Buchan Area Committee Report 3 December 2019

Reference No: APP/2019/1129

Full Planning Permission for Erection of 4 Self Catering Pods (Short Term Letting Accommodation) at Site Adjacent to Nether Park Cottage, Lonmay, Fraserburgh, Aberdeenshire, AB43 8RY

Applicant: Mr P Stewart, The Studio, Blackhills, Lonmay, Fraserburgh, AB43 8RU
Agent: CM Design, St Brendans, 69 South Guildry Street, Elgin, IV30 1QN

Grid Ref: E:401309 N:856973
Ward No. and Name: W04 - Central Buchan
Application Type: Full Planning Permission
Representations: 6
Consultations: 7
Relevant Proposals Map: Aberdeenshire Local Development Plan 2017
Designations: Rural Housing Market Area
Complies with Development Plans: Yes
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.8.1 of Part 2A List of Committee Powers and Section C.3.1e of Part 2C Planning Delegations of the Scheme of Governance as there have been valid objections from five or fewer individuals or bodies with separate postal addresses or premises, and at least two of the total number of Local Ward Members in the Ward in which the development is proposed have requested that the application be referred to the Area Committee.

Cllr. Norman Smith – To further discuss impacts  
Cllr. Marion Buchan – To discuss further Policy P1

1.2 This application was reported to the Buchan Area Committee on the 12 November, 2019. The application was deferred by Members in order to conduct a site visit, which was carried out on 19 November, 2019.

1.3 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 This application seeks full planning permission for the erection of 4 self-catering pods (short term letting accommodation) on approximately 3800m² of land to the North of Nether Park Cottage, Lonmay. (See Appendix 1 – Location Plan, Site Plan, Floor Plan and Elevations) The site takes its access from the public road which runs East to West connecting the A952 with the A90. There are a number of houses along the Northern side of this road, with three located between the road and the main site area. The access passes the front of the applicant’s house ‘The Studio’ and meets the public road adjacent to Oaklea House.

2.2 The site is located in an area currently covered with young mixed woodland. This woodland extends linearly to the North to a larger area which also extends linearly in a section to the East of the site approximately 130 metres away. There is an agricultural shed and storage area to the immediate East of the site. To the North-East and West are open fields. The site area has a rural character.

2.3 The proposed pods have a curved roof and measure approximately 3.3 metres in height, 3.5 metres wide and 6.5 metres long. The roof is to be timber shingles with timber cladding on the gables. The windows and doors are to be UPVC.

2.4 The applicant is proposing that the pods would connect to the public water main, with rainwater and treated foul water disposed of onsite.

2.5 Technical reports
2.6 Relevant planning history

ENQ/2018/1250 – Erection of 4 glamping pods – Site not well related to the settlement. Justification for departure from Policy B3 needs to be provided. Larger pods need to be assessed against Policy R2. Smaller units no need to comply with policy R2.


3. Representations

3.1 A total of 6 valid representations (4 objections/2 supporting) have been received as defined in the Scheme of Governance. This does not include multiple representations from the same household which equate to 6 letters in total. All issues raised have been considered. The letters raise the following material issues:

• Concerns regarding increased traffic, road safety and adequacy of local road and access
• Potential for noise, light and odour impacts from development
• Issues relating to overlooking/ loss of privacy from development
• Impact upon the character of the residential area
• Concern of overdevelopment of site
• Littering
• Possible impact upon trees and wildlife
• Removal of woodland
• Proposals are not well related to a settlement as per the requirements of Policy B3.
• There are other similar facilities nearby
• Insufficient reason for tourists to be in area
• Transport links are not good for the site
• No surrounding businesses, apart from the applicant’s own photography business. The nearest shop is cited 3 miles in Crimond.
• Local flooding issues
In support:

- Boost for tourism and local employment
- Close to North East 250 route
- Provides a choice of accommodation

All other issues raised are not regarded as material to any planning decision.

4. **Consultations**

*Internal*

4.1 **Infrastructure Services (Environment – Natural Heritage)** stated that the scale of the proposed development would not result in the loss of a significant area of woodland. It, however, has concerns in terms of incremental loss without compensatory planting. In terms of protected wildlife a badger walkover survey was required, which was submitted by the applicant. The Environment Team advised that in relation to the survey it accepted the conclusions and that no further action is required on this issue.

4.2 **Infrastructure Services (Environmental Health)** requested a Noise Impact Assessment be undertaken given the proximity of the Auchmore wind turbine to the site. This information was submitted and Environmental Health accepted the findings which demonstrated that, although the turbine would be audible at the site it would not be subjected to noise above ETSU-R-97. In relation to the private water supply, it recommended a condition. The Service had no objection to the application in this regard.

4.3 **Infrastructure Services (Flood Risk and Coast Protection)** was consulted under the previous application (APP/2018/3101) and stated that the site is outwith an area identified as having an annual probability of fluvial and/or surface water flooding that is equal or greater than 0.5% (1 in 200 years). It commented that reported localised ‘ponding’ of water within a neighbouring garden was potentially caused by runoff from the road. The Service stated that it had no objection to the application.

4.4 **Infrastructure Services (Roads Development)** stated that it had no objection to the application subject to conditions.

