

# LOCAL REVIEW BODY

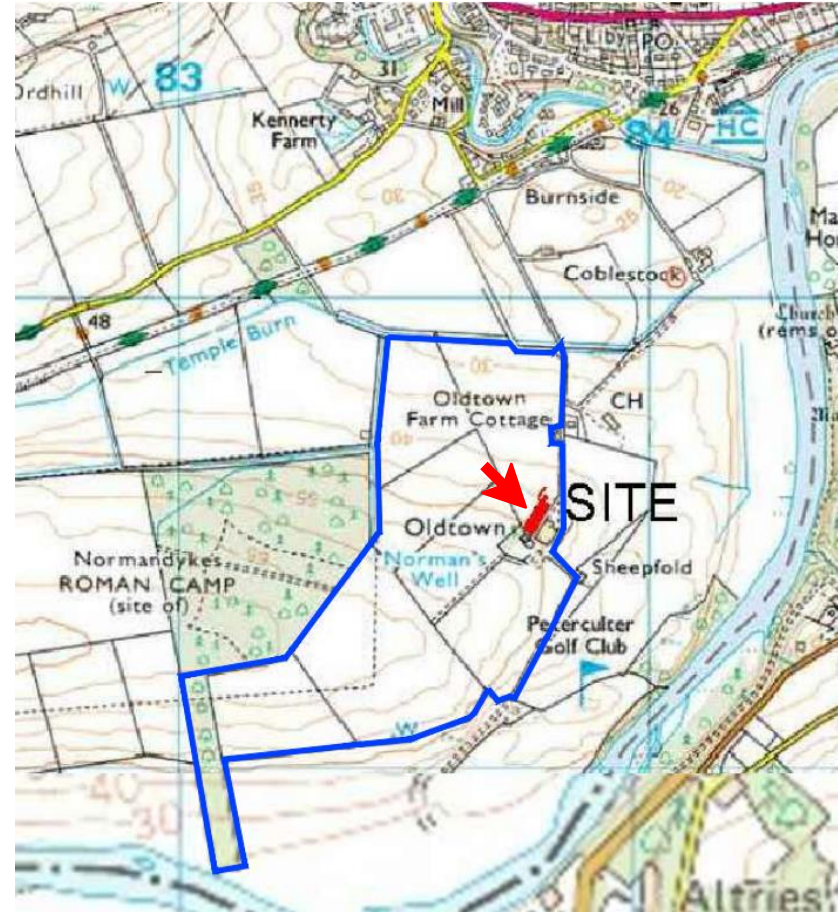
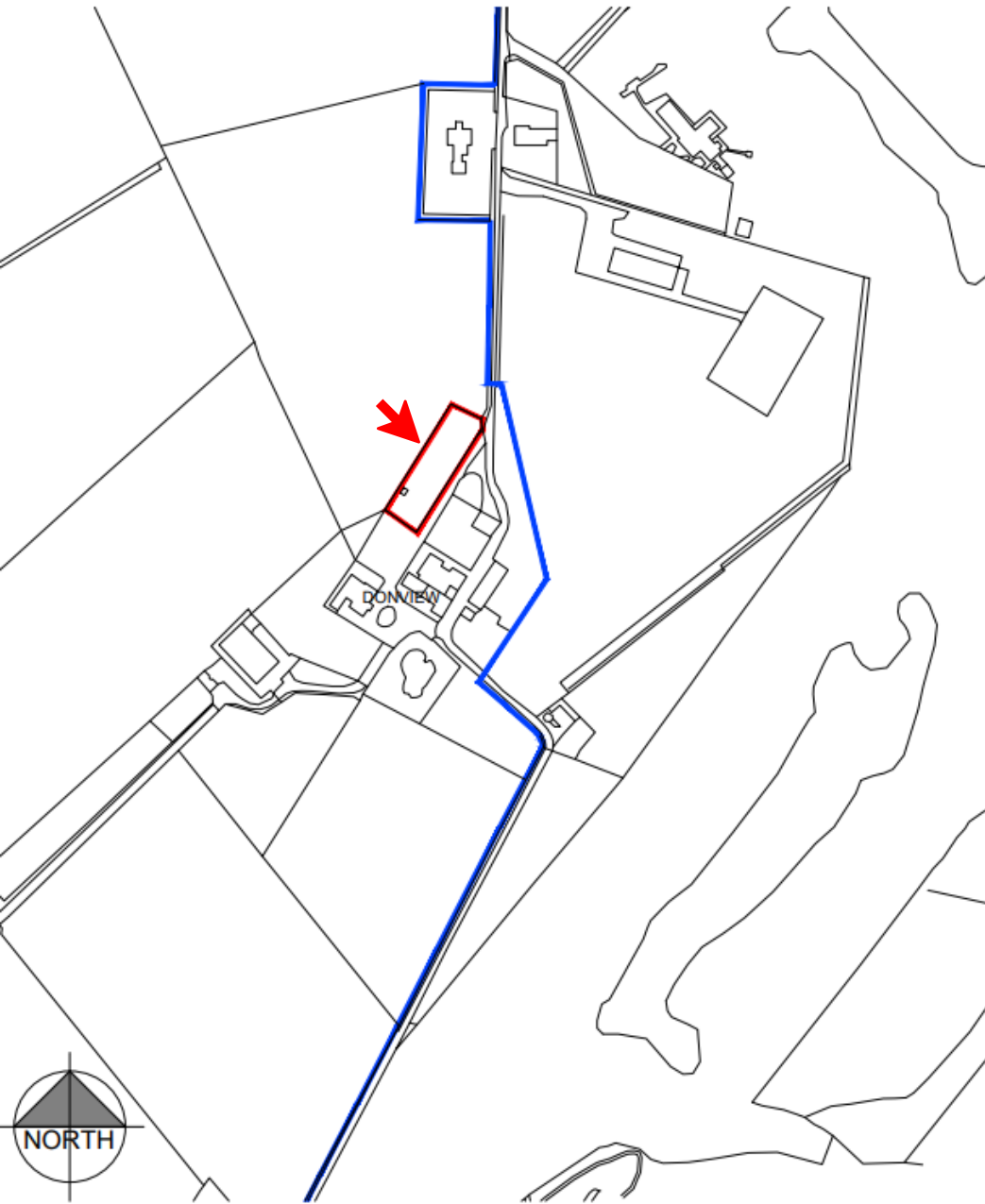


