

7. **LRB 447** - Notice of Review Against Refusal of Full Planning Permission for Erection of Dwellinghouse and Detached Garage, including Formation of Access at Land at Upper Park, Drumoak, Aberdeenshire – Reference: APP/2018/2685.
  - (ii) Supporting Documents as submitted by the Planning Service.  
(Decision included in applicant’s submission).



## **REPORT OF HANDLING**

**Application Reference: APP/2018/2685**

**Proposal: Erection of Dwellinghouse and Detached Garage including Formation of Access**

**Address: Land at Upper Park, Drumoak, Aberdeenshire,**

### **1. Description of proposal**

Full planning permission is sought for the erection of a dwellinghouse and detached garage including formation of an access at land at Upper Park, Drumoak.

The application site is located approximately 2.5km to the southwest of Drumoak, around 550m north of the A93 with access taken from an unclassified road and farm track into the site. The wider site of Upper Park comprises a recently converted steading development of six properties to the north of the application site and ongoing development of three dwellinghouses (two of which are built) to the northeast. 300m further to the east are two recently built modern detached properties. Consent has been recently granted for the erection of a dwellinghouse on land to the west of the application site.

The application site is generally triangular in form and measures approximately 0.13ha. The site is bounded by post and wire fencing to the south and a close boarded timber fence and stone dyke to the north. Access is proposed to be taken from the east, where there are existing gate piers and approximately 30m of the track would also provide access to the neighbouring plot.

The proposal seeks to erect a dwellinghouse and detached garage on the application site. The proposed dwellinghouse would be generally 1.5 storey in height with a low pitch carport attached to the northwest gable and a prominent rectangular block projecting from the southeast facing elevation. Large areas of glazing would be present on the southeast elevation and high level windows on the southwest and northeast elevations at the ground floor level. The dwellinghouse would be finished in white render, natural slate roof tiles, dark grey UPVC casement windows, aluminium sliding doors and the projecting rectangular element would be finished in composite cladding panels.

Access to the site would be via a shared access road. A small section along the northern boundary would have a 1.35m high stone wall with steel gates of the same height, providing access in to the site. A garage, with a home office and shower room on the upper level, is proposed within the northwest corner of the site. There would be a small dormer on the southeast elevation which would contain a balcony. The garage would be finished in standing seam composite wall and roof panels, dark grey UPVC casement windows and the dormer would be finished in composite cladding.

Proposed drainage arrangements are a package sewage treatment plant and soakaway and a swale, underlain by a sub-surface infiltration trench. Proposed boundary treatments are post and wire fencing on the south and partially on the west and north boundaries. The remaining western boundary and the north would be 1.8m high timber close boarded fencing.

## **2. Relevant Planning History**

APP/2014/3214 Erection of 3 Dwellinghouses – Approved

APP/2013/2037 Conversion of Steading to form Six Residential units, Erection of Garages, Conversion of Outbuilding and Formation of Access Roads – Approved

APP/2015/2532 Demolition of Dwellinghouse and Outbuilding and Erection of 2 Dwellinghouses including the Creation of a New Access (Private Road) – Approved

APP/2018/1175 Erection of Dwellinghouse and Detached Garage (Change of House Type and Plot Layout) and Change of Use of Land to Domestic Garden Ground of Previously Approved Application APP/2015/2532 – Approved

## **3. Supporting Information**

Design Statement (*Matthew W Merchant*) – Statement outlining the planning history on the site, description of surrounding building materials and finishes, the project brief and design solution.

Ground Assessment and Drainage Recommendation Report (*S.A. McGregor*) – Drainage report outlining the proposed drainage infrastructure for the site and concludes that it can be accommodated within the site.

Supporting Statement (*Matthew W Merchant*) – Statement submitted by the agent following concerns raised by the Planning Service in relation to the proposed design. The statement responds to each concern raised in attempt to justify the proposal and the overall design.