4.5 **Infrastructure Services (Waste Management)** advised that it has no comments to make.

*External*

4.6 **Forestry Commission Scotland** advised that the planning area encompasses 0.38 hectares of native woodland, funded through the WGS scheme 31001647. There is a presumption against the removal of native woodland under the Scottish Government’s Policy on The Control of Woodland Removal. It continued to state, in this instance, despite the
presumption against development as identified above, the principles of compensatory planting from the Control of Woodland Removal Policy should be applied. The applicant should demonstrate a net public benefit from the compensatory planting proposal and at least an equivalent area to that lost through the development should be secured as a condition of approval.

4.7 **Scottish Water** was consulted and had no stated objection. There is no public Scottish Water owned water or waste water infrastructure in the area. Scottish Water confirmed that a connection to the public water main 2.2km away is technically feasible.

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.
From the 29 March 2019, the Strategic Development Plan 2014 went beyond its five-year review period. In light of this, for proposals which are regionally or strategically significant, or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

5.3 Aberdeenshire Local Development Plan 2017

Policy B3 Tourist facilities
Policy R2 Housing and employment development elsewhere in the countryside
Policy P1 Layout, siting and design
Policy PR1 Protecting important resources
Policy RD1 Providing suitable services
Policy C4 Flooding
Policy PR1 Protecting important resources
Policy E1 Natural heritage
Policy E2 Landscape
Policy C3 Carbon sinks and stores

5.4 Other Material Considerations

None.

6. Discussion

6.1 The main issues to consider are the principle of development and the likely impact upon the character and amenity of the surrounding area. Servicing and access arrangements are also a key part of the assessment.

The Principle of development

6.2 A proposal for the development of tourist accommodation must be assessed against Policy B3 Tourist facilities. The application requires to also be assessed against Policy R2 Housing and employment development elsewhere in the `countryside as set out within the terms of Policy B3 Tourist facilities.

6.3 The pods are of a size and scale (22m2 in floor area) which prevents them from being converted to individual dwellinghouses at any future point without being extensively expanded. In terms of Building Standards, the floorspace is well below the minimum requirements for a dwellinghouse. It is possible, in the event of approval, for the pods to have their permitted development rights removed to ensure that they remain as tourist pods and cannot be occupied as standalone dwellinghouses. Upon consideration of these facts, it is
determined in this instance that the proposals should not be assessed as though they are dwellinghouses within their own right. Compliance with Policy R2 is still however required. This policy allows for the formation of a small scale employment proposal within the Rural Housing Market Area (RHMA). For employment use, small scale is defined as a site less than 0.5ha and employing 5 or less than full time staff. The proposal conforms to these limitations and is therefore supportable under Policy R2.

6.4 Policy B3 Tourist facilities requires holiday lets to be well related to a settlement while also delivering net economic and social benefits. Proposals must also take account of the potential cumulative impact of similar developments in close proximity.

6.5 A justification statement has been submitted which makes the main following points:

- There are settlements surrounding the site
- There are no similar such types of tourist accommodation within 10km, particularly no luxury outdoor self-catering units
- Location is set within woodland area
- Given the distinctness of the type of tourist accommodation this is there are unlikely to be impacts upon self-catering lets elsewhere in the area
- Letters of support from North East 250, Fraserburgh Tourist Group, Visit Aberdeenshire, Business Gateway, submitted with the application by the applicant
- Site offers access to Fraserburgh Lighthouse Museum, Agricultural Museum in Mintlaw, Aden Country Park, Loch of Strathbeg, Fraserburgh beach
- Proposals will have minimal impact upon the landscape
- Disabled access accommodation is needed in the area
- Proximity to the North East 250 route
- Proposal is linked to the farm with potential for visitors to engage in ‘farm experiences’.
- Proposal is linked to adjacent photography business which offers visitors chance of engagement.

6.6 The proposal is seeking to offer an alternative form of short term accommodation which acts as a hybrid between camping and traditional Bed and Breakfast accommodation. The effects upon traditional Bed and Breakfast enterprises within settlements can therefore be disregarded as these businesses operate within a distinctly different market. The applicant has stated that there is no similar such tourist accommodation within 10km of the site. It is noted that similar style accommodation exists near New Aberdour (15km North-West), near Rosehearty (12km North-West) and within Mintlaw (10km South-West). A representation has reiterated that there is current overprovision of such accommodation locally. Whilst these businesses will undoubtedly compete for custom, there is a gap in provision for this specific type of tourist let within this specific area and the proposal will not significantly challenge demand for existing tourist lets within settlements. The more temporary nature of the pods must also be taken into account. Should
the enterprise be unsuccessful, the pods could be removed with little permanent impact upon the land in comparison to larger and more substantial accommodation blocks.

