



Buchan Area Committee Report 7th December 2021

Reference No: APP/2021/1766

Full Planning Permission for Erection of Dwellinghouse and Garage at Site Adjacent to Schoolhouse, Lonmay, Fraserburgh, Aberdeenshire

Applicant: Mr & Mrs R Davidson, C/O Ecotech Architecture
Agent: Ecotech Architecture, Office 26, Fraserburgh Business Centre, South Harbour Road, Fraserburgh AB43 9TN

Grid Ref: E:403812 N:860015
 Ward No. and Name: W05 - Peterhead North And Rattray
 Application Type: Full Planning Permission
 Representations: 0
 Consultations: 5
 Relevant Proposals Map: Aberdeenshire Local Development Plan 2017
 Designations: Rural Housing Market Area
 Complies with:
 Development Plans: No
 Main Recommendation: Refuse



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.3.1i of Part 2C Planning Delegations of the Scheme of Governance as the application is recommended for refusal but at least two Local Ward Members in the Ward in which the development is proposed, have requested that the application be referred to the Area Committee.

- Cllr. Diane Beagrie - Discuss Policy HE1 and E2 in relation to the site.
- Cllr. Iain Sutherland - To discuss Policy R2 Housing and employment development elsewhere in the countryside, specifically why it is felt that Policy R2 does not allow for the use of the cluster policy in this application.

1.2 The Monitoring Officer within Business Services has been consulted in the preparation of this report, had no comments to make, and is 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 a Dwellinghouse on site Adjacent to School House, Lonmay, Fraserburgh.

2.2 The site comprises of part of an open field situated 3.2km north-west of Crimond (Appendix 1 – Location Plan). It would be accessed from the public road to the south-west, and is situated adjacent to a dwellinghouse currently in a late stage of construction. A cemetery is situated 25 metres to the south-west and the Category 'C' Listed Building Lychgate of St Columba's is located 82 metres west of the site, with St Columba's, itself Category 'C' Listed, 102 metres west of the site. The Category 'A' Listed South Lodge is located 100 metres to the north-west of the site, and the Category 'B' Listed Parish Church of Lonmay 142 metres north of the site. The nearest other residential property is School House, located 60 metres south-east of the site, with agricultural land intervening, with two further properties east of this, with Lonmay Public Hall located to the south of those properties. The application site is otherwise bounded by a mature hedgerow along the roadside to the south, and open fields to the north and south, as well as the intervening land to the east. The edge of the Designed Landscape of Cairness House is located to the west of the site, and is adjacent to the house currently under construction and includes the South Lodge.

2.3 The proposal is for the erection of a dwellinghouse positioned centrally within the site, and a detached garage to the east of this (Appendix 2 – Site Plan). The property would have its own driveway but would be connected to the public road at an access point shared with the dwellinghouse to the west that is under construction. Surface and foul water soakaways are shown within the site plan, and the dwellinghouse is intended to be served by the public water supply.

- 2.4 The proposed dwelling would have an off-set 'L'-shaped footprint measuring 23 metres by 16 metres along the southern and western elevations. The height at the ridgeline of the pitched roof is 6.9 metres, and it would provide accommodation over two levels. The proposed house features a porch on the principal (south) elevation and includes three dormer windows at first floor on the north elevation (Appendix 3 - Elevations). External material include Nordic White Drydash render with Grey Composite Cladding on the northern and southern gable walls, and part of the west elevation. The roof would use new or second-hand natural slate tiles, and the windows and doors would be Anthracite Grey coloured and of uPVC construction.
- 2.5 The garage, measuring 7.8 metres by 4.4 metres, and at a height of 4.3 metres, is proposed to be finished using matching materials to the dwellinghouse and would include a door to the north elevation, vehicular access to the south, and a square window on the east elevation.
- 2.6 There is no relevant planning history within the site, however the following history applies to the adjacent Site (to west).

APP/2019/2020 Condition 1 (Layout, Siting, Appearance, Materials, Landscaping, Tree Protection Plan, Levels, Drainage, Access and Car Parking) of Previous Planning Permission Reference APP/2016/1499 (Matters Specified in Conditions). Granted, 27 December 2019.

