

Marr Area Committee Report 30 August 2022

Reference No: APP/2020/2534

Full Planning Permission for Conversion of Steading to form 3 Dwellinghouses and Demolition of Redundant Farm Buildings at Steadings Adjacent to Huntly Lodge Farm, Huntly, AB54 4SH

Applicant: Mr G.A Lawson, C/o Agent
Agent: Lippe Architects & Planners Ltd, 4 St James Place, Inverurie, AB51 3UB

Grid Ref: E:353278 N:841501
Ward No. and Name: W14 - Huntly, Strathbogie & Howe of Alford
Application Type: Full Planning Permission
Representations: 2
Consultations: 8
Relevant Proposals Map: Aberdeenshire Local Development Plan 2017
Designations: Rural Housing Market Area
Complies with:
Development Plans: Yes
Main Recommendation: Delegated 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.3.1f of Part 2C Planning Delegations of the Scheme of Governance as there is an unresolved objection from a consultee.

2. Background and Proposal

Description of proposal

- 2.1 This application seeks full planning permission for the conversion of a steading to form 3 dwellinghouses, and the demolition of redundant farm buildings, at Huntly Lodge Farm, located on 620 m north of the Huntly settlement boundary.
- 2.2 The application site includes the whole of Marquis Drive along with the steading and farm buildings on the specific site of the development. The main development site is located opposite the northern entrance to the Castle Hotel, and is on the north side of Marquis Drive, which is a private road which currently serves 14 residential properties and the hotel itself. There are further farm buildings and a 'B' Listed doocot to the north of the site, with agricultural land further north, and detached dwellinghouses to the east and west of the site, and Marquis Drive to the south with woodland on the opposite site of Marquis Drive from the site. Currently, the site has a square shaped traditional steading which is in poor condition and is immediately on the north side of Marquis Drive, with access further into the site possible to the east and west of that structure, with an additional agricultural building attached to the northern elevation, pens just north of the steading, and a structure used as a timber store along the western edge of the site. The farm buildings are all in various levels of disrepair, with the steadings having severe structural damage to the walls and roof. Due to the change in elevation of the site, and the design of the steading, the structure is 2 stories along the east elevation and a section which runs along the western elevation at the southern end closest to Marquis Drive, and a combination of one-and-a-half and single storey at all other elevations. The exterior walls are exposed stone block and the building has timber framed windows and doors throughout. The roofing is a mixture of natural slate and corrugated steel.
- 2.3 The proposal would retain and repair the steading structure, converting it into 3 separate dwellings, whilst demolishing the other farm buildings in order to provide access, amenity space and parking and turning areas. A lean-to style porch/entrance is proposed for the west and north side of the structure, giving access to Unit 1 and Unit 2 as labelled on the plans provided. These structures would have vertical timber cladding with red corrugated metal roofs, while the rest of the structure would have exposed stone block walls and natural slate roofing. Unit 1 and 3 would have a total of 4 bedrooms while Unit 2 would have 3, and each unit would have upper and lower floors. Unit 1 would occupy the southwest section of the building, Unit 2 would occupy the northwest, and Unit 3 would occupy the eastern portion of the building. Unit 1

would have a total floor area of 326m², Unit 2 195m², and Unit 3 395m². The 3 dwellings would have individual rear gardens in the central courtyard, along with associated open space on the periphery of the steading, adjacent each plots' parking and turning space.

- 2.4 There are parking and turning areas specified for use of each individual dwelling, with 10 parking spaces in total proposed. Units 1 and 2 have access on the western side, with 2 'visitor' car parking spaces near the southern entrance. Unit 3 has car parking in the north eastern corner of the site, served by a separate access at the eastern edge of the site. The accesses are already formed on site through access to the agricultural yard space at present but would be improved to be suitable for formal residential vehicular movement. The eastern access to be used for Unit 3 would continue north to provide access to the farm buildings to the north, and the proposed development at the Listed doocot (APP/2021/0283). Post and wire fencing with hedging is proposed to mark the boundaries between the separate dwellings' feus.
- 2.5 A connection to the public water supply is proposed to serve the dwellings, while private foul water and surface water treatments are proposed to be installed to the northeast of the development. The foul water treatment would include a packaged sewage treatment plant (secondary treatment) before continuing to a soakaway and eventual discharge to the existing field drain. A separate surface water soakaway would be located to the north of the foul water treatment which would also drain to the existing field drain.
- 2.6 The whole of Marquis Drive, from the site of development to its junction with B9022, is included within the red line of the application as improvements to the road are proposed. These proposed improvements include widening and kerbing the bellmouth over an extension to the existing culvert at the junction with B9022, the formation of 8 passing places along Marquis Drive, and improvements to sections of the road where surfacing is failing. There is an identified Core Path accessible for walking and cycling directly to the south of the site, providing a direct route into Huntly town centre to the south via Castle Bridge.

