E2: Landscape, seeks to ensure that development does not have an adverse impact on the local and wider landscape. The existing landscape impacts of the quarry would not be exacerbated as a result of the proposal.

Impact on residential amenity

- 6.5 As stated in paragraph 2.4, the proposed site boundaries have been reduced and Environmental Health are satisfied that there would be no significant noise disturbance from the operation of the site for the stated purpose.
- 6.6 Although the only representation letter raises concerns relating to road safety and impact on the road surface, the level of traffic generated from the proposed operation would be significantly less than for the quarry. The application site is accessed from a private road and as such, its maintenance would remain the responsibility of existing users including the quarry operator and residential properties. The applicants have advised that they would be willing to erect a 'give way' sign at the junction of the access with the private road to address local residents' road safety concerns.

Conclusion

- 6.7 To summarise, the proposed operations would be significantly less intensive than those carried out as part of previous quarrying operations and the proposal would not exacerbate existing visual and landscape impacts or significantly increase vehicular movement on the local road network. Furthermore, it is not expected that the amenity of neighbouring residential property would be adversely affected as a result of the development.

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 Equalities 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 Departure

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 subject to the following condition:-

01. Planning permission is hereby granted for a temporary period of two years from the date of this decision. Prior to the cessation date, the application site shall be cleared of all works and development approved under the terms of this permission (including any subsequent ancillary works, infrastructure, fixtures, fittings and any temporary developments permitted under Class 14 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992).

Reason: To enable the impact of the temporary development on the amenity of the surrounding area to be reviewed

11.2 That the Committee agree the reason for departing from Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan (2017).

The proposed operations would be significantly less intensive than those carried out as part of previous quarrying operations and the proposal would not exacerbate existing visual and landscape impacts or significantly increase vehicular movement on the local road network. Furthermore, it is not expected that the amenity of neighbouring residential property would be adversely affected as a result of the development.

Stephen Archer
Director of Infrastructure Services
Author of Report: Aude Chaiban
Report Date: 29 October 2018

Comments for Planning Application APP/2017/2957

Application Summary

Application Number: APP/2017/2957

Address: Pitrichie Quarry Drumlithie Aberdeenshire

Proposal: Change of Use from Quarry to Plant and Equipment Operator Training and Assessment Centre. Erection of 3m Noise Control Barrier, Installation of Modular Units and Generator (Retrospective)

Case Officer: Aude Chaiban

Customer Details

Name: Mrs Susan Randall

Address: Keabog Mill Drumlithie STONEHAVEN

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: The minor road leading from the "five roads" junction to the quarry also serves as the only access road for seven domestic properties further up the track. In light of this, could we highlight the following:

- i. access to be maintained at all times
- ii. installing "giveaway" signage or similar for vehicles leaving the quarry site. I have had a couple of close encounters with vehicles exiting the quarry simply because the drivers were not looking or not expecting other vehicles on the road.
- iii. the minor road in question is privately owned. Since the closure of the neighbouring landfill site, Aberdeenshire Council have said they will no longer maintain and repair this road. Currently it is in a good state of repair. Who will be responsible for repairs if damage is caused by increased use and use by heavy vehicles? Is there any arrangement with the quarry owners Miller Plant? The application states that training courses may be held on "occasional Saturdays". This is somewhat vague. Can actual limitations be agreed in order to minimise any disturbance to neighbouring properties at weekends.