

## Marr Area Committee Report 20 August 2019

Reference No: APP/2019/1357

### Planning Permission in Principle for Erection of Dwellinghouse at Land Adjacent to Balfour Cottage, Birse, Aboyne

**Applicant:** Balfour Estate, C/o Burnett & Reid, 15 Golden Square, Aberdeen, AB10 1WF  
**Agent:** Keith Allardyce, Allardyce Design Ltd., 15 Golden Square, Aberdeen, AB10 1WF

Grid Ref: E:355773 N:796983  
Ward No. and Name: W16 - Banchory And Mid-Deeside  
Application Type: Planning Permission in Principle  
Representations: 3  
Consultations: 7  
Relevant Proposals: Aberdeenshire Local Development Plan Map  
Designations: Rural Housing Market Area  
Complies with: Yes  
Development Plans:  
Main Recommendation: Grant



#### **NOT TO SCALE**

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## **1. Reason for Report**

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1g of Part 2C Planning Delegations of the Scheme of Governance as there is an unresolved objection from Birse and Ballogie Community Council.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

## **2. Background and Proposal**

- 2.1 Planning permission in principle is sought for the erection of a dwellinghouse on land adjacent to Balfour Cottage, Birse, Aboyne.
- 2.2 The development site is accessed from the minor road which runs through the village, which itself leads from the unnamed public road. The site forms part of the garden ground of Balfour Cottage West and is bound to the south and west by this access road, to the east by the garden of an adjacent property (Balfour Cottage East), and to the north by an unnamed watercourse. On the opposite side of the watercourse is agricultural land. The development site slopes down towards the watercourse along its north western boundary. The site is currently grass land with mature hedging to the south and scattered foliage throughout.
- 2.3 In 2015 planning permission in principle (PPP) was granted for the erection of a dwellinghouse on the site (APP/2015/2909). This permission has now expired (as of 18<sup>th</sup> November 2018). This proposal is unaltered from the previous consent and is effectively renewing that permission, albeit under the updated Aberdeenshire Local Development Plan 2017.
- 2.4 It is proposed to erect a dwellinghouse within the site, but as the proposal is for PPP no design details have been submitted. However, the indicative layout shows a dwelling sited centrally, with garden ground to the north and access driveway to the west. Access would be directly onto the shared track used by a number of properties within the grouping.
- 2.5 It is proposed to combine the sewage treatment of the proposed dwelling with that of Balfour Cottage West. A new package sewage treatment plant would replace the existing septic tank with a bio-disc capable of taking both properties outfalls. This will bring the treatment of both properties in line with the current regulation requirements for an effluent discharge to a watercourse, and ensure that there is no environmental impact to the river. The dwelling would connect to the existing public water supply, and surface water would be taken via UPVC rainwater drain to the burn.

2.6 In order to support the proposal, a Flood Risk Assessment has been submitted, prepared by Enviro Centre and dated September 2015. The aim of the assessment is to assess the flood risk at the proposed development site under existing conditions from all potential sources. The unnamed burn flowing past the development site contributes to the catchment of the River Dee. The walkover survey revealed that there are three culverts on the watercourse which may have the potential to influence flood dynamics at the development site. The Flood Risk Assessment provides a number of tables with water level results/culvert blockage for various scenarios. Overall, the development site is outwith the functional floodplain of the watercourse and complies with the requirements of Scottish Planning Policy. Given the proximity of the proposed development to the watercourse, all finished floor levels will be situated above the 1 in 200 year flood level plus an additional 0.5m freeboard. For the proposed development site this would equate to a minimum finished floor level of 122.9m AOD.