APP/2016/1499 Erection of Dwellinghouse (Planning Permission in Principle). Granted, subject to conditions September 2016.

*This application was determined at Buchan Area Committee. The application was recommended for refusal, and the Committee determined to grant due to it being a proposal that would be an appropriate addition to a cohesive group and, mature landscaping provides good screening, with hedging requiring to be removed for access only. Note the house was not completed at the time this current application was validly received.

2.7 Supporting information

- Calculation of Soakaway Pit Length
- Graf One2Clean Product Brochure
- Trial Pit Test Report – Lachlan J. MacDonald Architect (5 July 2021)

2.8 Variations & amendments

The elevations plan for the dwellinghouse was amended to reflect a change to the glazing on the south elevation. This is shown in drawing reference: P02 (1).

3. Representations

- 3.1 No valid letters of representation have been received.

4. Consultations

- 4.1 **Business Services (Developer Obligations)** advise that St Combs Primary School and Fraserburgh Academy are currently operating within capacity. The development does not otherwise engage the Developer Obligations or Affordable Housing policies or associated supplementary planning guidance of the Aberdeenshire Local Development Plan 2017. In this instance, no contributions are required.
- 4.2 **Infrastructure Services (Built Heritage)** outlines that it previously raised a concern over erecting a dwellinghouse on the adjoining land to the west due to its potential impact on the setting of nearby listed buildings and designated landscape within close proximity to the site. The approval of that development, contrary to officer recommendation “has consequently set an unfavourable precedent in having a detrimental impact on the setting of nationally designated historic assets. The proposed new development would potentially compound this negative situation and further erode the long-distance views facilitated by the surrounding open landscape.” It also highlights that the approval of this proposal would form a ribbon development including a “suburban design with a paved drive that is somewhat at odds with the intrinsic character of the rural location.”
- 4.3 **Infrastructure Services (Contaminated Land)** has advised that it has received further information on the former use of the site. There is no indication of any past use which might have caused contamination. It has no further comments to make.
- 4.4 **Infrastructure Services (Roads Development)** has no objection to the development subject to conditions. It is satisfied that the required parking and access arrangements could be achieved for the development.
- 4.5 **Scottish Water** has no objection to the proposal however this should not be interpreted as confirmation that the development can currently be serviced. It advises that the proposal is within the vicinity of the Forehill Water Treatment Works, although there is no record of any public Scottish Water, Waste Water infrastructure within the vicinity of the development. It therefore advises the applicant to explore private treatment options.

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 2020

The Strategic Development Plan (SDP) was approved on 12 August 2020.

The purpose of this Plan is to set a clear direction for the future development of the City Region. It sets the strategic framework for investment in jobs, homes and infrastructure over the next 20 years. 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.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Aberdeen City & Shire SDP 2020 as approved forms part of the Development Plan.

5.3 Aberdeenshire Local Development Plan 2017

Policy R2 Housing and employment development elsewhere in the countryside

Policy P1 Layout, siting and design

Policy E2 Landscape

Policy HE1 Protecting historic buildings, sites and monuments

Policy C1 Using resources in buildings

Policy RD1 Providing suitable services

Policy RD2 Developers' obligations

5.4 Proposed Aberdeenshire Local Development Plan 2020

Aberdeenshire Council on 5 March 2020 resolved to agree the Proposed Aberdeenshire Local Development Plan (LDP) 2020 as the 'settled view of the Council' on what the final adopted content of the LDP 2021 should be. A

period during which representations on the Proposed LDP 2020 could be made took place between 25 May and 31 July 2020.

The Proposed LDP 2020 is a material consideration in the determination of planning applications. The Planning Authority must therefore assess what weight it should have in the context of this particular application. The Proposed LDP has been subject to public scrutiny and has now been submitted for Examination by an independent Reporter. Nevertheless, it is considered that the level of weight that should be applied to the Proposed LDP 2020 remains as not significant at this time. The Aberdeenshire LDP 2017 remains the up-to-date LDP for the area and the primary document against which planning applications should be determined until such time as a new LDP for the area is adopted.