191717/DPP– Review against refusal of planning permission for:

*Erection of dog boarding kennels and office space with associated solar panels, fencing and car parking and other associated works*

At: Oldtown Farm Station Road South, Aberdeen

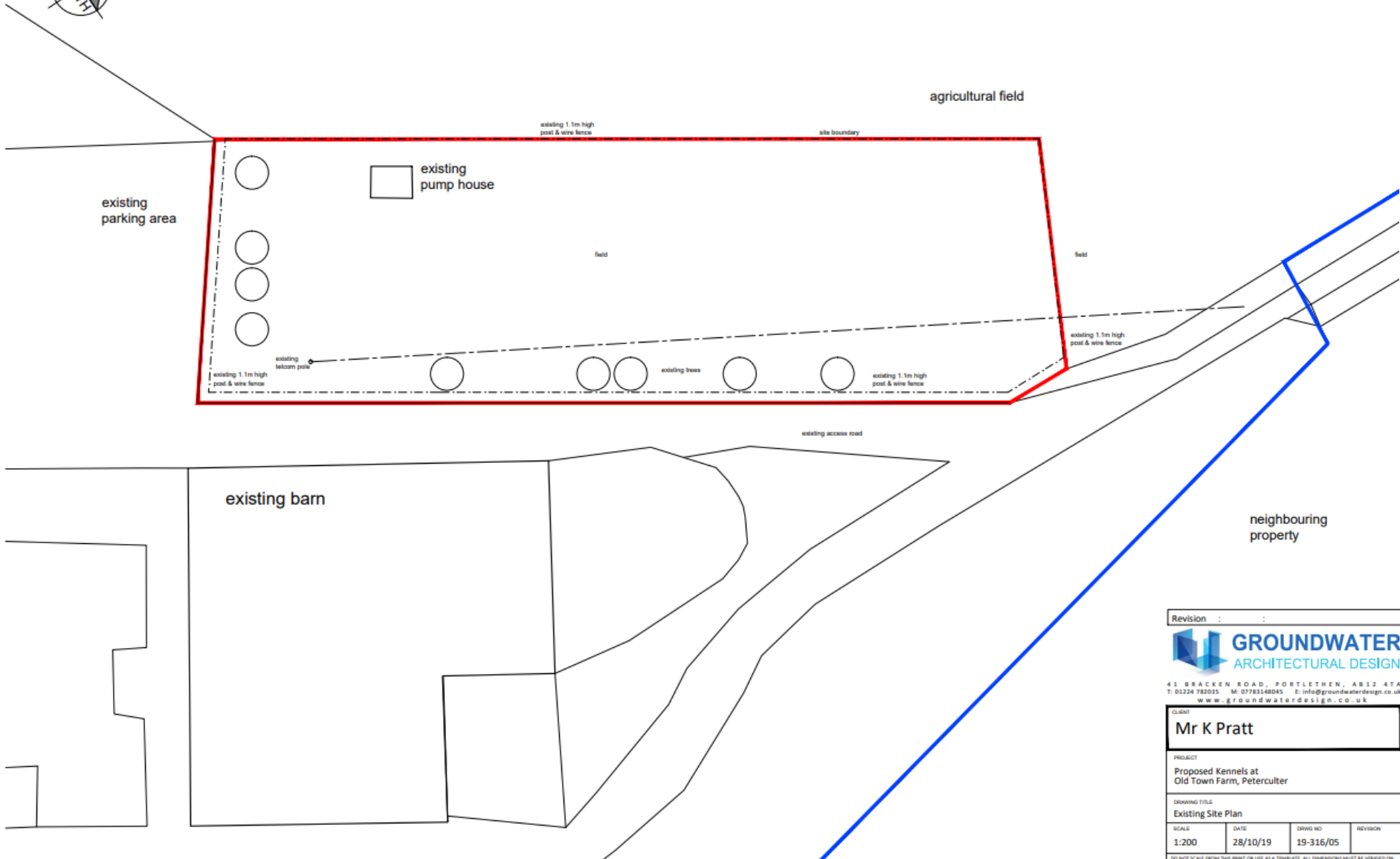
# Location Plan



# Location: Aerial Photos



# Site Plan: Existing



Revision : :



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CLIENT  
**Mr K Pratt**

PROJECT  
 Proposed Kennels at  