6.7 The nearest sizeable settlement (one which contains a wide range of services) to the site is Strichen which is approximately 6.5km to the West. It is roughly equidistant to 3 sizeable settlements, the other two being Fraserburgh (8.5km North) and Mintlaw (9km South-West). Furthermore, Peterhead (14km South-East) is within a 20 minute drive. In reality visitors would, more often than not, drive across North Aberdeenshire most days to see many local tourist sites. From the perspective of sustainability, there is some merit in the argument that the pods are well related to this wider group of settlements despite not being convenient for public transport. The site is approximately 4km, along roadways, to Crimond which allows opportunity for convenience shopping. Furthermore the site is seeking to tap into the market of tourists who are driving the North East 250 route which passes approximately 2.4km away from the site. It is also reasonably close to Loch Strathbeg and Rattray Head Lighthouse in particular.

6.8 On balance, the siting of these pods in this location has been sufficiently justified and the site is considered to be well related to Crimond. The application is deemed to comply with Policy B3 Tourist facilities.

Layout, siting and design of pods and impact upon the landscape

6.9 The proposed pods are to be located within woodland and within reasonable proximity to existing buildings. The pods are also of a modest height and scale. The impact upon the wider visual landscape is deemed to not be significant and the application accords with Policy E2 Landscape. The pods are otherwise of a good standard of design. The use of timber is an appropriate material for the countryside. The site is large enough to accommodate the 4 pods without creating the impression of overdevelopment of the area.

6.10 There are no particular concerns with regards the potential for overlooking from the pods towards existing properties. The distance of separation is deemed to be sufficient. There are openings only at each end of the pods and these elevations face away from neighbouring houses. It is the opinion of the Planning Service that the trips that 4 pods would generate would not have a significant impact upon local amenity. Environmental Health has not raised the potential for noise, light or odour impacts as a reason for refusal. Aberdeenshire Council has the ability to act in the event of noise complaint under the Environmental Protection Act 1990.

Servicing and access

6.11 It is noted that Scottish Water has stated that there is no public water main near the site. The applicant has proposed to connect to the public water main which is the preferred method of the Planning Service. In the event of approval it would be a requirement to condition such a connection. The
applicant has stated that a neighbouring property within 450 metres of the site has a 63 mm diameter connection to the public water main which includes a holding tank. The public water main is 2.2km away from the site. Scottish Water has stated that it confirms that it is feasible to make the connection, albeit the applicant would have to connect directly and would be responsible for all pipework, pumps, storage etc.

6.12 The Roads Development Team has no objection to the proposals subject to conditions. The access arrangements are considered to be acceptable and compliant with Policy RD1 Providing suitable services. The Service have not raised any concerns relating to road safety or inadequacy of local roads.

6.13 The applicant has submitted the required certification to support the disposal of treated foul water and surface water onsite. The drainage arrangements are considered compliant with Policy RD1 Providing suitable services.

6.14 Waste Management has stated no objection to the proposals.

Potential effects upon woodland and other wildlife

6.15 PR1 Protecting important resources states that we will not approve development which will have a negative effect upon important environmental resources associated with trees and woodland. The site is located within an area designated as being within the Forestry Commission’s National Inventory and also as an area of native woodland. The proposal would require the removal of a number of young trees of modest size while the site also includes an area of densely planted conifers. The Environment Team (Natural Heritage) was consulted and stated that the scale of the proposed development would not result in the loss of a significant area of woodland. It has concerns in terms of incremental loss without compensatory planting. The Forestry Commission Scotland has stated that sufficient compensatory planting would be necessary in this instance to mitigate the loss of any trees. Such planting could be conditioned in the event of approval of the application.

6.16 Policy C3 Carbon sinks and stores states that we will protect woodland. The proposed removal of some young trees is not substantial enough for the effect upon carbon storage to be a significant consideration in this instance. Nevertheless, with compensatory planting this would ensure compliance with policy C3.

Flooding reports

6.17 Under the previous application (APP/2018/3101) Flood Risk and Coast Protection commented that the site is out with an area identified as having an annual probability of fluvial and/or surface water flooding equal or greater than 0.5%. It also commented that it was not aware of any flood risk in this area and consequently had no objections to the proposals. A representation raised concerns of flooding on the local area. The Flooding team responded by stating that they had no specific concerns with the issues highlighted by this
representation. The application accords with the requirements of Policy C4 Flooding.

Letters of representation

6.18 The issues raised in the letters of representation have already been considered within this report, such as traffic/road safety related; amenity issues; siting and design; impact on woodland; policy considerations; flooding and proximity to settlements, have already been discussed.

Overall

6.19 The principle of development can be supported in this instance as the proposals are well related to Crimond and there are popular tourist sites reasonably nearby. The application is deemed to accord with Policy B3 Tourist facilities for these reasons and Policy R2 Housing and employment development elsewhere in the countryside as a small business in the Rural Housing Market Area. The proposal would not significantly impact the character of the area or local amenity. There are no concerns in relation to protected wildlife. Compensatory planting can be provided to mitigate the loss of trees. There are no flooding concerns in this area. Access and servicing arrangements are deemed acceptable. The application accords with the relevant policies of the Aberdeenshire Local Development Plan 2017, in particular Policy P1 Layout, siting and design.

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 proposals degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.
10. **Departures, Notifications and Referrals**

10.1 **Strategic Development Plan Departures**

None

10.2 **Local Development Plan Departures**

None

10.3 The application is not a Departure from the Local Development Plan and no departure procedures apply.

10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.