5.5 Other Material Considerations

Historic Policy for Scotland, 2019

Managing Change in the Historic Environment: Setting

6. Discussion

- 6.1 The main issues for consideration with regard to this application are whether the principle of development can be established for a dwellinghouse in this location, whether this would have an impact on the setting of the Listed Buildings or Designated Designed Landscape within the vicinity and the impact of the development on the visual and residential amenity of the surroundings.

Principle of development

- 6.2 The proposed development would not meet any of the eligible criteria for a dwellinghouse under Policy R2. The site is located within the Rural Housing Market area and would involve the development of Greenfield land. Consequently, there are no structures or buildings on the site that could be converted or demolished and replaced to accommodate a dwellinghouse.
- 6.3 The application intends to form an addition to an existing cluster or group of five or more houses. However, this provision within Policy R2 requires the properties within a group or cluster to be well-related to one another, and any additions to be of a similar scale and character to the existing pattern of development. This can be discounted on the basis that there is no group of five properties within the vicinity of the site. A trio of properties including School House, School Cottage and The Old School are located 60 metres south-east of the site, these three may be deemed a cluster, but they are segregated from the application site, and appear distinct with intervening agricultural land. South Lodge and St Columba's (both Listed) are well related to one another but are located over 220 metres away from School House on the opposite side of a road junction and partially screened from view by the mature hedge that flanks the public road to the south of the site, that also

winds north-east past South Lodge. The degree of visual and physical separation is far too significant to suggest any relationship exists between these properties. Likewise, Strathcairn and The Villa (to the south-west), and Lonmay Parish Church (to the north) are also remotely located relative to the site, and the trio of properties. Therefore, no cluster exists.

- 6.4 It is noted that there is a dwellinghouse currently under construction immediately adjacent the application site (to the west), however this is not yet completed. As the house is not completed it cannot be considered as a contributor towards any group or cluster. Notwithstanding, the larger size of the plot in comparison to School House, School Cottage and The Old School, as well as its own separation distance from that trio of properties (in excess of 110 metres away) does not portray a sense of cohesion or continuity between the buildings. That house was granted contrary to Officer recommendation, and does not, in the view of the Planning Service alter the view that there is no cluster or group of five or more properties within the area that this proposal could add to. Consequently, the proposal is contrary to Policy R2.

Layout, siting and design

- 6.5 The size of the residential plot is smaller than that of the adjacent house under construction to the west, however large in relation to all other properties within the wider area, with the exception of Strathcairn. It is noted that the current Development Plan does define small scale development as plots 350 sq.m. in size, whereas the previous Plan did not. The sharing of an access onto the public road would avoid the need to remove any further parts of the existing mature hedgerow along the public road. In locating the property centrally within the plot, it would broadly be similar to that of the property under construction to the west. The plot could easily accommodate the required surface and foul water drainage arrangements while providing suitable parking and ample garden ground.
- 6.6 The scale of the proposed property is appropriate in relation to the size of the plot however, the design lacks character and is similar to a kit house with the provision of the porch on the south elevation, and sections of composite cladding are the only design elements. While somewhat similar in design and character to the property under construction to the west, it would not bear any resemblance to any other dwellings in the wider area. While an improved design would be preferred, given the similarity to the house under construction to the west it is deemed that the design of the house is broadly acceptable in respect of Policy P1.

Landscape & Built Heritage

- 6.7 The impact of the development on the landscape character would be through the addition of an additional dwellinghouse within an open rural setting. Although the visibility of the development from the public road to the south may be somewhat limited due to the presence of the mature hedge along the southern boundary, there would nevertheless be a risk of creating a ribbon of development along the roadside towards School House. This would further

erode the open setting of the wider area and the context of the landscape in relation to the Listed Buildings in the area, particularly when viewed from the north, near Lonmay Parish Church. While strategic landscaping could be used to soften the visual impacts of the development, it would not restore the more arable character of the landscape with open setting, and instead replace it with a more irregular pattern of buildings and specimen planting. This is somewhat at odds with the character of an area where tree planting is generally in the form of buffer strips or belts, as well as woodland (to the north-west, on the opposite side of the road). Given the addition of a house would further suburbanise the more current open setting of the nucleus of Listed Buildings, and the historic core, the application is deemed to be contrary to Historic Policy for Scotland and Managing Change in the Historic Environment: Setting. For these reasons the proposal is deemed to be contrary to Policy E2 and HE1, and Historic Policy for Scotland and Managing Change in the Historic Environment: Setting.