Relevant Planning History

- 2.7 APP/2021/0277 and 0283 - Listed Building Consent (LBC) and Full Planning Permission (FPP) has been applied for the conversion of the 'B' Listed doocot to the north into a single dwellinghouse. That proposed dwellinghouse would use the same access as Unit 3 of this application. The LBC application has been granted, with the FPP being determined in tandem with this proposal.
- 2.8 APP/2021/0623 - Full Planning Permission has been applied for the existing farm buildings to the north of this application site as a brownfield development for 3 houses. That site extends to an area of undeveloped land to the southeast of this application site, proposing 3 dwellinghouses away from the buildings to be demolished. That application is being determined in tandem with this proposal.

- 2.9 APP/2007/1385 - Full Planning Permission was granted for the conversion of these steadings to form 4 dwelling units and 1 business unit via delegated powers on 7 November 2007. That permission was never enacted and has since expired.
- 2.10 APP/2013/3380 - Listed Building Consent for bridge repairs including stabilisation and reconstruction and strengthening to the 'A' Listed Castle Bridge was granted by Historic Environment Scotland.

Supporting Information

- 2.11 A **Design Statement** prepared by Lippe Architects and Planners dated 14 December 2020 was submitted in support of this application. The statement gives a summary of the proposal, the context of the site and proposal in conjunction with the other applications submitted for development at Huntly Lodge Farm. The statement also addresses how they have attempted to comply with policies from the Aberdeenshire Local Development Plan (2017) and why the material palette and design were chosen.
- 2.12 A **Drainage Report** prepared by Ferguson Geotechnical, dated 15 December 2012, determined that the soils on site were unsuitable for a standard foul water soakaway system and that a secondary treatment, in the form of a package sewage treatment plant, be used in conjunction with a soakaway to ensure that waste water is properly treated before it drains to the field to the east of the site.
- 2.13 The applicant provided a **Bat Survey Report** prepared by Black Hill Ecology and was carried out during May and June 2020. The survey found droppings on site and observed the emergence and return of pipistrelle bats from 3 separate roosts on both nights of observation. The report recommends that a bat license is acquired from NatureScot before works begin.
- 2.14 In addition to the Bat Survey Report, the applicant provided a **Species Protection Plan** prepared by Black Hill Ecology, dated September 2020. This protection plan included recommended mitigations to help protect the bats and barn owls observed during the carrying out of the bat surveys. The key mitigation strategies include the erection of bat and barn owl boxes as well as the use of mammal friendly materials in construction.
- 2.15 A **technical note** prepared by Fairhurst and dated 18 March 2021 details the proposed improvements to Marquis Road in order to bring it to an adoptable standard, including the widening and kerbing of the bellmouth at the junction with B9022, the installation of 8 passing places along the road, improvements to failing sections of the road, and the formation of car parking provision for the proposed dwellinghouses. The report also includes a swept path analysis confirming the ability for vehicles to turn within the site and join Marquis Drive in a forward gear, a supporting statement concerning a safe route to school and an additional supporting statement confirming how the remaining agricultural holdings will be served.

3. Representations

3.1 A total of 2 valid representations (objection) have been received as defined in the Scheme of Governance. All issues raised have been considered. The following material issues were raised:

- The refurbishment of redundant steadings is welcome
- Concern regarding the potential increase in traffic along Marquis Drive
- Concerns regarding traffic speed on Marquis Drive
- Loss of water supply pressure to existing nearby properties

4. Consultations

4.1 **Environment and Infrastructure Services (Affordable Housing)** noted that the 3 applications for the site propose a total of 7 new units. As an affordable housing contribution of 25% is required where there are 4 or more dwellings in a new housing development, the Housing service has requested a commuted sum for 1.75 units. This has been agreed to by the applicant.