10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

11. **Recommendation**

11.1 **GRANT Full Planning Permission subject to the following conditions:-**

01. No works in connection with the development hereby approved shall commence unless a scheme of compensatory tree planting has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:

   a) The location of the compensatory tree planting.
   b) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
   c) A programme for the implementation, completion and subsequent management of the proposed compensatory tree planting.

The compensatory tree planting shall be carried out in complete accordance with the approved scheme and any planting which, within a period of 5 years from the completion of the compensatory tree planting, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason: In order to maintain woodland cover, in the interests of visual amenity and in order to ensure compensatory planting, in accordance with the aims of local and national planning policies.
02. No development shall commence on site until full details of a vehicle hammerhead have been submitted to and approved in writing by the Planning Authority. The hammerhead shall be installed in accordance with the approved details prior to the first occupation of the development hereby approved and thereafter retained in perpetuity.

Reason: To enable all vehicle movements onto or from the public road to be carried out in a forward gear, in the interests of road safety.

03. No development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility of 90 metres in both directions along the channel line of the public road has been provided from a point 2.4 metres measured at right angles from the existing edge of the carriageway surface along the centre line of the approved new access in accordance with the Council's Standards for Road Construction Consent and Adoption. The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated outwith the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason: To enable drivers of vehicles using the access to have a clear view of other road users and pedestrians in the interests of road safety.

04. The development hereby approved shall not be occupied unless the driveways, turning areas, parking areas and layby have been provided and surfaced in accordance with the details shown on the approved plans. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the driveway to an adequate standard to prevent the carriage of loose driveway material on to the public road in the interests of road safety.

05. No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store area has been submitted to and approved in writing by the planning authority. The area shall be constructed behind any visibility splay and shall be designed so as to be accessible for refuse bin uplift and to prevent empty bins from being wind-blown. No building hereby approved shall be occupied or brought into first use unless the refuse bin uplift store area has been provided and surfaced in accordance with the approved details. Once provided, the refuse bin uplift store area shall thereafter be permanently retained as such.

Reason: To ensure the provision of an appropriate means of servicing in the interests of road safety.
06. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.
Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

07. The development hereby approved shall not be brought into use unless the proposed foul water and surface water drainage systems have been provided in accordance with the approved plans and the drainage proposal detailed in the Porosity Test Report and Soakaway Design Calculations by James B. Buchan dated September 2019. The foul water and surface water drainage systems shall be permanently retained thereafter in accordance with the approved maintenance scheme.

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

11.2 Reasons for Decision

The principle of development is acceptable as the proposal is well related to Crimond and there are popular tourist sites reasonably nearby. The application is deemed to accord with Policy B3 Tourist facilities and Policy R2 Housing and employment development elsewhere in the countryside as a small business in the Rural Housing Market Area. The proposal would not significantly impact the character of the area or local amenity. There are no concerns in relation to protected wildlife. Compensatory planting can be provided to mitigate the loss of trees, as secured by condition. There are no flooding concerns in this area. Access and servicing arrangements are deemed acceptable. The application, subject to conditions, accords with the relevant policies from the Aberdeenshire Local Development Plan 2017, in particular Policy P1 Layout, siting and design.

Stephen Archer
Director of Infrastructure Services
Author of Report: John Todd
Report Date: 23 October 2019
Comments for Planning Application APP/2019/1129

Application Summary
Application Number: APP/2019/1129
Address: Site Adjacent To Nether Park Cottage Lonmay Fraserburgh Aberdeenshire AB43 8RY
Proposal: Erection of 4 Self Catering Pods (Short Term Letting Accommodation)
Case Officer: John Todd

Customer Details
Name: Mr Alexander Reid
Address: Blackhills Schoolhouse Lonmay Fraserburgh

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:
Blackhills Schoolhouse
Lonmay
Fraserburgh
AB43 8RU

28 June, 2019

Aberdeenshire Council Planning
Robert Gray
Head of Planning and Building Standards
Buchan House,
St Peter Street,
Peterhead,
AB42 1QF

Regarding Application APP/2019/1129
Full Planning Permission for Erection of 4 Self Catering Pods (Short Term Letting Accommodation)
Mr P Stewart c/o CM Design, St Brendans, 69 South Guildry Street, Elgin, IV30 1QN

A letter of concern- UNCHANGED AND RESUBMITTED

The planning application above is different from previous applications made in the area in that it involves the development of an estate. The building of an individual residence has a permanent
self-regarding interest whereas the building of a cluster of pods by its nature relies on itinerant use. This may cause the different aims and attitudes of guests and existing residents to create a conflict of interest. I detail below my major concerns on public harmony and road safety:

How will noise levels be controlled and contained? Will guests have a curfew on noise to limit disruption to the community? Unpleasant disputes between neighbours and guests is a situation which should be avoided. The potential effects on a community must be an issue worthy of consideration.

Is the existing public road adequate for additional traffic? Already the road is in poor repair. Pot holes and eroded edges testify to increased traffic. Large lorries from the egg plant use the route daily and satellite navigation has increased overall traffic. The road is now recognised as a main link to Lumbs road and on to St Combs. The speed limit on the road is sixty mph and many appear to drive at reckless speed without due regards for conditions. Pedestrian traffic, which is regular in number during the daytime, and often in the dark, is at risk from vehicles passing at speeds well above safe levels. It is necessary for the pedestrian to step into the mire and slither of the grassy verge or risk injury. Clearly this is a situation which should be moderated and certainly not worsened if possible.