## **4. Variations & Amendments**

Revised drawings have been submitted, drawing nos. 1577-001 G, 1577-08 C and 1577-011 B, which demonstrate minor amendments to windows on the dwellinghouse and change in materials.

3D visuals have also been submitted, drawings nos. 1577-100 B to 1577-105 B.

## **5. Representations**

No valid representations have been received.

## 6. Consultations

**Business Services (Developer Obligations)** note that contributions have previously been secured for the erection of a house on the application site under Section 69 Legal Agreement (Upfront Payment) under planning application ref. APP/2015/2532. This payment has been applied to the current application, and in this instance, no additional contribution is required.

**Infrastructure Services (Roads Development)** has no objection to the application subject to conditions relating to: finish of the first 5m of the driveway; formation of off-street parking; formation of a refuse bin uplift store area.

## 7. Relevant Policies

### 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.

### 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.

## Aberdeenshire Local Development Plan 2017

Policy R2 Housing and employment development elsewhere in the countryside  
Policy P1 Layout, siting and design  
Policy C1 Using resources in buildings  
Policy RD1 Providing suitable services  
Policy RD2 Developers' obligations

### **8. Other Material Considerations**

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.

### **9. Implications and Risk**

There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Local Members are 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.

### **10. Directions by Scottish Ministers**

None.

### **11. Discussion**

The main issues to consider in the determination of this application include the acceptability in principle of the erection of a dwellinghouse on this site, the layout siting and design and whether technical matters can be addressed.

#### Principle of development

Policy R2 Housing and employment development elsewhere in the countryside supports the redevelopment of previously developed sites for up to three dwellinghouses. Although the buildings that were on site at the time of the original planning application (APP/2015/2532) are no longer there, the application included the demolition of existing buildings, which would require to be removed to allow the development. As such, it is considered that the permission has been implemented and therefore, the principle of the development has been established. The stone down-takings from the buildings are being stored on the site.

#### Layout, siting and design

Policy P1 Layout, siting and design seeks to ensure that new development is appropriately designed, with a sense of local identity, protects amenity of neighbouring residential properties, has a welcoming visual appeal and makes efficient use of resources.

The proposed dwellinghouse is considered to be suburban in its design, with a non-traditional roof pitch and the proposed finish is not in keeping with the countryside location. Whilst the Planning Service does not necessarily expect all the dwellinghouses at this location to be the same, there are very limited elements in the proposed dwelling which reflect the existing development in the area, with exception to possibly the use of slate and dark coloured windows/doors which are amendments to the original proposal. There are several incoherent elements, such as the low pitch of the car port which is at odds with the steep roof pitch of the dwellinghouse. The additional of a composite clad block on the southeast facing element is considered an alien feature which does not correspond with any other element on the dwellinghouse and is not reflected in any other development in the area. There is considered to be a poor use of openings throughout the proposal, with large areas of glazing on the southeast facing elevation, whilst would take advantage of views over the countryside and solar gain, does not correspond with the high level narrow windows on other elevations. Whilst contemporary or modern designs are not discouraged, it is considered in this case that there are too many elements which are at odds with one another and the proposal does not make for an appropriate development.

Whilst the proposed design is not considered acceptable, in terms of carbon neutrality, solar panels have been proposed on the southeast facing roof elevation and the house orientated to maximise solar gain. An appropriate condition could ensure that the dwellinghouse would accord with the current energy efficiency standards. However, as it stands, the proposed design of the dwellinghouse is not considered acceptable and cannot be supported.

### Technical matters

Policy RD1 Providing suitable services seeks to ensure that new development can be safely accessed and parking can be provided. Infrastructure Services (Roads Development) has no objection to the proposal subject to conditions outlined above in Section 6. As such, the proposal is considered to meet the requirements in terms of access. Turning to drainage, a drainage recommendation report has submitted which demonstrates that appropriate drainage infrastructure can be accommodated in the site. Therefore, the proposal complies with Policy RD1 Providing suitable services in relation to drainage.