 Old Town Farm, Peterculter

DRAWING TITLE  
**Existing Site Plan**

SCALE	DATE	DRWG NO	REVISION
1:200	28/10/19	19-316/05	

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# Site Plan: Proposed



## Accommodation Schedule

Site Area:	1309m <sup>2</sup>
Car Parking:	5no.
Office:	140m <sup>2</sup>
Kennels:	220m <sup>2</sup>



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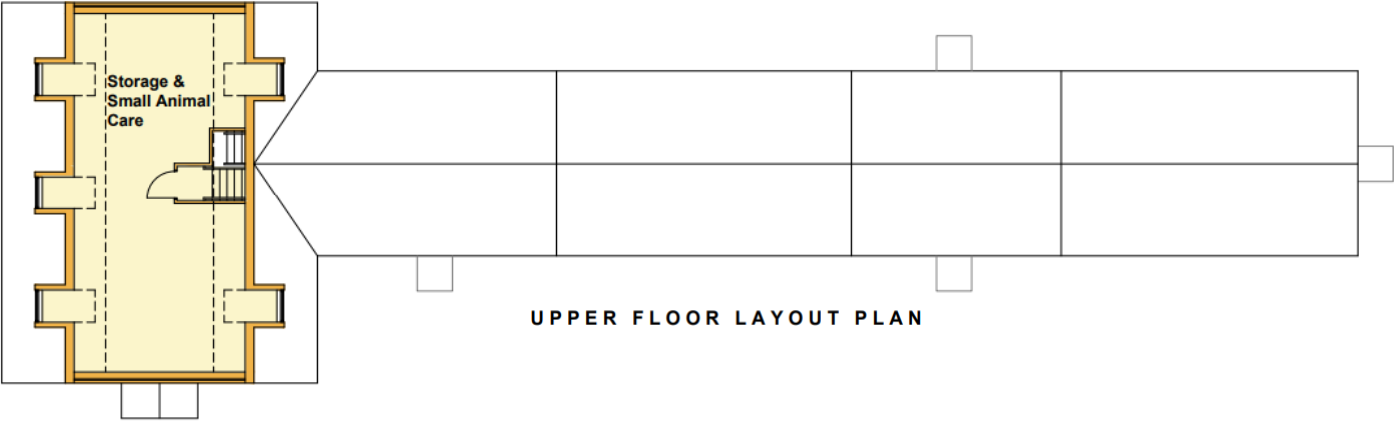
PROJECT  
 Proposed Kennels at  
 Old Town Farm, Peterculter