### 3. Representations

3.1 A total of 3 valid representations objecting to the proposal have been received as defined in the Scheme of Governance. All issues raised have been considered. The letters raise the following material issues:

- Concern over additional traffic using the access track which is in a poor state of repair
- A dwelling will increase the risk of flooding
- Detrimental impact on the character of the area and overdevelopment of the site
- Concerns regarding the size of the plot and requirement for parking/turning area and 6m buffer
- No details regarding the design and height are provided
- Loss of hedge used by birds for nesting
- Loss of privacy

### 4. Consultations

#### Internal

4.1 **Business Services (Developer Obligations)** have confirmed that Aboyne Primary School and Aboyne Academy are operating within capacity. The development does not trigger contributions under the Developer Obligations and Affordable Housing policies and therefore, no contributions are required.

4.2 **Infrastructure Services (Contaminated Land)** have outlined that a former mill dam is located in the northern portion of the site. Information was previously submitted regarding ground conditions under APP/2015/2909 and as previously, it is recommended that a formal note is attached regarding if ground contamination is discovered during development.

4.3 **Infrastructure Services (Flood Risk and Coastal Protection)** initially required clarification as to whether the proposal and site was the same as

previous. Following confirmation, they have confirmed that, as there is no significant change to the application, they hold no objection to the proposals.

- 4.4 **Infrastructure Services (Roads Development)** state that development takes access via a private road not maintained by the Roads Authority. This development will result in an increased usage and therefore increased liability on those responsible for maintenance. They hold no objection subject to conditions in relation to parking spaces, refuse bin uplift and a suitable vehicular turning area.

#### External

- 4.5 **Birse and Ballogie Community Council** consider the site to be inappropriate for further residential development. They are concerned regarding the increase of overflows of soakaways and septic tanks into the watercourse increasing foul odours. They consider that the rural hamlet has been over-developed, and the proposal will be to a detriment of visual amenity and landscape quality. They also question the principle of the development and justification for a dwelling in this location. In addition, the lack of public transport in the area will increase reliance on cars. Furthermore, a dwelling will impact on the privacy for residents of adjacent properties and the access track is in a poor state of repair, with another dwelling exacerbating this.
- 4.6 **Scottish Environmental Protection Agency** have confirmed that they were consulted on the 2015 application and there are no new records of flooding in the immediate vicinity of the site during or since the 2015/2016 floods, and their position remains unaltered. They request that two conditions are attached to the consent in relation to land raising and provision of a buffer strip.
- 4.7 **Scottish Water** has no objection to the application, there is sufficient capacity in the Invercarnie Water Treatment Works.

## 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 R2 Housing and employment development elsewhere in the countryside

Policy P1 Layout, siting and design

Policy E1 Natural heritage

Policy E2 Landscape

Policy C4 Flooding

Policy RD1 Providing suitable services

Policy RD2 Developers' obligations

## 6. **Discussion**

- 6.1 The main planning considerations with this application relate to the principle of erecting a new dwellinghouse on this site, and the impact this would have upon the character, amenity and overall context of the area. Technical matters such as drainage and access will also be considered.

### Principle of development

- 6.2 The application is within the Rural Housing Market Area and as such the proposal will be assessed against Policy R2 Housing and employment development elsewhere in the countryside. Policy R2 allows for the addition to an existing cluster or group of at least five houses (maximum of 15). No more than an additional 20% growth of the cluster, up to a maximum of two new homes, will be permitted under this policy during the current plan period, 2017-2022. The cluster contains eleven dwellinghouses, which allows for the addition of two dwellings in this plan period. However, under this application, only 1 is proposed, leaving capacity for an additional dwelling within the current plan period.
- 6.3 The site shares a common boundary with the garden ground of Balfour Cottage East, located directly to the east. The proposed dwelling would be located centrally within the grouping of dwellings, which are scattered throughout the cluster. The Birse and Ballogie Community Council, and a number of representations, consider the proposed development site to be detrimental to the character of the area and overdevelopment of the plot.
- 6.4 In order to achieve a suitable cohesive group, the site must be appropriate in terms of landscape character, show 'connectedness' to neighbours and have a natural boundary, consistent with neighbouring properties. Cohesive groups can be linear and/or spread out in nature; if the properties are within relatively close proximity to each other and part of an established pattern, they can be considered to be cohesive.
- 6.5 A dwellinghouse is considered appropriate in the proposed location as when viewed in context with the surrounding area it allows the site to integrate into the grouping of buildings. The cluster is characterised by scattered dwellings all of varying styles, proportions and on varying plot sizes. These include large detached properties sited centrally within the plot, a steading conversion, and single storey semi-detached cottages. Some dwellings are set back and accessed via narrow driveways, others have their front elevations located directly onto the access road. There is not considered to be a set pattern of development in terms of plot ratio or dwelling size or style.
- 6.6 The site is considered to fit in well with the existing group of houses; whilst it may have a smaller plot size than immediate neighbours, the final design should reflect the constraints of the site. It is considered that an additional dwelling on this site could fit in with the existing development pattern and would visually form part of the existing group. The site allows regard to be had to the wider built form of the area and lies centrally within the sporadic group. The final design solution will be important to ensure the proposal is fully appropriate to the group, and if an unsuitable design solution came forward that would be refused on its merits, or lack of. However, this proposal is for permission in principle, and the general principle of a dwelling on this site within the group is acceptable.