Carbon neutrality

- 6.8 The energy efficiency of the property is not known at this time, however it is not unreasonable to expect that the property is able to meet the energy efficiency and sustainability requirements of Aberdeenshire Council. In order to ensure compliance with these standards, it is reasonable to apply a condition requiring the submission of SAP calculations from the applicant to the Planning Authority, for their written confirmation of acceptability, prior to the construction of the dwellinghouse. Subject to the addition of this condition on any approval issued, the proposal would comply with Policy C1.

Servicing

- 6.9 The development would be served by the public water supply and would include private foul and surface water drainage solutions within the site. These can be adequately accommodated and are supported by the necessary calculations. Roads Development also has no objections to the proposal subject to conditions. Subject to conditions the proposal accords with Policy RD1.

Developer obligations

- 6.10 Developer obligations has confirmed that the local primary and secondary schools are currently operating within capacity and that no contributions towards education would be required. The proposal for a single dwellinghouse does not otherwise engage the Affordable Housing or Developer Obligations policies, and no contributions are therefore required in this instance. The application is not in conflict with Policy RD2.

Conclusion

- 6.11 The principle of development is in conflict with Policy R2 on the basis that the development would not constitute an addition to an existing cluster of five or more properties. In addition to this, the development would have a detrimental

impact on the setting of Listed Buildings in the vicinity and the landscape character, as well as result in the proliferation of 'ribbon' development towards School House. The Planning Service therefore recommends that this application be refused.

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 integrated impact assessment is not required because the granting or refusing of the application will not have a differential impact on the protected characteristics of the applicant or any third parties.
- 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.
- 8.4 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.

9. Departures, Notifications and Referrals

9.1 Strategic Development Plan Departures

None

9.2 Local Development Plan Departures

Policy R2 Housing and employment development elsewhere in the countryside
 Policy E2 Landscape
 Policy HE1 Protecting historic buildings, sites, and monuments

- 9.3 The application is a Departure from the valid Local Development Plan and has been advertised as such. Any representations received have been circulated as part of the agenda and taken into account in recommending a decision. The period for receiving representations has expired.
- 9.4 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.

- 9.5 The proposed development is in the opinion of the Head of Planning and Environment Service in significant conflict with Policy R2 Housing and employment development elsewhere in the countryside and if the Committee is minded to approve then the application will have to be referred to Infrastructure Services Committee.