DRAWING TITLE  
 Proposed Site Plan

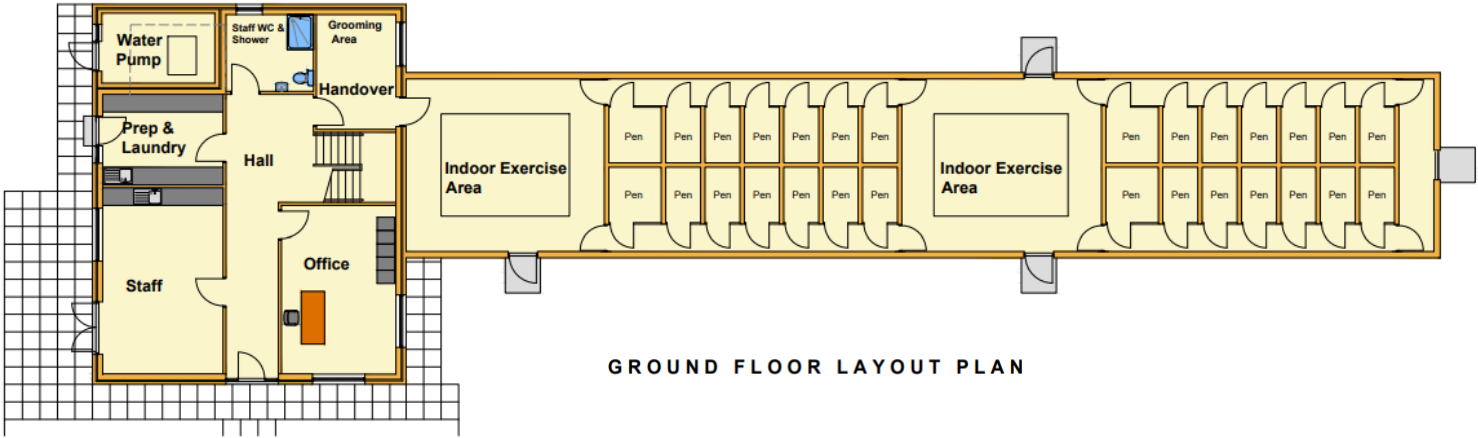
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1:200	28/10/19	19-316/02	C

