

## Marr Area Committee Report 29 January 2019

Reference No: APP/2018/2399

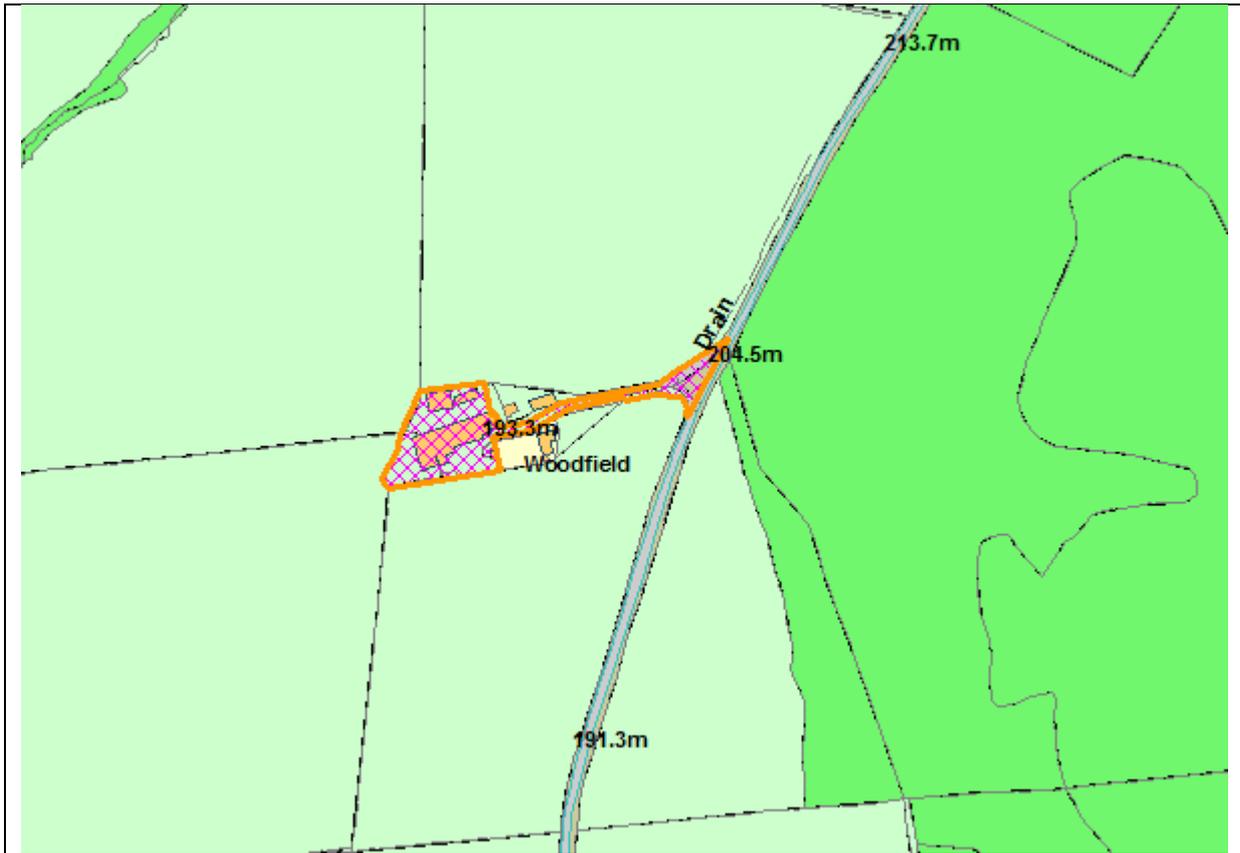
**Approval of Matters Specified in Conditions For Conditions 1 (a) Layout and Siting, (b) External Appearance and Finishing Materials, (c) Site Levels, (d) Disposal of Foul and Surface Water, (e) Proposed Access including Visibility Splays, (f) Car Parking/Vehicle Turning, (g) Private Water Supply of Planning Permission in Principle Reference APP/2015/2029 for Demolition of Steading, Erection of 3 Dwellinghouses and Garages and Change of Use of Agricultural Land to Domestic Garden Ground) at Land at Woodfield, Tarland, Aberdeenshire**