Business Services (Developer Obligations) has confirmed that contributions were secured under the previous application and following an assessment, no further contributions are required.

Whilst the proposal meets technical requirements, the proposed design of the development cannot be supported.

### Conclusion

Overall, it is considered that whilst the principle of the development is accepted and technical matters can be addressed, the proposed design of the dwellinghouse is not acceptable. The proposal is considered an incoherent array of design elements

which do contribute to an appropriate development and does not correspond or reflect the new development at this location. As such, the proposal fails to comply with Policy P1 Layout, siting and design of the Aberdeenshire Local Development Plan 2017 and is recommended for refusal.

## **12. Recommendation**

REFUSE for the following reasons:

01. The proposed design consists of a number of incoherent elements and as a whole, the building does not exhibit a welcoming visual appeal or respect its setting and fails to create local identity through the choice of design. The proposed development is therefore considered to be contrary Policy P1 Layout, siting and design of the Aberdeenshire Local Development Plan 2017.

## **13. Process of Determination**

The application was the subject of consultation with Local Members under the Council's Scheme of Delegation.

## **14. Planning Obligations**

No



Viewmount Arduthie Road Stonehaven AB39 2DQ Tel: 01569 690544 Email: [planningonline@aberdeenshire.gov.uk](mailto:planningonline@aberdeenshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100142862-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

PROPOSED CHANGE OF HOUSE TYPE AND SITE LAYOUT, PLOT 1 APPLICATION NO. APP/2015/2532 TO INCLUDE THE CHANGE OF USE OF AGRICULTURAL LAND TO DOMESTIC GARDEN GROUND.

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*  Yes  No

Has the work already been started and/or completed? \*

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

|                       |  |  |   |
|-----------------------|--|--|---|
| Company/Organisation: | <input type="text" value="Matthew W Merchant"/>            |  |   |
| Ref. Number:          | <input type="text"/>                                       | You must enter a Building Name or Number, or both: * |   |
| First Name: *         | <input type="text" value="Matthew"/>                       | Building Name:                                       | <input type="text" value="Silverbank"/>         |
| Last Name: *          | <input type="text" value="Merchant"/>                      | Building Number:                                     | <input type="text"/>                            |
| Telephone Number: *   | <input type="text" value="01330 825665"/>                  | Address 1 (Street): *                                | <input type="text" value="North Deeside Road"/> |
| Extension Number:     | <input type="text"/>                                       | Address 2:   | <input type="text"/>                            |
| Mobile Number:        | <input type="text"/>                                       | Town/City: *   | <input type="text" value="Banchory"/>           |
| Fax Number:           | <input type="text"/>                                       | Country: *   | <input type="text" value="UK"/>                 |
|                       |  | Postcode: *  | <input type="text" value="AB31 5YR"/>           |
| Email Address: *      | <input type="text" value="info@matthew-w-merchant.co.uk"/> |  |   |

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

|                      |                                    |  |  |
|----------------------|------------------------------------|--|--|
| Title:               | <input type="text" value="Mr"/>    | You must enter a Building Name or Number, or both: * |  |
| Other Title:         | <input type="text"/>               | Building Name:                                       | <input type="text" value="UPPER PARK"/>    |
| First Name: *        | <input type="text" value="ALLAN"/> | Building Number:                                     | <input type="text"/>                       |
| Last Name: *         | <input type="text" value="DOAK"/>  | Address 1 (Street): *                                | <input type="text" value="DRUMOAK"/>       |
| Company/Organisation | <input type="text"/>               | Address 2:   | <input type="text"/>                       |
| Telephone Number: *  | <input type="text"/>               | Town/City: *   | <input type="text" value="ABERDEENSHIRE"/> |
| Extension Number:    | <input type="text"/>               | Country: *   | <input type="text" value="SCOTLAND"/>      |
| Mobile Number:       | <input type="text"/>               | Postcode: *  | <input type="text" value="AB31 5HD"/>      |
| Fax Number:          | <input type="text"/>               |  |  |
| Email Address: *     | <input type="text"/>               |  |  |

## Site Address Details

Planning Authority:

Aberdeenshire Council

Full postal address of the site (including postcode where available):

Address 1:

UPPER PARK EAST

Address 2:

DRUMOAK

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

BANCHORY

Post Code:

AB31 5HD

Please identify/describe the location of the site or sites

Northing

797886

Easting

377021

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

0.13

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

PLOT WITH PLANNING APPROVAL FOR A NEW DWELLING AND AGRICULTURAL LAND.