4.2 **Legal and People (Developer Obligations)** reviewed the proposal and noted that the applicant has agreed to make contributions for the provision of sport and recreation within Huntly, and contributions toward the provision of additional capacity at Huntly Health Centre.

4.3 **Environment and Infrastructure Services (Archaeology)** have requested that a Level 1 Standing Buildings Survey be submitted and approved before any work begins on site. Additionally, they have requested that any approval will require the inclusion of protective fencing to ensure that the 'B' Listed doocot to the north is protected during the construction phase of the development.

4.4 **Environment and Infrastructure Services (Contaminated Land)** have requested an informative clause reminding the applicants of their responsibility in the instance contaminated soils are encountered. Additionally, they have requested an additional informative clause reminding the applicant of their responsibilities in the removal of asbestos.

4.5 **Environment and Infrastructure Services (Built Heritage)** commented that the proposal is sympathetic to the existing character and would present no negative impacts on the setting of the listed doocot to the north of the site.

4.6 **Environment and Infrastructure Services (Natural Heritage)** accepted the findings of the Bat Survey Report and noted that the issuance of a bat licence would be likely but that any mitigation measures would be reviewed by NatureScot during that process. Barn owls were observed during the bat survey, however no signs of nesting were found.

4.7 **Environment and Infrastructure Services (Roads Development)** objects to this proposal. The initial objection included comments regarding the necessity

of bringing Marquis Drive to a technical standard that would be expected of a Council adopted road, internal swept paths allowing vehicles exiting the site in a forward gear, and the confirmation of a viable safe path to school. The applicant provided additional information at which point Roads Development stated that the proposal could be conditioned to require the submission and approval of proposed improvements to Marquis Road to bring it to an adoptable standard, the swept path analysis for the internal movements on site is acceptable. However, they state that there is still no clear safe route to school as there are questions regarding the suitability to the continued use of Castle Bridge as a pedestrian access to Huntly. As the safe route to school issue has not been resolved to Roads Development's satisfaction, their objection remains.

- 4.8 **Scottish Water** acknowledged that the development may be fed from the Clatto Water Treatment Works but could not confirm capacity within the network at this time. If this proposal is approved the applicant will be required to contact Scottish Water to confirm the supply of water. There is no public sewer available to serve the site and a private water treatment system will be required to be used for the site.

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 H2: Affordable housing

Policy P4: Hazardous and potentially polluting developments and contaminated land

Policy E1: Natural Heritage

Policy E2: Landscape

Policy HE1: Protecting historic buildings, sites, and monuments

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 2022 should be. 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 Reporter's report of Examination of the Proposed LDP 2020 has now been published (24 June 2022). Notwithstanding, there is currently no authority to use the Proposed Local Development plan as a substitute for the Local Development Plan 2017. The weight that can be given to the phrase "settled view of the Council" can only be interpreted in the context of the publication of the Proposed Local Development Plan 2020 (March 2020). Even with the certainty associated with the Reporters' Report it still remains only a material consideration in determining planning applications. However, consideration will be given on a case by case basis where the weight of the Reporter's Report should be given overwhelming significant weight when it is most advantageous to the applicant's proposals. SPP Paragraph 34 is of associated relevance.

The Scheme of Governance reserves determination of planning policy to Full Council for resolution. As such until the Proposed Local Development Plan 2020 has been formally adopted by Full Council (as LDP 2022) can this be considered as the Council's "settled view".

It should be borne in mind that the LDP has been written to be implemented as a whole and not the selective use of agreeable parts.

On the 18 April with reference to the legislation the LDP 2017 becomes technically 'out of date'. Notwithstanding the Aberdeenshire LDP 2017 remains the primary document against which planning applications should be determined until such time as a new LDP for the area is adopted. Currently Scottish Planning Policy (SPP) deals with this circumstance at Paragraphs 32 to 34. The policies of the LDP 2017 are reflective of the policy position within SPP. Both SPP and the National Planning Framework 3 are confirmed as significant influences on the content of the plan, as confirmed within Section 2 – 'Influences of the Plan'. In summary, when a development plan is more than five years old the presumption in favour of sustainable development is a significant material consideration, this must be balanced against any adverse impacts of the proposed development which would significantly and demonstrably outweigh the benefits. All of these matters however are already embedded within the policies of the Local Development Plan 2017 and deemed robust in their consideration.