**Applicant:** The MacRobert Trust, Estate Office, Cromar, Tarland, AB34 4UD

**Agent:** Gerry Robb Architectural Design Services, Bridgend, Bridgeview Road, Aboyne, AB34 5HB

Grid Ref:	E:351538 N:805094
Ward No. and Name:	W15 - Aboyne, Upper Deeside And Donside
Application Type:	Approval of Matters Specified in Conditions
Representations	0
Consultations	4
Relevant Proposals	Aberdeenshire Local Development Plan
Map	
Designations:	Rural Housing Market Area
Complies with	Yes
Development Plans:	
Main Recommendation	Grant

---



**NOT TO SCALE**

Reproduced from Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright and database rights. Ordnance Survey Licence Number 0100020767.

## 1. Reason for Report

- 1.1 The Committee considered an application for Planning Permission in Principle at its meeting on 29<sup>th</sup> September 2015, where they granted planning permission in principle for 3 dwellings on this site and, having taken into account the Committee's comment and request at that meeting that any future submissions or applications on this site be referred to the Area Committee for determination, the Head of Planning and Building Standards has decided not to exercise his delegated power in this particular case, under Section 4 of the General Provisions to officers at Part 2B of the List of Officer Powers in the Scheme of Governance. Marr Area Committee is able to consider this matter in terms of Section B.8.1 of Part 2A List of Committee Powers.
- 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 An application for matters specified in conditions (MSC) is sought relating to a previous grant of planning permission in principle (PPP) APP/2015/2029 for demolition of a Steading, erection of 3 dwellinghouses and garages and a change of use of agricultural land to domestic garden ground on land at Woodfield, Tarland.
- 2.2 The application is seeking to provide the details relevant to the following parts of condition 1;
- (a) Layout and Siting – a site plan, full elevations and floor plans of the house type(s) have been provided.
  - (b) External Appearance and Finishing Materials – finishing materials are detailed on the aforementioned plans.
  - (c) Site sections/levels details – shown on existing/proposed site plan.
  - (d) Disposal of Foul and Surface Water – site plan shows soakaways and discharge pipes and is certified by a drainage report by S.A. McGregor dated 2<sup>nd</sup> October 2018. This progresses and finalises the detail initially proposed and detailed in condition 4 of the PPP.
  - (e) Proposed Access including Visibility Splays – site location plan details the use of the existing access and visibility splays of 2.4m by 120m. The details required were set out in condition 2 of the PPP.
  - (f) Car Parking/Vehicle Turning – the site plan details the internal arrangement, with turning space and 3 car parking spaces for each dwelling. This follows the details set out in condition 2 of the PPP.
  - (g) Private Water Supply – analysis of both quantity and quality of the supply have been provided.

There are other conditions on the PPP consent that require further information, which are not subject of this application and will require to be dealt with separately prior to any works taking place on site:

Condition 3 – Energy Statement relevant to each dwelling

Condition 5 – Archaeological Standing Building Survey

Condition 6 – Site Investigation Report, and any subsequent remediation

- 2.3 The site is located within a farm complex located to the east of Tarland, sitting south of the B9119. The site measures approximately 2714sq.m and it slopes from east to west. It comprises of a number of farm buildings - two dutch barns, 1 large steading with a more modern building attached, with a Bothy, farmhouse and an outbuilding outwith the site to the east.
- 2.4 The proposal shall demolish the 2 open sheds to the north of the main steading, and the steading itself along with the small outbuilding to the south east of the site and replace them with 3 detached house units. The bothy, “implement shed” and farmhouse to the east are to remain. The site plan submitted shows the layout of 3 detached houses and detached garages sitting in quite large plots with soakaways contained within each plot. The development shall use the existing access from the public road to the east, and driveways providing 3 parking spaces and turning areas shall be formed on each plot. The layout reflects that shown indicatively at PPP stage.
- 2.5 In respect of the proposed design, each dwelling shall be storey and a half, and would include 4 bedrooms, a shared living/dining room and kitchen, and associated bathrooms. The dwellings, of rectangular plan and traditional proportions, would have a ridge height of 7.7 metres, and a footprint of approximately 122 square metres (15 m by 8.2m).
- 2.6 Turning to materials, external walls would be clad with horizontal larch cladding, while the roof would be slate. Windows and doors would be ‘aluclad’ in a black/dark grey finish. Gutters and downpipes would be black cast iron, while the wood stove flue would be stainless steel. In respect of the boundary treatments, the applicant has confirmed that a post and wire stockproof fence would be provided to the perimeter, with beech hedging to define plot boundaries.
- 2.7 The applicant has indicated that the site would be served by a private water supply and the drainage would be package sewage treatment plants with partial soakaways, all to discharge to a new communal drain connecting to Stonyford burn as per the drainage report. Surface water shall be to separate soakaways in each plot.

### **3. Representations**

- 3.1 No valid letters of representation have been received.

### **4. Consultations**

#### *4.1 Internal*

- 4.1.1 **Business Services (Legal and Governance - Developer Obligations)** have confirmed that contributions have been previously secured for this application

via S69 Legal Agreement (upfront payment) under APP/2015/2029 which will be offset to the current application. Therefore, in this instance, no additional contribution is required.

4.1.2 **Infrastructure Services (Contaminated Land)** has commented that under the previous planning application (APP/2015/2029) a condition was requested to ensure that a site investigation is carried out at the site. This condition (No. 6 of the decision for APP/2015/2029) is still outstanding.

4.1.3 **Infrastructure Services (Environmental Health)** has commented that following the receipt of the requested private water supply information. They have no observation to make on these proposals.

4.1.4 **Infrastructure Services (Roads Development)** has commented that following the receipt of the revised site plan showing sufficient parking for each property, they have no further comments to make on the application.

## 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.

### 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 C1 Using resources in buildings

Policy RD1 Providing suitable services

Policy RD2 Developers obligations

### 5.4 Other Material Considerations

None.

## 6. Discussion

6.1 The main issues to consider are as follows:

- The principle of the development
- The design of the development
- The impact of the development on the character and amenity of the neighbouring properties and the wider area; and
- Technical considerations.

### The principle of development

6.2 As outlined above, the application for planning permission in principle (APP/2015/2029) was considered at the meeting of the Marr Area Committee on 29 September 2015, at which PPP was granted. While that approval was on the basis of the now superseded local development plan of 2012, the general principle of the development remains acceptable through Policy R2 Housing and employment development elsewhere in the countryside of the extant Aberdeenshire Local Development Plan (2017).

### Layout, siting and design

6.3 In respect of the design of the proposed development, the layout has sought to erect the three dwellinghouses onto the footprint of the existing complex of farm buildings. At present, the form of the agricultural buildings is relatively elongated when viewed from the south and north, due to the continuous form of the extended buildings, towards the edge of the farmyard, before levels drop off to the west. In this instance, the proposed layout is in a courtyard style, which is a traditional form of layout, for such a rural area. The layout proposed, by separating the proposed dwellings, shall allow separation between the buildings, thus reducing the current solid massing arrangement

on site. Furthermore, while the height of the dwellings would be 7.7 metres, this is in comparison to the existing ridge height of 7.35 metres, thus only a marginal increase which poses minimal impact to the wider landscape. The use of existing levels, retaining the general landform to site the houses with minimal disruption, is welcomed and aids the integration of the dwellings to the site. The materials chosen for the development are considered to complement its rural location, particularly with the use of timber linings, which are far more recessive and less stark to the use of light render, which would be more suburban. The roof would be slated, thus respecting the traditional farmhouse, and original part of the steadings. Windows, doors, and rainwater goods would also be of a high quality, to respect the character of the rural area. The general scale, proportions, design and materials of the dwelling are of a good standard and comply with relevant parts of Policy P1 of the LDP, and satisfy the requirements of conditions 1a, 1b and 1c.