10. **Recommendation**

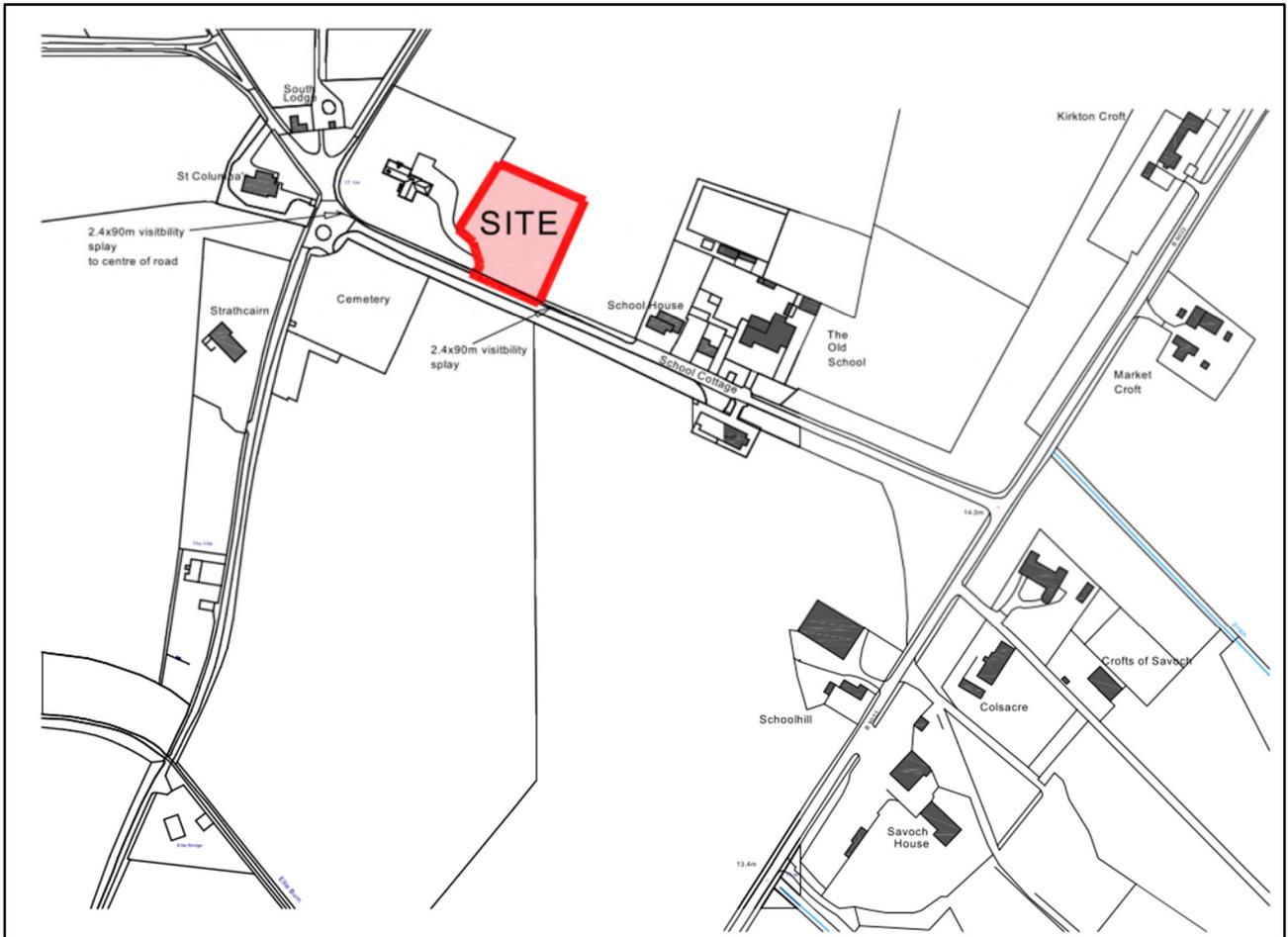
10.1 **REFUSE Full Planning Permission for the following reasons:-**