- 6.7 Given the context of the area and character of the grouping, the proposal is not considered to affect the natural or built character of the area or have any undue effect on the local landscape. Therefore, the proposal can be accepted as complying with Policy R2 Housing and employment development elsewhere in the countryside, as the single dwelling would suitably contribute to the capacity of the grouping. Development would also comply, in principle, with Policy E2 Landscape of the Local Development Plan 2017. Furthermore, it is worth noting that the proposal remains the same as previously approved in 2015, when a dwelling in the proposed location was considered an appropriate addition to the existing cluster under the 2012-2017 Local Development Plan period, and the relevant policies have not significantly changed under the current Plan.

#### Layout, siting and design

- 6.8 Concern is raised by representations that no design details have been submitted, and that they are unable to consider the height and scale. Furthermore, some state the site is small and will be unable to accommodate a dwelling, and that it will impact on the privacy of neighbours. This application is purely to establish the principle of development; therefore, the submission only requires a location plan with relevant supporting documents. Siting and design details will be assessed on the submission of a Matters Specified in Condition (MSC) application. In relation to the design, scale and impact on privacy, the site is considered to be capable of accommodating a dwelling. At the detailed stage an assessment will be made in regard to ensuring a proposed dwelling fits the site size and context of the area, and that the dwelling does not cause a detrimental impact on privacy, through appropriate design, orientation and boundary treatments. If the final design solution is not appropriate, that application can be refused.
- 6.9 One representation raises the loss of hedging as a concern, which is a breeding ground for birds. The indicative site plan identifies this to be retained but cut back, therefore although this is indicative and could change, a landscape condition will be attached to identify all existing features to be retained and additional planting to enhance the site, and measures to survey and protect/mitigate the impact of works to the hedge can be secured.
- 6.10 An indicative plot layout has been submitted, showing a moderate sized dwelling with a parking and turning area to the south and garden ground to the north. This shows that the plot is of a sufficient size to ensure that a house can be located on the site without detrimental impacts on neighbouring properties in terms of either privacy or overshadowing. The site ensures that there is adequate garden ground, which for this stage of planning is acceptable in terms of Policy P1 Layout, siting and design.

#### Technical considerations

- 6.11 The Community Council and representations raise concerns regarding the impact an additional dwelling will have on the existing access road, which is said to be in a poor state of repair, and future maintenance of the road could

be an issue. As the road is private and not maintained by the Council, maintenance and repair is a civil matter between residents who front/use the road. Roads Development were consulted and raise no issues of roads safety and do not object subject to conditions in relation to parking, refuse bin uplift and suitable vehicular turning area. Providing these measures are put in place via a number of conditions, the proposal is considered compliant with Policy RD1 Providing suitable services.