- 6.4 In respect of the layout, the proposal has been orientated to maximise the use of passive solar gain, and with living spaces facing towards the south and west. The design of each dwelling also incorporates high energy efficiency, with solar panels and wood stoves also incorporated, thus aligning with Policy C1 Using resources in buildings. Full compliance with Policy C1 shall be confirmed when the applicant satisfies condition 3 of the PPP consent.
- 6.5 Turning to the general provisions on site, each plot is between 825 and approximately 920 square metres, and with the footprint of each dwelling being around 122 square metres, it is considered that there would be ample garden ground provided within each plot, which would accord with the requirements of Policy P1 Layout Siting and Design to ensure that development is respectful to the general pattern of rural development and surrounding properties.
- 6.6 In terms of impact on neighbouring residential amenities, existing and proposed, it is not considered that there would be any overlooking, overshadowing, or privacy issues, given the orientation of properties away from the existing farmhouse, together with the separation between the proposed properties.
- 6.7 In relation to potential landscape impact, the proposal is brownfield in nature. The Planning Service consider the replacement of large redundant agricultural buildings with 3 well designed contemporary dwellings of traditional proportions as a net improvement to the local landscape. The proposal therefore does not raise any concern in relation to Policy E2 Landscape.

#### Water Infrastructure

- 6.8 Environmental Health do not object to the proposal, following the receipt of information in respect of the private water supply, which is compliant with the relevant part of Policy RD1 and satisfies condition 1g.
- 6.9 In terms of drainage, the ground water assessment and drainage recommendation report, together with certificate for proposed foul water sub-

surface soakaway, demonstrate the required infrastructure for each house and plot, and satisfies the requirements of Policy RD1 providing suitable services and complies with the information required by condition 1d.

#### Biodiversity of the area

- 6.10 The recent bat survey confirms there is no evidence of bats roosting in the building. As such, there would be no associated impact on the conservation status of bats in the area and the proposal would therefore accord with Policy E1 Natural heritage of the Local Development Plan.

#### Access and Parking

- 6.11 In terms of the access and parking, Infrastructure Services (Roads Development) have not made any adverse comment on the access and parking/turning provision, following the receipt of amended plans, and therefore the proposal complies with Policy RD1 Providing suitable services and satisfies the required details of conditions 1e and 1f.

#### Conclusion

- 6.12 The proposal is for the final design solution of a consented development for 3 dwellings to replace an existing set of redundant farm buildings, which remains compliant with the principal policy R2 Housing and employment development elsewhere in the countryside. Technical issues such as drainage, water supply, vehicular access have all been demonstrated to be acceptable in line with policy, and satisfying the relevant conditions of the original PPP consent. The Planning Service are content that a suitable layout and design is proposed, which respects the scale and character of the surrounding landscape, and the proposed houses are designed to a high standard. On the whole the application complies with the relevant policies of the Aberdeenshire Local Development Plan 2017 and 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 proposal does 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 (and/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 consent of the Matters Specified in Conditions.**

### **11.2 Reason for Decision**

The proposed 3 dwellings are of a good standard of design respecting the local vernacular, and services such as drainage, water supply, vehicular access have all been demonstrated to be acceptable. The proposal therefore satisfies the requirements of the relevant conditions of the original planning permission in principle (APP/2015/2029) and complies with the relevant policies of the Aberdeenshire Local Development Plan (2017).

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

Author of Report: Paul Williamson  
Report Date: 7 January 2019