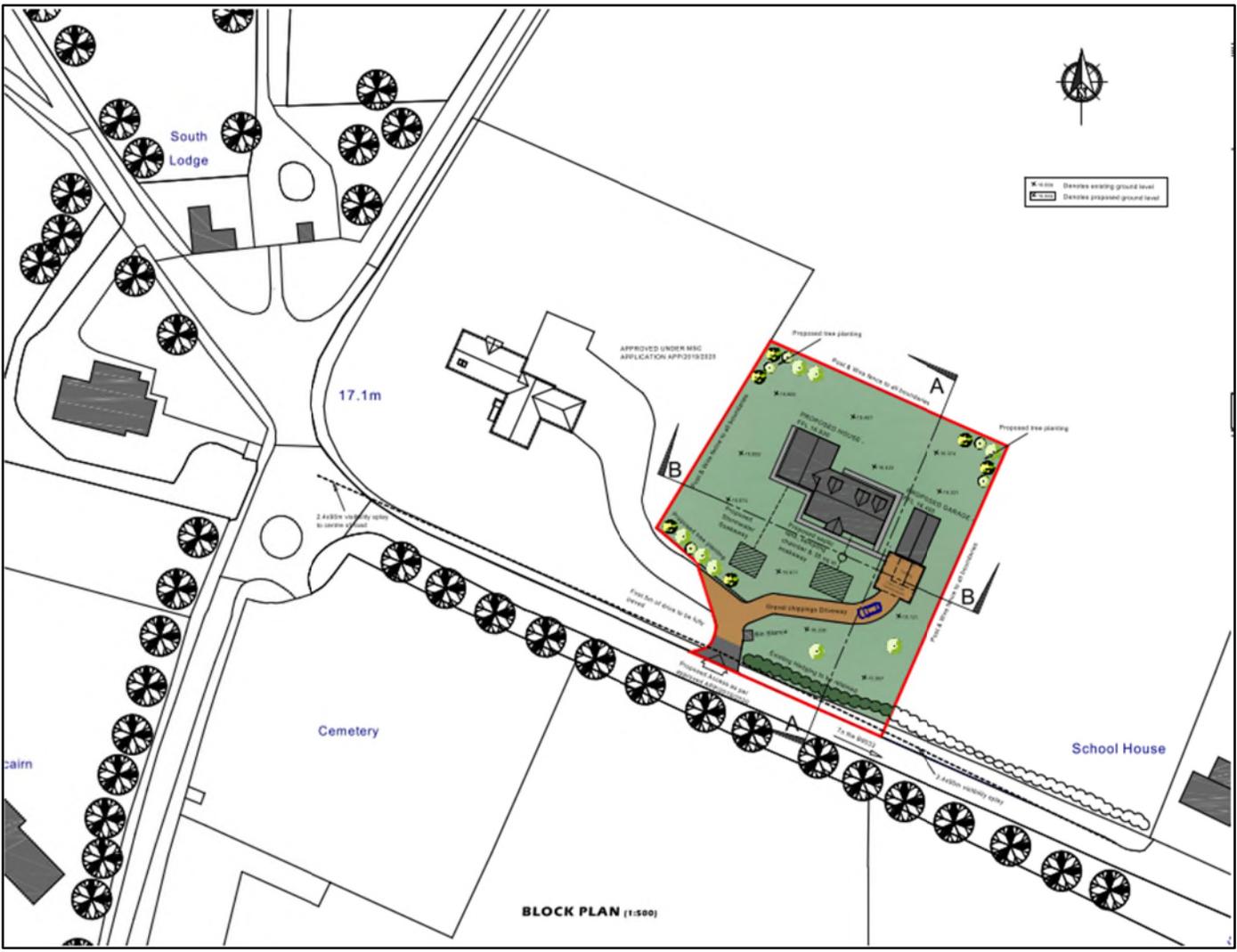
01. The planning authority considers that the application is for a development that is not in accordance with the Aberdeenshire Local Development Plan 2017.

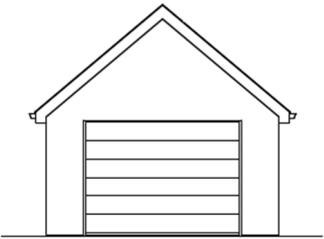
The proposal involves the development of a Greenfield site that would not be well related to, or contribute to, an existing cluster or group of five or more dwellinghouses within the Rural Housing Market Area. It would not comply with any of the relevant criteria of Policy R2 Housing and employment development elsewhere in the countryside, meaning that the principle of development for the proposal cannot be established, and is in conflict with the Local Development Plan.

02. The proposed development would have a detrimental impact on the setting and character of the Listed Buildings within the surrounding area, due to the erosion of the open character of the landscape, as well as the proliferation of development along the public road towards School House. There are no imperative reasons of overriding public interest that would otherwise offset this impact. The proposal is contrary to Policies HE1 Protecting historic buildings, sites, and monuments and Policy E2 Landscape of the Aberdeenshire Local Development Plan 2017. The application is also in conflict with Historic Environment Policy for Scotland (2019) and Managing Change in the Historic Environment: Setting.