- 6.12 The Council's Flood Risk and Coastal Protection Team and SEPA were consulted due to the watercourse which runs along the north boundary of the site, and previous history on the site. A neighbour also raises floor risk as a concern. The Flood Risk Assessment submitted previously was re-submitted, SEPA have confirmed that since the previous 2015 application, there are no new records of flooding since or during the 2015/2016 floods, which could have altered SEPA's position. They request two conditions are attached to the consent, relating to ground raising and a buffer strips from the watercourse. Flood Risk and Coastal Protection also hold no objection to the proposal. The response from consultees, and conditions from SEPA, are sufficient to alleviate concerns regarding flooding in line with Policy C4 Flooding.
- 6.13 In terms of water infrastructure, the dwelling would connect to the existing public water supply, and surface water would be taken via a drain to the burn. Private treatment is proposed for foul water, a new package sewage treatment plant is proposed to replace the existing septic tank of the existing dwelling, with the effluent discharging to the watercourse. A CAR licence was gained from SEPA for the discharge into the burn. It is worth noting that, although the Planning Service is aware of these intentions, a condition will be attached to the consent, requiring that at detailed stage all documentation and certification is submitted along with that application to ensure the full details of the drainage is appropriate for the final house. However, at this stage, sufficient detail has been submitted to demonstrate the proposal can be served by appropriate water supply and drainage infrastructure, and therefore is compliant with Policy RD1 Providing suitable services.
- 6.14 Developer Obligations have confirmed that Aboyne Primary School and Aboyne Academy are operating within capacity and the proposal does not trigger Developer Obligations or Affordable Housing policies. Therefore, no contributions are required compliant with Policy RD2 Developers obligations.

### Conclusion

- 6.15 Overall, the proposal is considered to add to the existing group of eleven dwellings, with the proposal taking up one addition to the group within the 2017-2022 Local Development Plan period. The character of the local countryside setting is not significantly affected by the additional dwelling, and as such, the proposal remains to be considered an appropriate addition to an existing cluster, in accordance with Policy P1 layout, siting and design and Policy R2 Development in the countryside of the Aberdeenshire Local Development Plan 2017. Consequently, the application is recommended for approval.

## **7. Area Implications**

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

## **8. Implications and Risk**

- 8.1 An equality impact assessment is not required because the granting or refusing of the application will not have a differential impact on any of the protected characteristics.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

## **9. Sustainability Implications**

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

## **10. Departures, Notifications and Referrals**

### **10.1 Strategic Development Plan Departures**

None

### **10.2 Local Development Plan Departures**

None

- 10.3 The application is not a Departure from the Local Development Plan or Strategic Development Plan and no departure procedures apply.
- 10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.
- 10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

## 11. Recommendation

### 11.1 GRANT Planning Permission in Principle subject to the following conditions:-

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

Specified matters:

- (a) Full details of the layout and siting of the proposed development;
- (b) Full details of the external appearance and finishing materials of the proposed development;
- (c) A landscaping scheme and tree protection plan including proposed landscape features, including trees to be retained and planted;
- (d) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point;
- (e) Full details of the proposed means of disposal of foul and surface water from the development;
- (f) Full details of the proposed access to the development, car parking/vehicle turning area for the development;
- (g) Full detail of the proposed refuse uplift area

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

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

- (a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
- (b) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with Policy C1 of the Aberdeenshire Local Development Plan 2017.

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

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

03. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

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

04. The dwellinghouse hereby approved shall not be occupied unless proposed foul and surface water drainage systems have been provided in accordance with details to be submitted under condition 1 part e. The foul and surface water drainage systems shall be installed in accordance with the approved details and once formed 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.

05. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority with details submitted under condition 1 part c.

Details of the scheme shall include:

- (a) Existing landscape features and vegetation to be retained;
- (b) Protection measures for the landscape features to be retained;
- (c) Existing and proposed finished levels;
- (d) The location of new [trees, shrubs, hedges, grassed areas and water features];
- (e) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- (f) The location, design and materials of all hard landscaping works including [walls and fences]
- (g) An indication of existing trees, shrubs and hedges to be removed;
- (h) A programme for the implementation, completion and subsequent management of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, 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. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

06. No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store areas have been submitted to and approved in writing by the planning authority in accordance with details to be submitted under condition 1 parts g. 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. The dwellinghouse shall not be occupied 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.