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# Proposed Layout Plans



UPPER FLOOR LAYOUT PLAN



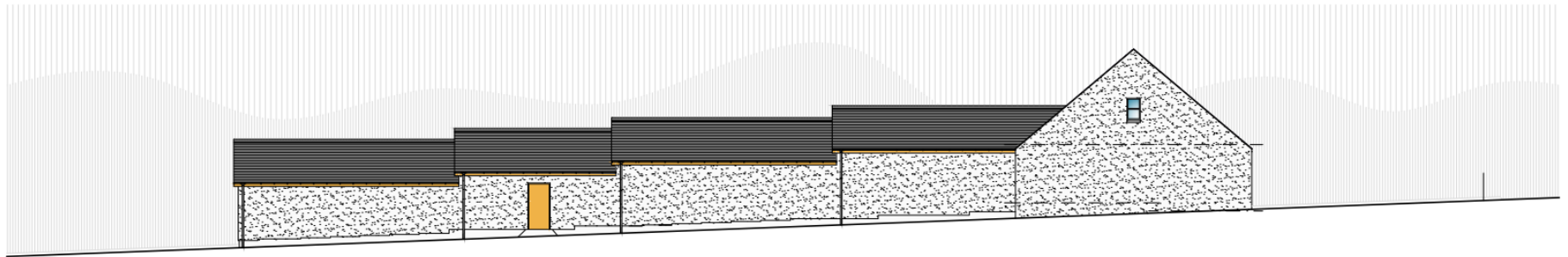
GROUND FLOOR LAYOUT PLAN

# Proposed Elevations 1



EAST ELEVATION

1:100



WEST ELEVATION

1:100

**Finishes:**

Walls: Dry dash render, colour grey

Roofs: Natural slate roof tiles

Doors & Windows: Red Cedar doors with painted frames,  
colour white

Rainwater goods: PVCu, colour black

# Proposed Elevations 2



**SOUTH ELEVATION 1:100**



**NORTH ELEVATION 1:100**

**Finishes:**

Walls: Dry dash render, colour grey

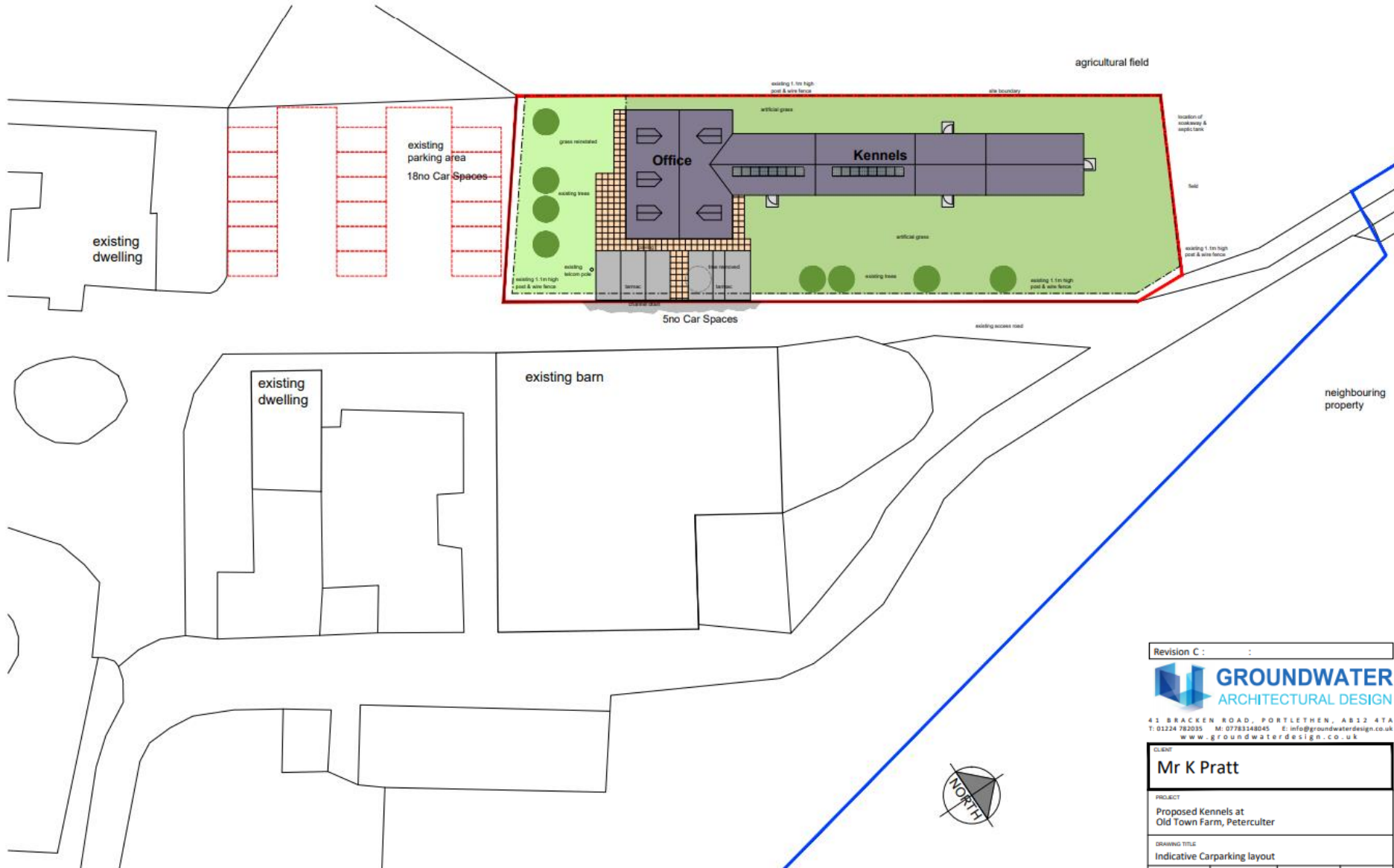
Roofs: Natural slate roof tiles

Doors & Windows: Red Cedar doors with painted frames, colour white

Rainwater goods: PVCu, colour black



# Indicative Car Parking Layout



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CLIENT

**Mr K Pratt**

PROJECT

**Proposed Kennels at Old Town Farm, Peterculter**

DRAWING TITLE

**Indicative Carparking layout**

SCALE	DATE	DRWG NO	REVISION
1:250	28/10/19	19-316/06	C

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# Site Photos



# Site Photos



# Site Photos



# Photos



# Photos



# Photos



# Photos





# Photos



# Photos



# Reasons for Decision

1. The proposal would result in development within an area of agricultural land forming part of a wider farming operation and would be for a use which is deemed to be neither essential for agriculture, nor associated with an existing activity. The proposed development would therefore be contrary to the expectations of Scottish Planning Policy (SPP) and would clearly fail to comply with the requirements of Policy NE2 (Green Belt) of the Aberdeen City Local Development Plan (ALDP).
2. The proposed development does not reflect the existing development pattern, nor is it of a form, scale, massing or have the design characteristics appropriate for a rural setting and therefore does not address the expectations of Policy D1 (Quality Placemaking by Design). Whilst deemed to be partially compliant with the requirements of Policy T2 (Managing the Transport Impact of Development), the proposed development has failed to demonstrate suitable compliance with the requirements of Policy T3 (Sustainable and Active Travel) and Policy NE6 (Flooding, Drainage & Water Quality) of the ALDP. Mitigation measures which have been identified as being necessary to address noise issues relating to the proposed development and suitably protect existing residential amenity cannot be reasonably secured, therefore the proposal also fails to comply with the requirements of Policy T5 (Noise) of the ALDP.
3. The proposal, if approved, would set an undesirable precedent for applications of a similar nature which would result in the proliferation of sporadic development, which in turn would lead to the erosion of the character of the Green Belt and adversely affect the landscape setting of the City.

# Applicant's Case for Review

Full supporting statement included in Agenda pack, with other submissions available via planning portal. Main points are:

- Site most recently used as a paddock, but now surplus to daily working of farm.
- Feel that inadequate opportunity was given to address reasons for refusal prior to decision being made.
- Contend that final response from Community Council was submitted outwith consultation period.
- Highlight a marked downturn in farm's profitability in recent years, with this proposal offering a means of supplementary income in line with Scottish Planning Policy
- Contends that design and materials are in keeping with surroundings