Will the development lead to increased litter? The corollary of the increase in traffic is the dumping of litter on the road and this is obvious from the character of the rubbish deposited. Cups and packaging marked with the McDonald's logo and plastic cartons and bottles are discarded onto the verges from vehicles when they turn off from the main road A952. At least two families on the road attempt to collect the plethora of litter and lessen its impact on the environment but it is fair to surmise that increased road use may lead to further increase in pollution.

Although it is realised that the needs of business and commerce is a major consideration in future planning, the conservation of community needs and the improvement of services and the environment also has validity. A decision on the merit and value of competing interests rightly lies in competent regulation. Hopefully a compromise can be reached. Please consider my thoughts.

Yours faithfully, Alexander Reid and on behalf of Margaret Reid
Comments for Planning Application APP/2019/1129

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Address: Site Adjacent To Nether Park Cottage Lonmay Fraserburgh Aberdeenshire AB43 8RY
Proposal: Erection of 4 Self Catering Pods (Short Term Letting Accommodation)
Case Officer: John Todd

Customer Details
Name: Mr Allan Moore
Address: Whiteside Farm Lommay Fraserburgh

Comment Details
Commenter Type: Member of Public
Stance: Customer made comments in support of the Planning Application
Comment Reasons:
Comment:I would like to support this project for the following reasons:

Mr Stewart already runs a successful business in the area and his expertise will not only make this project viable but will make it thrive in the local community.
I think this project provides not only a boost to local tourism but also with the agro-tourism part of the project will bring education in a fun way to people in a way that they would be unable to experience otherwise.
As a farmer myself living locally to Mr Stewart I can see that this area would benefit from this project.
In the heart of rural Aberdeenshire it is not only a perfect location for tourism, it will also be a showcase for the agricultural industry providing a link between education, agriculture and tourism.
I wish Mr Stewart all the best and success in this enterprise.
Comments for Planning Application APP/2019/1129

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Proposal: Erection of 4 Self Catering Pods (Short Term Letting Accommodation)
Case Officer: John Todd

Customer Details
Name: Mr David Gibbins
Address: Ban-Car Hotel Main Road Lonmay

Comment Details
Commenter Type: Member of Public
Stance: Customer made comments in support of the Planning Application
Comment Reasons:
Comment: As a local Business in the Lonmay area, we rely on any business that brings tourism to the area.
We have been to a lot of tourism events recently and the Aberdeenshire tourist board are promoting the new North East 250 Route and this can only be beneficial to anyone in this area. All existing or new businesses should be allowed to offer something different to these tourists or groups looking to visit the area and stay in accommodation of all different types.
Audrey Smith
Senior Admin Officer
Embedded Planning Admin Team
Planning and Building Standards
Infrastructure Services
Aberdeenshire Council
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Tel No: 01467 537978 Embedded Planning Admin team Telephone No 01467 534333
E mail address: audrey.smith@aberdeenshire.gov.uk
Alternative e mail address: planningadmin@aberdeenshire.gov.uk
Work Pattern Monday, Tuesday, Thursday and Friday's – DO NOT work on Wednesdays
Note:- if your e mail is a Freedom of Information requet, pleas resend to foi@aberdeenshire.gov.uk

From: irene smith
Sent: 30 June 2019 21:26
To: Planning <planning@aberdeenshire.gov.uk>
Subject: APP2019/1129 Erection of 4 Self Catering Pods - Site Adjacent to Nether Park Cottage, Lonmay

With reference to the above we wish to make the following comments:-
Once again we weren't officially notified of this development and only knew about it because there was an article in the P & J. Curious as to why Applicant doesn't inform neighbouring properties.

We own the property at Nether Park Cottage which has been vacant for a number of years but the Applicant knows where we live and as our property is a neighbouring property and is actually marked on the plans submitted for planning we would have thought that we should have been notified officially.

When we stayed there it was a green field but since the Applicant has purchased the ground he has built two dwelling houses, a studio, farm buildings and has permission to build another dwelling house and now he wants 4 pods.

It appears that the Applicant wishes to continually develop the ground (which was originally a green field) as long as it isn't detrimental to the enjoyment of his own property because what he is applying for just now is being built away from him and with no consideration as to the disruption caused to neighbouring dwelling houses by the extra traffic, traffic pollution and noise of traffic that could be coming and going any time day and night or any noise that could be made by the holiday makers.

Application is for 4 pods (5 if what the article in the P & J is correct) but if granted there is no guarantee that he will stop at 4 or that only one vehicle will be at each pod.

The reason people move to the country is to get away from traffic and have peace and
quiet and not have a holiday camp site on your doorstep.

Another point we would like to make is that the road is a single track road that goes onto the A952 main Fraserburgh/Aberdeen road and it is a dangerous crossroads especially if you have to cross the carriageway to go into Fraserburgh or from the opposite side of the road to go to Mintlaw as there is a bend in the road and the traffic comes round that fast - there was a fatal accident there last year and there has been other accidents. Locals have a better idea as to how fast the traffic travels but visitors wouldn't.