07. The dwellinghouse hereby approved shall not be occupied unless its driveway, parking and turning area has been provided and fully paved for the proposed dwellinghouse in accordance with details to be submitted under condition 1 parts f. Parking spaces surfaced in hard standing materials shall be provided within the site in accordance with the Council's Car Parking Standards. A suitable vehicle turning area measuring not less than 7.6m by 7.6m, must be provided within the site to enable all vehicle movements onto or from the public road to be carried out in forward gear. The access shall be internally drained and formed in such a way to prevent any flow of surface water either onto or from the public road. 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.

08. For the avoidance of doubt, there should be no development, including any land raising or built development, on land with an existing level below 123.0 metres above Ordnance Datum as shown on the topographic survey contained in Appendix E of the Flood Risk Assessment dated September 2015.

Reason: To ensure that there is no increased risk of flooding as a result of the development.

09. A buffer strip of at least 6 metres should be provided to the bank of the watercourse which should be kept free of any buildings including garden buildings and boundary treatments including fencing or walls, unless otherwise agreed by the Planning Service.

Reason: In order to protect and enhance biodiversity and to allow access for plant to undertake maintenance.

## **11.2 Reason for Decision**

The proposal remains to be considered an appropriate addition to the cluster of dwellings in Birse. The proposal is not considered to create a detrimental impact on the landscape or amenity of neighbours in line with Policy P1 Layout, siting and design and Policy R2 Development in the countryside of the Aberdeenshire Local Development Plan 2017.

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

Author of Report: Louise Smith  
Report Date: 16 July 2019

# Comments for Planning Application APP/2019/1357

## Application Summary

Application Number: APP/2019/1357

Address: Land Adjacent To Balfour Cottage Birse Aboyne

Proposal: Erection of Dwellinghouse

Case Officer: Louise Smith

## Customer Details

Name: Mr David Younie

Address: Bealltainn Ballogie Aboyne

## Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Birse and Ballogie Community Council is concerned, for a number of reasons, that this is an inappropriate site for further residential development.

1. The watercourse which runs past the site is already inadequate for the overflows of soakaways and septic tanks in this hamlet. Adding a further dwelling house to an already inadequate drainage system will inevitably increase the occurrence of foul odours.
  2. It could be argued that this rural hamlet has already been over-developed in terms of housing. Adding a further dwelling house, on a site which is very visible from the public road, simply adds to this suburbanisation, to the detriment of visual amenity and landscape quality. This location is within the Dee Valley Special Landscape Area and should therefore be protected from unsuitable development by the Local Authority. There is also no justification for an additional house in terms of local employment requirement. There is no public transport in the area so, inevitably, the occupant will commute to work by car. Approval of the application will contradict Aberdeenshire Council's policy of mitigating climate change by encouraging housing in settlements where there are job opportunities and/or public transport links.
  3. There will be a loss of privacy for residents in the adjacent properties.
  4. The access track to the hamlet is in a poor state of repair and an additional two or three vehicle dwelling house with associated service vehicles (e.g. delivery vans) will exacerbate this.
- Birse and Ballogie Community Council objects to this application.

# Comments for Planning Application APP/2019/1357

## Application Summary

Application Number: APP/2019/1357

Address: Land Adjacent To Balfour Cottage Birse Aboyne

Proposal: Erection of Dwellinghouse

Case Officer: Louise Smith

## Customer Details

Name: Mr Graham Davidson

Address: The Lade Birse Aboyne

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My main concern is with the mill lade which runs past the proposed site before entering my property. It is already the destination for septic tank overflows and soakaways from all the properties upstream of me and some days it is impossible to sit in our garden because of the stench. Adding a further property - regardless of the treatment system - will only increase the burden on what is little more than a trickle of water. I urge you to have SEPA investigate this aspect before allowing the application to go further.