6. Discussion

- 6.1 Paragraph 33 of Scottish Planning Policy (SPP) states that where a development plan is more than five years old, the presumption in favour of development that contributes to sustainable development will be a significant material consideration. This must be balanced against any adverse impacts of the proposed development which would significantly and demonstrably outweigh the benefits.
- 6.2 This proposal is seeking full planning permission for the conversion of a former steading to 3 dwellinghouses, as described above in the description section. The key planning considerations are the appropriateness of the conversion of the steading into dwellinghouses, the proposed design of the converted steading, the provision of adequate services to the site, and the potential impacts on protected species and the Deveron Valley Special Landscape Area.
- 6.3 The existing steading is in poor repair and is not currently in use. Policy R2 allows for the refurbishment of a disused building, which includes the sensitive restoration or conversion of a vernacular building. As this proposal would involve the sensitive restoration, refurbishment, and conversion of an existing agricultural steading for small scale development, the principle of the development can be established in compliance with Policy R2. As outlined within the public comments, the restoration and refurbishment of the redundant farm buildings is a positive for the local area in terms of visual appeal.

- 6.4 The overall appearance of the structure would not have major alterations, with the key changes involving restructuring existing openings into glazed doors serving the proposed dwellinghouses, and the addition of 2 porch elements to serve as main entrances to Unit 1 and 2. The porches would have vertical timber cladding and red corrugated roofing. These materials are often found in rural settings throughout Aberdeenshire and would offer a clear reading of what portion of the structure is original and what is a later addition. The proposed use of materials matching the existing in the rest of the building is appropriate and would retain the existing character of the site and its surrounding area, while minimising any potential impact on the Deveron Valley Special Landscape Area. The materials, layout and design of this proposal are appropriate and would have no negative impact on the Deveron Valley Special Landscape Area. The proposed units all have due regard for one another, and other properties in the vicinity, and offer suitable amenity space and privacy for each unit. The design and scale of the proposal is fully in accordance with Policy P1 and Policy E2.
- 6.5 Policy P1 requires new development to be well connected, to create well connected places that promote intermodal and active travel. Roads Development has objected to this proposal on account of what they interpret as a lack of a safe route to school. There is an adopted Core Path which runs from the south of the site, over the Castle Bridge, and past Huntly Castle into the settlement boundary of Huntly. The majority of this path is tarmacked and is a popular route for pedestrians and cyclists for recreational purposes, and also serves the existing 14 properties near this development in terms of access to school, the town centre and key amenities in Huntly. Roads' objection to the use of this path is on account of the low parapet of the bridge, and the age/condition of the bridge. In response to the condition of the bridge, repairs to the bridge were carried out under APP/2013/3380, and the potential addition of pedestrian and cycle use that would result from this approval would not be likely to accelerate any deterioration of the condition of the bridge. Vehicular access is restricted over the bridge by way of metal bollards, and as mentioned above it is a common path for pedestrians and cyclists already. The Council endorse the use of the path through its recognition as a Core Path. The height of the parapet is approximately 1.4 m high which provides good containment and safety at the crossing, and is relatively safe in terms of visibility in both directions as it is a straight path at this point. The route is an adopted Core Path that is currently in use, and the Planning Service are satisfied that this is an acceptable safe route to school and are of the view that this proposal complies with the "well-connected" element of Policy P1, and the "safe and conveniently accessible" aspect of Policy RD1.
- 6.6 Roads Development has also commented on the condition of Marquis Drive, a private road which serves the site, as well as 14 other dwellinghouses and the Castle Hotel. Due to the number of sites accessed via the private road, this proposal would bring the road well beyond the threshold requiring it to be brought up to adoptable standards. The applicant has provided technical notes as to how they intend to achieve this requirement, and Roads Development are satisfied to the point that the proposal could be conditioned

to require the approval of the proposed improvements before the commencement of works on site. This will ensure the measures to bring Marquis Drive up to the appropriate standard are refined through compliance with the condition, and the works then carried out prior to any work taking place on the steading. The same requirements would be imposed on the adjacent development proposals, identified in 2.7 and 2.8 above. At this time Roads Development has not provided any additional conditions should this proposal be approved, but it would be anticipated that conditions relating to the provision and maintenance of off-street parking, junction visibility, the bellmouth of each junction, and the surfacing and gradient of the accesses would be finalised as a delegated matter if this proposal were to be approved.