As far as we can see the only difference from last years application and this one is that the entrance to the pods has been moved further down the field.

If permission is granted with the new entrance what's to stop him from going back to his original plan and use the entrance that he has already made for the new dwelling house that he has permission to build.

According to the P & J article the Applicant wishes to Cash In on rising interest in farm visits - the article states that "the Applicant currently keeps a breeding herd of Aberdeen Angus and is interested in the increase in "farming tourism" where holiday makers choose to work upon a farm as part of their holiday experience" - in the summer the cows are just in the fields eating - so can't see how that can enhance a farming experience.

Development is all well and good but you also have to be careful that over development could happen and that the countryside disappears.

Fred & Irene Smith
Hillview
Rathen
Fraserburgh AB43 8UB
Comments for Planning Application APP/2019/1129

Application Summary
Application Number: APP/2019/1129
Address: Site Adjacent To Nether Park Cottage Lonmay Fraserburgh Aberdeenshire AB43 8RY
Proposal: Erection of 4 Self Catering Pods (Short Term Letting Accommodation)
Case Officer: John Todd

Customer Details
Name: Mrs Amanda Massie
Address: NETHERLEA LONMAY FRASERBURGH

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: Comments in Response to Planning Application APP/2019/1129
Objection for the following reasons:
Aberdeenshire Local Development Plan 2017-2020, Policy B3 requires that "new tourist facilities are well related to existing settlements and deliver net economic and social benefits" and that "proposals must take account of the potential cumulative impact of similar developments in close proximity."
CM Design's Justification and Supporting Statements have attempted to give reason as to why the application for 4 holiday pods should be approved even though the application does not meet the criteria agreed in Local Development Plan in relation to Policy B3. We would like to give reasons as to why the application, which proposes to install a tourist facility within a 3821 square metre area and is located a mere 70 metres behind neighbouring properties and not where the applicant currently resides, is not a "perfect location" as suggested by CM Design and that there is no "justification for an 'acceptable departure from policy.'" We disagree with the conclusion that the site is "uniquely appropriate in terms of the requirements of Policy B3" and argue that it does not meet the core aim that tourist accommodation must be well-related to existing settlements. We are concerned that both the Supporting Statement and the Justification Statement are misleading and would like to add comment.

1. To begin with, the new Supporting Statement highlights the original communication between John Todd and the applicant, ENQ/2018/1250, and refers to how the Planning Officer suggested that the pod design would be looked upon "favourably". This enquiry concerned "Land To Rear Of The Studio, Blackhills, Lonmay, Fraserburgh" and is not where the application is now proposed.

2. The word unique is used a minimum of 7 times. Off the top of our heads we are aware of pods at Aden Park, Mintlaw, ACDC Luxury Glamping at New Aberdour (who were able to accommodate
a wheelchair user when asked), High Seas Hobbits, Rosehearty and The Lily Pod, Cruden Bay. A quick search of 'pods' on Aberdeenshire's Planning Portal reveals a lot more, some very close by such as the pods at Strichen, which we are aware were rejected however it would not be unreasonable to assume that the application will be re-submitted as in this case (APP/2019/1129), and also permission granted for 6 Ecopods at Mosstown, Lonmay, a mere 3 miles away (APP/2014/3052). Saturation may quickly become a more appropriate word than unique. It is claimed that "existing self-catering businesses" in the area won't be impacted as they don't offer a "unique and luxury outdoor experience." Many of the businesses listed above, and more in the area, offer the same outdoor experience, some with far more extensive woodland walks and facilities. Besides the woodland in the field there is very little for tourists to do and we are concerned as a neighbourhood that people will wander around our homes and property. We are concerned about health and safety issues in regards to the encouragement to have "informal BBQ's."

3. All of the tourist experiences listed by CM Design, and more, can be accessed by the pods listed above as well as other types of local tourist accommodation. The supporting Statement cites that "Glamping does not lend itself well to being situated within a settlement," and yet it appears to work for the above accommodation. Whilst we agree that some of the primary settlements are within a 10 minute drive, Peterhead is near double that. The proposed site is not "a mere 5 minute walk" from the main bus route, it is more likely to take the average person 3 times that length of time to get to the top of the road from the proposed campsite and there are no footpaths. There is a No 67 bus which runs every 1-2 hours. The site, and many of the tourist facilities listed, are not easily accessible without private transport. If I was unfamiliar with the area and read that I could be at a bus stop within a 5 minute walk and access the main arterial bus route to places of interest I would be happy initially but deeply disappointed to discover that this is not the case. The Lighthouse Museum, Aden Country Park and Drinnies Wood Observatory could be accessible by the No 67 bus but would involve a walk of at least a mile to reach the destination. Many others, such as the Loch of Strathbeg which would be a 3 mile drive in private transport, would involve: - a walk to the top of the road (15 minutes), bus to Fraserburgh, comes every 1-2 hours; bus to Crimond, comes every 1-2 hours; the bus journey time as given on Stagecoach App is 1 hour 34 minutes with 1 change, followed by a 1-2 mile walk to get to the Loch and then the whole lot in reverse and yet the Supporting Statement advocates the site as 'well-related' and implies ease with phrases such as, "a mere 5 minute walk" and "excellent transport links." Strichen and Old Deer are also mentioned and would also require a minimum of 2 buses and a walk if using public transport, White Cow Woods is 3 miles from the bus stop, and that's after taking 2 buses!