The proposed site is actually the soakaway for the cottage septic tank. I see no evidence that any consideration has been given to clearing the site of any waste prior to establishing the foundations.

The site had a stand of mature beech and gean trees which were cleared prior to submitting the previous application which then made the claim that no trees would have to be removed to enable building. That is literally true but such sharp practice should not be encouraged, particularly in a country which aspires to lead climate change initiatives.

The access road, which I believe is owned by the applicant, is in a poor state of repair and will suffer further if it is subjected to even more traffic. And there is no indication of how many potential or actual drivers will be squeezed into this site.

Finally, this is an extension of an outline planning permission which has lapsed. It is a speculative attempt to use a small parcel of land - actually the garden of an adjacent cottage owned by the applicant - to generate capital. While it may be possible to squeeze a house into this small garden plot that is not a good reason for doing so. The plot is small and there are restrictions on how close it can approach the stream inevitably meaning that to provide any reasonable accommodation it will have to be at least two stories.

I urge you to reject this contrived application.

## Comments for Planning Application APP/2019/1357

### Application Summary

Application Number: APP/2019/1357

Address: Land Adjacent To Balfour Cottage Birse Aboyne

Proposal: Erection of Dwellinghouse

Case Officer: Louise Smith

### Customer Details

Name: Mr simon wickes

Address: Balfour Cottage East Birse ABOYNE

### Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment: Not able to determine height of building from information provided, so unable either support or object to this application.

Concern over additional vehicle traffic using track.

Ensure we are able to access ground at bottom of our garden to access drainage pipes.

# Comments for Planning Application APP/2019/1357

## Application Summary

Application Number: APP/2019/1357

Address: Land Adjacent To Balfour Cottage Birse Aboyne

Proposal: Erection of Dwellinghouse

Case Officer: Louise Smith

## Customer Details

Name: Mrs Esther Gooch

Address: Balfour North, U13m B976 Near Birsemore To B976 At Oldyleiper Branch Oldyleiper To B976 At Deerhillock, Birse Aboyne, Aberdeenshire AB34 5BY

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. The area has been subject to flooding in the past 12 years from the historical lade. Further building will cause more immediate water run off for current houses and will increase the risk of localised flooding during periods of heavy rain.

2. The proposed house will block morning light to our property particularly in winter.

3. The addition of houses has changed the character of the area and this building will create further over-crowding of rural area.

4. The planning application represents an over-development of the small garden attached to the cottage of Balfour West which is used by the current occupants of Balfour West. The current proposal does not adhere to Aberdeenshire guidelines regarding garden development.

5. The current track and bridge over the lade are not strong enough to sustain more traffic.

6. The planning does not actually indicate size of the building but it is clearly stated in the SEPA document of 2015 that there should be at least 6m before any fencing/building/increase of land height etc and the historical lade.

7. The planning requirements from the roads department state that there is a 7.6mx7.6m turn around area on the property. (APP\_2019\_1357-ROADS\_DEVELOPMENT\_RESPONSE-8562668.pdf) How will this fit in along with the need to protect the historical lade (watercourse) with a 6m boundary and build the actual house?

(SEPA document June 2015: In conclusion therefore we ask that the following planning conditions are imposed:

- A buffer strip of at least 6 metres should be provided to the bank of the watercourse which should be kept free of any buildings including garden buildings and boundary treatments including fencing or walls)

8. No height or dimensions are given although stairs are indicated in the drawing so we are unable to comment on the height and its suitability or not for the area.

9. The mature beech hedge which is used by birds for nesting (essential in these current times where now some hedges are being covered in netting). This is doubly important since the mature beech trees were removed from the area to make way for the planning application.

10. The proposed development will look straight into my 11 year old daughters bedroom and thus we will experience a loss of [privacy,both in our garden and directly into our property particularly in the winter.

We object to the development of a property in the garden of Balfour West.