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*  Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

6

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

- Yes – connecting to public drainage network  
 No – proposing to make private drainage arrangements  
 Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? \*

- New/Altered septic tank.  
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).  
 Other private drainage arrangement (such as chemical toilets or composting toilets).

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: \*

FOUL WATER TAKEN TO NEW TREATMENT PLANT BEFORE DISCHARGING TO NEW SOAKAWAY. SURFACE WATER TAKEN TO OPEN SWALE/ FILTER TRENCH.

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

- Yes  
 No, using a private water supply  
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

Yes  No  Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

AREA WITHIN NEW CARPORT FOR STORAGE OF REFUSE AND RECYCLING

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No

How many units do you propose in total? \*

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Matthew Merchant

On behalf of: Mr ALLAN DOAK

Date: 07/11/2018

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

Yes  N/A

A Design Statement or Design and Access Statement. \*

Yes  N/A

A Flood Risk Assessment. \*

Yes  N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

Yes  N/A

Drainage/SUDS layout. \*

Yes  N/A

A Transport Assessment or Travel Plan

Yes  N/A

Contaminated Land Assessment. \*

Yes  N/A

Habitat Survey. \*

Yes  N/A

A Processing Agreement. \*

Yes  N/A

Other Statements (please specify). (Max 500 characters)

## **Declare – For Application to Planning Authority**

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Matthew Merchant

Declaration Date: 07/11/2018

## **Payment Details**

Online payment: XHWP00583284

Payment date: 07/11/2018 15:10:00

Created: 07/11/2018 15:10

**From:** [Paul Macari](#)  
**To:** [Jenny Ash](#)  
**Cc:** [Developer Obligations](#); [Planning Online](#)  
**Subject:** Planning Application Ref: APP/2018/2685 Developer Obligations Consultation Response  
**Date:** 19 November 2018 10:41:48

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Good Morning

**Planning Application Ref: APP/2018/2685**

**Erection of Dwellinghouse and Detached Garage including Formation of Access at Land At Upper Park Drumoak Aberdeenshire**

We note contributions have been previously secured for the erection of a house on the application site via S69 Legal Agreement (Upfront Payment) under planning application ref: APP/2015/2532. This payment will be applied to the current application.

Therefore, in this instance, no additional contribution is required.

I trust this information is helpful. Should you have any further queries please contact me.

Regards

Paul

Paul Macari | Principal Developer Obligations Officer |  
Legal and Governance | Business Services | Aberdeenshire Council | Banchory Town Hall | 1  
Kinneskie Lane | Banchory | AB31 5RW  
Tel: 01467 537559  
Email: [paul.macari@aberdeenshire.gov.uk](mailto:paul.macari@aberdeenshire.gov.uk)



**Technical Consultation No 1 for Planning Application Ref: APP/2018/2685**

Application type: **FPP (Full Planning Permission)**

Proposal: **Erection Of Dwellinghouse And Detached Garage Including Formation Of Access**

Location: **Land At , Upper Park, Drumoak, Aberdeenshire**

Date consultation request received: **12/11/2018**

Planning Officer: **J Ash**

Roads Officer: **M Neave**

**1. Visibility Requirements: At junction with public road**

Speed Limit at site: **60 mph**

Design speed: **40 mph (assessed for both approaches)**

Based on the minimum visibility requirements within Aberdeenshire Council's current standards and on the design speed a visibility of **2.4 metres by 120 metres** will be required

Does current application provide this?    Yes     No

**2. Parking Requirements:**

From Aberdeenshire Council's Parking Standards the required parking provision is **3 Spaces** made up of: **0 Operational** and **3 Non-Operational**.