4. Great emphasis appears to be given to the ability to "offer a truly tranquil and outdoor experience." If this is truly the intention then we question why they are positioned so close to people's homes? The supporting letters from tourism groups and CM Design make reference to the pods being situated within 15 acres of private woodland when in actual fact the planning area proposed is 3821 square metres, 70 metres from residential property. It doesn't take much to work out that if there are 15 acres of land available that the most "tranquil" experience is most definitely
not going to be behind someone else's home. We would like to question how much detailed information the tourism agencies had prior to giving their support considering many of the letters are dated months before the plans were submitted and we question how responsible it is to publicly support an application without full details. Also, there have been 3 supporting statements from friends of the applicant recommending approval for the development. It is telling that none of the supporters live beside the proposed development and that the residents who actually do live within close proximity to the pods, and will have their day to day life disrupted by the proposed tourist facility, have objected.

5. The Justification Statement reports that there would be a positive impact to surrounding businesses with people using the "facilities on offer, ie shops." There are no surrounding businesses apart from the applicant's photography business. We are a rural area. The nearest shop is 3 miles away in Crimond and would involve the mammoth bus journey we already detailed if the campers did not have their own transport. The pods are not well-related as we are not a settlement as such, just a few houses enjoying rural life. If the campers have transport they are most likely to go to Tesco for supplies rather than the local shop due to costs.

Aberdeenshire Local Development Plan 2017-2020, Policy P3 Infill and Householder Developments within Settlements cites, "We encourage 'working from home' proposals if they do not cause significant loss of amenity to neighbouring properties through noise, traffic movements or other nuisance." "Applicants will also need to demonstrate that there will be no significant interference with the existing or proposed use of neighbouring sites."

The conclusion in the Justification Statement states that "the development can be accommodated without impacting upon neighbouring properties, and will be of great benefit to the immediate ... area in so many different ways."

We do not agree. How can up to 16 adults/children and dogs holidaying 70 metres behind our homes not have an impact on the peace and tranquillity that we currently enjoy? We also query what the 'great benefits' are to our immediate area.

We do not believe that the criteria is met by the application for the following reasons:

Effect on the character of our neighbourhood, traffic generation, highway safety
- The main route to the proposed pods is a minor single track road and we are concerned that the increase in the volume of traffic will have a detrimental effect on wear and tear of the road. There are frequent pot holes which have to be fixed and more traffic will only increase this, moreover, with the suggestion of added 'farm experiences.' We are concerned that holiday makers, not used to country roads, will not drive with the respect and care necessary.

Overlooking/loss of privacy/safeguarding, and Likelihood of noise and disturbance, nuisance and smell
- The introduction of 4 holiday pods 70 metres behind our home will have a major impact on the privacy we have at present and have enjoyed for the last 22 years. The access road is planned to run behind our back fence which will leave us open to overlooking, particularly in Autumn, Winter and Spring when our trees are not in bloom. We strongly object to the loss of privacy and to the
noise, disturbance and smell that will be caused by traffic which could be quite considerable and at all times of the day and night.
- From inside and outside our home we will see car lights and hear the traffic. Any lights/traffic out the back of our home has, up till now, been treated as suspicious. Our dog will also hear the traffic and possibly people going for walks so will be disturbed a lot which will in turn disturb us and the neighbours. There has never been a public road out the back of our property. Our home was planned and built 22 years ago with privacy to the rear foremost in our minds, at that time the surrounding land was a green field which had no buildings or roads. The access road referred to in the Supporting Statement as an "entrance used for decades without incident or concern" was just a park gate. For a large part of the year, my wife and family are alone in our home as I work away from home and we do not want our current feeling of security compromised.
- It stands to reason that individuals/families/groups on holiday are not going to holiday in silence. The noise will be heard from our back garden. Whilst we are trying to relax and enjoy rural living we will be plagued by generated noise and music. Likely to be even worse when there are groups of people that may be celebrating birthdays, hen parties, etc, and alcohol is involved.
- It also stands to reason that people will want to walk around and explore the area they are living in as that's what many of us do whilst on holiday. We object to strangers constantly wondering past our garden, looking in on us. We feel that the security of our property will be compromised, giving individuals the opportunity to enter our property from the back.
- One of the overriding factors in building a home in the country 22 years ago was to provide a safe garden in which our children could play. We are concerned that we will be plagued with smells from constant smoke from fires/toasting marshmallows and BBQ's as this is what many holidaymakers, including ourselves, enjoy whilst glamping. We do not want our day-to-day life to be compromised by continual smells, affecting our washing and such like.

Negative impact on the residential amenity of ourselves and neighbours
- We are a residential area. All buildings, with the exception of the studio which does not accommodate visitors overnight, are family dwellings. This changes our neighbourhood from a residential area to a commercial/tourist one. Residents enjoy the peace and tranquillity of our rural setting and we do not wish for this to change.