- 6.7 The site has a total of 10 parking spaces to serve the 3 dwelling units. As Units 1 and 3 have 4 bedrooms and Unit 2 has 3 bedrooms, the level of parking provided would meet the Aberdeenshire Parking Standards. Turning areas for each unit is proposed to allow vehicles to enter Marquis Road in a forward gear. Water is proposed to be provided by the public supply, with confirmation of this to come via Scottish Water's separate consenting process, while foul and surface water would be treated via a private system proposed to be installed to the northeast of the building. The drainage report prepared by Ferguson Geotechnical recommended a secondary treatment system, in this case a package sewage treatment plant, and noted that the soils would be adequate to support a standard soakaway for surface water runoff. Bin store is indicated at the south of the site at the junctions of the two accesses and Marquis Drive. The details of this bin store are to be secured by condition, thus ensuring adequate space for refuse collection. As internal movement on the site, adequate parking and turning areas, and water infrastructure would be provided, this proposal would provide suitable services in compliance with Policy RD1.
- 6.8 During a bat survey carried out on the existing structure, pipistrelle bats were observed entering and exiting the structure, as well as evidence of barn owls using the structure to roost. No nesting was found on site and the applicant has submitted a species protection plan, and as no breeding nests or roosts were discovered mitigation is focused on providing compensatory roosting areas, pre-work surveys, and the use of materials that lower the risk of damage to the protected species. A bat licence will be required from NatureScot, who will assess the mitigation proposals at the time of the application for the licence, and an informative clause reminding the applicant of their responsibilities in that regard should be added to any approval. Additionally, conditions requiring pre-works checks for nesting owls and requiring the provision of a permanent nesting space for barn owls should be added to any approval. The site is likely to be used by other nesting birds and the standard breeding birds condition should also be placed on any approval. With these conditions in place, the impact on protected species would be minimal and the proposal would be in compliance with Policy E1.
- 6.9 As this proposal would keep the general appearance of the existing structure, whilst demolishing some of the farm buildings which are in poor repair, the proposal would not have a positive effect on the setting of the 'B' Listed

doocot, which sits immediately to the north of the site, in compliance with Policy HE1.

- 6.10 Final matters, relating to contamination and the previous use of the site there are no known issues at the site that raise any concern in relation to Policy P4, however informatives shall be added to the consent to advise the applicant should any asbestos or other contaminants be discovered during works. Finally in relation to developer obligations and affordable housing requirements, contributions have been agreed to for the equivalent of 1.75 units to address housing need in the area and to offset the impacts of the development for sports and recreation, and healthcare, ensuring the proposal is compliant with Policy H2 and Policy RD2.
- 6.11 Whilst both representations received outline their general support for the development, welcoming the restoration and improvement on the site through the redevelopment of the steading, concerns were raised in relation to road safety and traffic volume, and potential impact on water supply. The water supply issue is one for Scottish Water to consider, their separate consent is required to connect the development to the public supply – this may require mitigation/upgrade if necessary, and if not possible/viable the applicant will have to come back to the Planning Service to amend the content of the proposal to secure a private water supply. For the purposes of planning, the safeguards on existing supplies, and to ensure the development receives an adequate supply, lie with Scottish Water. In terms of the road safety and traffic movements, Marquis Drive is currently a long straight, and the development can't resolve any existing issue in regard to vehicles speeding. Passing places and localised widening, along with improving the junction with the public road, will make the road significantly better for all users. The Planning Service can't control individual actions of motorists who speed.
- 6.12 In summary, the proposed conversion of the existing steading at Huntly Lodge Farm can be supported in principle as the refurbishment of a disused vernacular building in the countryside. The design, siting, and layout of the development would be an appropriate reuse of the existing structure and uses materials that match and enhance the overall appearance of the building. Adequate levels of parking and turning areas would be provided, with appropriate water supply and drainage provision being made. The vehicular access along Marquis Drive would be conditioned to be improved before works begin on site, which would alleviate the concerns expressed in the neighbour responses received for the proposal. With the mitigation proposals proposed by the applicant, no negative impact on protected species is expected to result from this proposal, nor is there a negative impact expected on the character of the Deveron Valley SLA or 'B' Listed doocot to the north of the site. In the opinion of the Planning Service, the adopted Core Path provides a well-established pedestrian link to the amenities within Huntly, and functions as a safe route to school, which is considered to offset the content of Roads Development's objection. This proposal is considered to be in compliance with all relevant policies of the Aberdeenshire Local Development Plan (2017), and the application is recommended for approval.