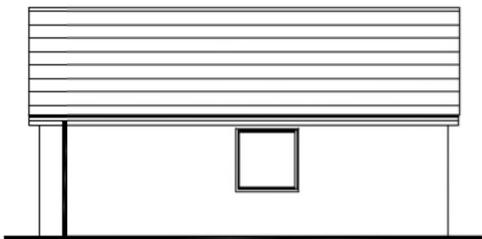
Alan Wood
Director of Environment and Infrastructure Services
Author of Report: Rory Hume
Report Date: 1 November 2021







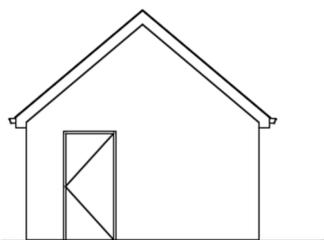
SOUTH ELEVATION - 1:100



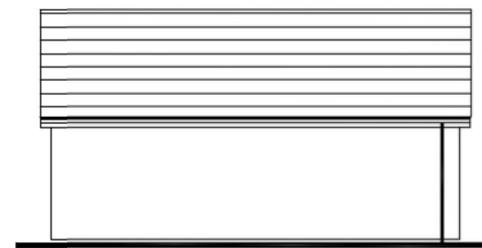
EAST ELEVATION - 1:100