Is shown provision of **3 spaces** acceptable    Yes     No

**Note:**



**3. Road Layout:**

- |  |        |                          |          |                                     |
|--|--------|--------------------------|----------|-------------------------------------|
| Is a Traffic Assessment required?                | Yes    | <input type="checkbox"/> | No       | <input checked="" type="checkbox"/> |
| Access onto Public Road Network?                 | Direct | <input type="checkbox"/> | Indirect | <input checked="" type="checkbox"/> |
| Will the Shown Layout Require RCC?               | Yes    | <input type="checkbox"/> | No       | <input checked="" type="checkbox"/> |
| Does the Shown Layout Appear to Comply with RCC? | Yes    | <input type="checkbox"/> | No       | <input type="checkbox"/>            |

***If No, What are Main Items of Non-Compliance?***

**4. Other Comments:**

**5. Recommendations:**

- This Service objects to this application for the following reasons:-**
- Insufficient Visibility**       **Insufficient Parking Provision**
  - Road Safety (see comments in Section 4)**
  - Insufficient information has been submitted to comment on this application. Please treat this response as a holding objection until the required information has been submitted. (See Section 4)**
- This Service has no further comments to make on this application .**
- This Service does not object to this application subject to the following conditions being applied should planning permission be granted:-**



**Conditions (as selected below):**

- Prior to occupancy of development, first 5m of driveway (measured from edge of road) to be fully paved.
- Prior to occupancy of development, Off-Street parking for 3 cars, surfaced in hard standing materials must be provided within the site.
- 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 & shall be secure enough to prevent empty bins from being wind blown. Details must be submitted to Roads Development for approval.

Initialed by:



Checked:



Date:

21/11/2018

Date:

22/11/2018

15<sup>th</sup> November 2018

Aberdeenshire Council  
Viewmount Arduathie Road  
Stonehaven  
AB39 2DQ



Development Operations  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Steps  
Glasgow  
G33 6FB

Development Operations  
Freephone Number - 0800 3890379  
E-Mail – [DevelopmentOperations@ScottishWater.co.uk](mailto:DevelopmentOperations@ScottishWater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)

Dear Local Planner

**AB31 Drumoak Upper Park Land at  
PLANNING APPLICATION NUMBER: APP/2018/2685  
OUR REFERENCE: 769311  
PROPOSAL: Erection of Dwellinghouse and Detached Garage including Formation  
of Access**

**Please quote our reference in all future correspondence**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

#### **Water**

- There is currently sufficient capacity in the **Invercarnie** Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

**The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.**

#### **Foul**

- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

## **Surface Water**

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

### **General notes:**

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

**Site Investigation Services (UK) Ltd**

**Tel: 0333 123 1223**

**Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)**

**[www.sisplan.co.uk](http://www.sisplan.co.uk)**

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- **Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>**

### Next Steps:

- **Single Property/Less than 10 dwellings**

**For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.**

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Konner Millar-Brookbanks**

Development Operations Technical Analyst

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Your planning consultation entitled [Land At Upper Park Drumoak Aberdeenshire](#) for Planning Application Reference APP/2018/2685 on Ward Pages has closed, your proposal for this application to be determined by officers using delegated powers has been Accepted. Full results are shown below:

| <b>Councillor</b>      | <b>Response</b>          | <b>Comments</b>   | <b>Interest Declared</b> |
|------------------------|--------------------------|---|--------------------------|
| Cllr. Sandy Wallace    | No Response              |   | ● No Response            |
| Cllr. Dennis Robertson | No Response              |   | ● No Response            |
| Cllr. Wendy Agnew      | Agree Officer Delegation |   | ● No Interest Declared   |
| Cllr. Sarah Dickinson  | Refer to Committee       | To allow discussion on the design of the proposal and its setting | ● No Interest Declared   |