Density and possible over-development of area
- In the 22 years that we have lived in our small rural area (focussing on a ¼ - ½ mile stretch along a single track road) the volume of residential properties which have been built or granted planning permission has more than doubled. Agricultural buildings have also been built.
- In 2010 a Report of Handling re the proposed site for the self-catering pods advised: "The level and number of buildings which have been constructed to date as proposed does pose a query in terms of whether or not the site is visually crammed and whether additional building could be accommodated without creating an adverse visual impact ... reservations for future developments." Since this report planning has been granted for another 2 dwellings, both with
separate garages/sheds.

Environmental impact
- We are concerned that there will be an increase in littering. It is already apparent that people driving along the road feel that it is acceptable to dump their litter/food waste out of their car windows as this is not where they reside. An increase in the volume of non-residents has the potential for more littering which in turn will have a negative impact of the aesthetics and on wildlife. More littering/food waste around our proximity could result in an increase in vermin, there are foxes close by as we have seen them. Has a survey been carried out for bats as in certain months of the year you see them flying around in the twilight hours.
- We are surprised that nearby properties who have requested planning permission for other projects have had to have a NESBREC study and yet this has not been carried out for this application.
- The Supporting Statement concludes that "the development can be accommodated by the landscape without impacting ... wildlife." It is very short-sighted to think that changing the use of 3821 square metres of land, which is currently mostly in trees, grass and banks into 4 holiday pods is not going to have an impact on wildlife and their homes. We very much enjoy watching the wildlife, only yesterday as I was working in my garden I stopped to watch a baby deer wandering close to where the pods are proposed.
- Removal of trees is planned for this application as well as other related applications APP/2015/0394. The Scottish Government Policy on Control of Woodland Removal details that it would only support woodland removal where it would achieve significant and clearly defined public benefits. We query the significant and clearly defined public benefits of a private home, shed and 4 holiday pods.

Thank you for considering the above points during your consultation process.
Comments for Planning Application APP/2019/1129

Application Summary
Application Number: APP/2019/1129
Address: Site Adjacent To Nether Park Cottage Lonmay Fraserburgh Aberdeenshire AB43 8RY
Proposal: Erection of 4 Self Catering Pods (Short Term Letting Accommodation)
Case Officer: John Todd

Customer Details
Name: Mr Brian Mutch
Address: Briley Cottage, Lonmay Fraserburgh

Comment Details
Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: I am contacting you with regards to our displeasure about the resubmitted plans for the glamping pods in close proximity to the back of our property, Briley Cottage (formerly Nether Park Cottage). I agree with the owner of the other half of our semi detached property that we weren't consulted nor received prior notice to this "boost" to tourism taking place. It certainly isn't a benefit to the value of our property having a campsite overlooking us and is likely to make it (our home) depreciate in time. We have been here since 1983 and have really enjoyed it. The countryside is precious, especially to us residents but it doesn't seem that we have any say what happens on our doorstep. We get great pleasure in seeing all the wildlife that we are lucky to have in such close proximity. The field that our sun porch looks on to is regularly visited by deer, foxes, hares, rabbits, pheasants, buzzards and sparrow hawk's. Our garden plays host to a variety of wild birds that frequent our feeders but we were excited to see a badger trying to get a tasty morsel from the feeders. We suspected that the telltale signs were caused by badgers but it wasn't until the 11th of June that this was confirmed when we saw it for ourselves. The Scottish badgers operations coordinator was very interested in our sighting and asked us to alert the planning officer in charge of the case and ask if an environmental/ecological survey had been carried out/proposed. We have two ponds in the garden, one for fish and the other for frogs and we have seen newts here too. I try and have plants to encourage bees and butterflies and maintain a healthy ecosystem. In the past we have seen pipistrelle bats and owls too. It is very important to us to respect the countryside, we constantly pick up other people's rubbish from the roadside, many of which is recyclable but visitors to the area don't bother. We complained when the plans were first submitted and we're relieved when they were withdrawn. It was with great sadness when we read the article in the local paper that the plans were being put forward again and according to the article was for five pods this time! Mr. Stewart assured us that there was no profit in keeping animals that's why he was diversifying by going into tourism but yet...
the article says it's going to be so the visitors can tend the cows! There is some degree of
contradiction going on.
The flooding that we complained about last time, with photographic evidence to prove it, resulted
in us being told that it wasn't a relevant issue is totally wrong. Obviously with our property lying
lower than the proposed pods we are going to suffer as a consequence. The intrusion of privacy of
our bedrooms is also an issue as the pods offering overnight stays will be looking down on them.
There is nothing in the area regards shops or attractions. It would involve going to Crimond,
Mintlaw Strichen or Fraserburgh for provisions or amusements.
As regards the road that services our properties it is a single track which is very busy and used
frequently by heavy traffic which results in it being full of potholes and not repaired very often. The
majority of traffic travel far too fast as they don't expect pedestrians or pets when they don't see
traffic approaching.
So yes, I conclude they probably are good for tourism in the right place but I don't think that it is
here. What about the detrimental effect it will have on us residents? Don't we matter?