SOUTH ELEVATION - Scale 1:100



BACK



WEST ELEVATION - 1:100



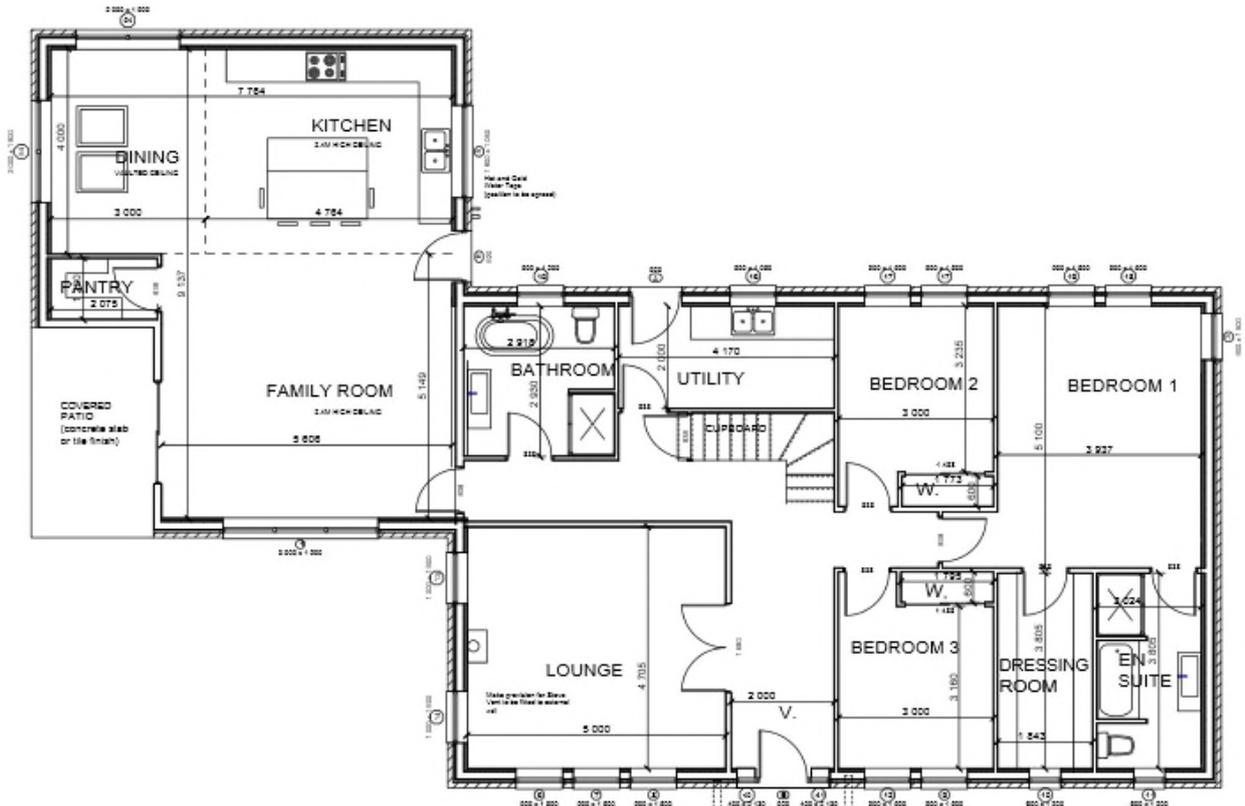
WEST ELEVATION - Scale 1:100



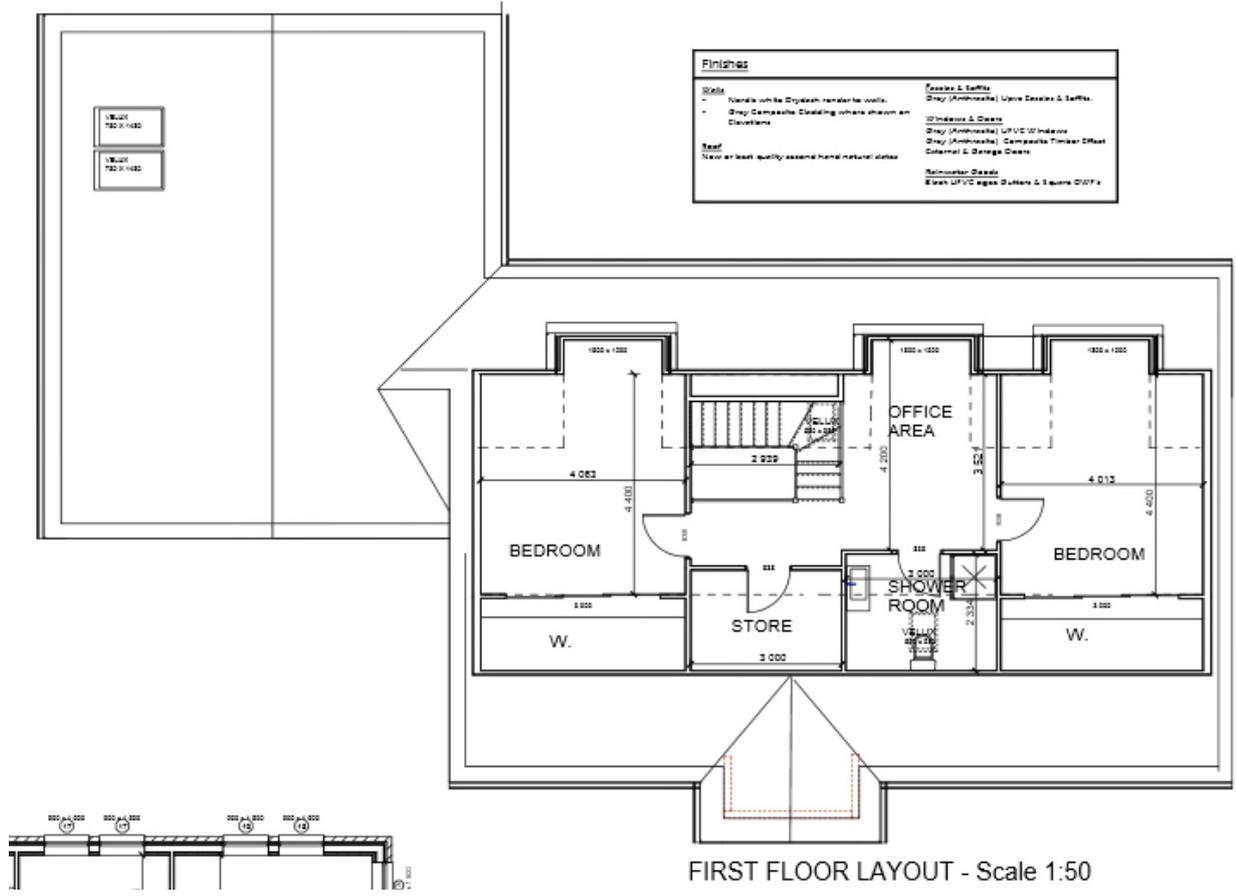
NORTH ELEVATION - Scale 1:100



EAST ELEVATION - Scale 1:100



GROUND FLOOR LAYOUT - Scale



FIRST FLOOR LAYOUT - Scale 1:50