- 6.13 The policies contained in the Local Development Plan 2017 remain compliant with the principles of sustainable development as guided by the SPP and therefore provide an appropriate basis for the determination of this application.
- 6.14 The proposal in supporting good design and the six qualities of successful places would contribute towards sustainable development. This carries significant material weight lending itself to an approval.
- 6.15 In assessing the proposed development against the wider policies of SPP and the LDP 2017 and any other material considerations, there were no adverse impacts which would significantly and demonstrably outweigh the benefits of the proposal.

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

None

- 9.3 The application is not a Departure from the Local Development Plan or Strategic Development Plan and no departure procedures apply.

10. Recommendation

10.1 That authority to GRANT Full Planning Permission be delegated to the Head of Planning and Economy subject to:-

- i) Provision of any additional/amended conditions from Roads Development
- ii) Payment or conclusion of Developer Obligations
- iii) The following conditions;

01. No works shall commence related to this development until such time as the details of the upgrade to the condition and layout of Marquis Drive has been agreed with Aberdeenshire Council's Environment and Infrastructure Services (Roads Development). Once agreed, no dwelling shall be occupied until the works are completed in accordance with the agreed detail. Once provided, all improvements shall thereafter be permanently retained as such.

Reason: To ensure the provision of a means of access and turning space to an adequate standard in the interests of road safety.

02. No works in connection with the development hereby approved shall commence unless a detailed check of the site for active barn owl nests has been undertaken by a surveyor holding a NatureScot Schedule 1 Bird Survey Licence and written confirmation has been submitted to the planning authority that no birds will be harmed and that there are appropriate measures in place to protect nesting barn owls on the site. The check shall be undertaken not less than 14 days before the commencement of the development and no site clearance or other works in connection with the development hereby approved shall commence unless the written confirmation has been submitted to and approved in writing by the planning authority.

Reason: In the interest of safeguarding the habitat of the species and securing its long-term protection.

03. No works in connection with the development hereby approved shall commence unless details of a permanent accessible nesting space for barn owls have been submitted to and approved in writing by the planning authority. The development shall not be occupied unless the barn owl nesting space has been provided in accordance with the approved details. Once provided, the nesting space shall thereafter be permanently retained.

Reason: To secure the long-term protection of the species.

04. No removal of hedgerows, trees or shrubs, or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a detailed check of the site for active birds' nests has been undertaken and written confirmation has been submitted to the planning authority that no birds will be harmed and that there are appropriate measures in place to protect nesting bird interest on the site. The check shall be undertaken no later than 14 days before the

commencement of the development and no site clearance or other works in connection with the development hereby approved shall commence unless the written confirmation and protection measures have been submitted to and approved in writing by the planning authority. The development shall be carried out in accordance with the approved protection measures.

Reason: In the interest of safeguarding the habitat of local bird species.

05. No works in connection with the development hereby approved shall commence unless a Level 1 as specified by Archaeology (see associated informative that defines level of detail for each type) archaeological standing building survey of the extant buildings and structures on the application site has been undertaken and has been submitted to and approved in writing by the planning authority. The standing building survey shall not be undertaken unless its scope has been approved in writing by the planning authority. The survey must be in a digital format and must be clearly marked with the planning reference number.

Reason: To ensure that a historic record of the building is made for inclusion in the National Record of the Historic Environment and in the local Sites and Monuments Record.

06. No works in connection with the development hereby approved shall commence unless a site protection plan has been submitted to and approved in writing by the planning authority. Site protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:
- a) The location of the historic environment features to be protected during construction works; and
 - b) The position and details of the warning signs and protective fencing to be erected.

No works in connection with the development hereby approved shall commence unless the site protection measures have been implemented in full in accordance with the approved details. All protective fencing and warning signs shall be retained during the construction period in accordance with the approved details and no works shall take place at any time within the protected areas.

Reason: In the interests of protecting known features of the historic environment.

07. The development hereby approved shall not be occupied unless the refuse bin uplift store areas have been provided and surfaced in accordance with the details shown on the approved plan. Once provided, the refuse bin uplift store areas shall thereafter be permanently retained as such.

Reason: To ensure the provision of an appropriate means of servicing in the interests of road safety.

08. No dwelling shall be occupied unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans and the drainage report detailed in Ferguson Geotechnical, dated 9 February 2021. The foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved scheme.

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

10.2 Reason for Decision

The Planning Authority considers that the application is for a development that is in accordance with the Aberdeenshire Local Development Plan 2017. The proposal is for the refurbishment of a disused building, has an appropriate layout, siting, and design, uses appropriate materials, would not have a negative impact on the Deveron Valley Special Landscape Area nor the Listed Building to the north, and provides adequate services for the site in compliance with Policy R2: Housing and employment development elsewhere in the countryside, Policy P1: Layout, siting and design, Policy P4: Hazardous and potentially polluting developments and contaminated land Policy E1: Natural Heritage, Policy E2: Landscape, Policy HE1: Protecting historic buildings, sites, and monuments, Policy RD1: Providing suitable services, Policy RD2: Developers' obligations and all applicable policies of the Aberdeenshire Local Development Plan (2017).

The presumption in favour of sustainable development is a significant material consideration, this must be balanced against any adverse impacts of the proposed development which would significantly and demonstrably outweigh the benefits.

The proposed development accords with the Scottish Planning Policy principles of sustainable development. This carries significant material weight lending itself to an approval.

In assessing the proposed development there were no adverse impacts which would significantly and demonstrably outweigh the benefits of the proposal.

Alan Wood

Director of Environment and Infrastructure Services

Author of Report: Graham Hannaford

Report Date: 10 August 2022

For noting:-

Part 2C (Planning Delegations) states at Section C.3.2b for Local Development, that following consultation with the Chair and Vice-Chair of the determining Committee, the Head of Planning and Economy can refuse planning applications for which Section 75 Agreements are not completed or Developer Obligations are not paid within four months from the date of the

Committee at which the application is determined. Local Ward Members shall be notified of any such refusal.

Please note that this power may be exercised in respect of the application which is the subject of this report if the application is approved by the Committee.

Comments for Planning Application APP/2020/2534

Application Summary

Application Number: APP/2020/2534

Address: Steadings Adjacent To Huntly Lodge Farm Huntly AB54 4SH

Proposal: Conversion of Steading to form 3 Dwellings and Demolition of Redundant Farm Buildings

Case Officer: Graham Hannaford

Customer Details

Name: Mr Robert Gordon

Address: The Bowers, Marquis Drive Huntly AB54 4SF

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I support the application for the conversion of the farm buildings to dwellings, but have concerns over the increase in traffic on the access road from the B9022 to the site of the proposed dwellings. While I welcome an increase in the number of, and upgrading of the passing places, this does nothing to reduce the high speed that many drivers go on this road. As can be seen from the plans, this is a straight single track road that is often used by drivers to test out how high a speed they can achieve with their cars. As you will realise that this road is a very popular route for walkers, runners and cyclists from Huntly heading for the Bin Hill or doing the 3ml circuit back to Huntly connecting to the path alongside the Portsoy road, as well as skiers training at the Nordic Ski Centre. I would hope that traffic calming measures can be incorporated into the plans so that all users can enjoy this road safely.

I note from the plans that the access to the existing farm buildings at the farm is to be used as access to the proposed new properties, but this seems to cut off all access road to the more modern farm buildings that are to remain to the north of the site, but the plans do not appear to show any new access road to these buildings. Is this an oversight or should this be included in the proposals.

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Case Officer: Graham Hannaford

Customer Details

Name: Mr Ken Thomson

Address: The Bungalow Huntly Lodge Marquis Road Hunly AB544SH

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: We support this application. It will be good to see the derelict farm buildings replaced with functional dwellings. Our only concerns are that there may be an increase in traffic along the narrow public road (Marquis drive) and that water pressure may be impacted by the increase in dwelling units.