- States that policy T3 (Sustainable and Active Travel) is not relevant due to the nature of the business
- On water supply, notes that no further evidence was requested by the planning authority
- Considers that the planning authority has accepted the findings of the Community Council over its own Environmental Health team as regards noise impacts and mitigation.
- Highlights that mitigation measures have been included to address noise impact affecting occupants of Oldfold Farm, despite them operating the business and accepting related noise
- Suggests that no precedent would be set as all applications considered on their merits
- Points to the nearby development of stables recently as demonstrating that development of this nature is acceptable in this context

# Relevant Planning History

- Application Ref P160258: Planning Permission in Principle sought for the erection of a farm workers dwellinghouse. Application refused under delegated powers in May 2016. This decision was upheld by the Local Review Body in September 2016.
- Application Ref P150710: Planning Permission in Principle sought for the erection of a dwellinghouse. Application refused under delegated powers in July 2015. This decision was upheld by the Local Review Body in January 2016.
- Application Ref 040126: Construction of dwelling to replace existing farmhouse. Approved conditionally in September 2004.
- Application Ref 031953: Alterations and extensions of old bothy to form new dwellinghouse. Approved conditionally in April 2004.
- Application Ref 021663: Change of use of steading to form 2 new dwellings. Approved conditionally in February 2003.
- In 1990, 1991 and 1995, planning applications were submitted and refused for the erection of a dwellinghouse.

# Policy NE2 (Green Belt)

- Note preamble on aim of green belt (below) – not merely for purposes of visual or environmental protection

## Green Belt

**3.101** The aim of the Green Belt is to maintain the distinct identity of Aberdeen and the communities within and around the city, by defining their physical boundaries clearly. Safeguarding the Green Belt helps to avoid coalescence of settlements and sprawling development on the edge of the city, maintaining Aberdeen's landscape setting and providing access to open space. The Green Belt directs planned growth to the most appropriate locations and supports regeneration.

- No development other than that which is essential for:
  - Agriculture
  - Woodland and forestry
  - Recreational uses compatible with agricultural or natural setting
  - Mineral extraction/quarry restoration
  - Landscape renewal

# Policy NE2 (Green Belt)

- Then sets out further list of exceptions:
  - Small-scale expansion of existing uses in GB
  - Essential infrastructure which cannot be accommodated other than in GB
  - Conversion of historic/vernacular buildings
  - Extension of buildings above as part of conversion scheme
  - Replacement of existing houses on one-for-one basis
- Requirement that all development in the Green Belt is of the highest quality in terms of siting, scale, design and materials.

# Policy D1 (Quality Placemaking by Design)

## Policy D1 - Quality Placemaking by Design

All development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials. Well considered landscaping and a range of transportation opportunities ensuring connectivity are required to be compatible with the scale and character of the developments.

Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities;

- **distinctive**
- **welcoming**
- **safe and pleasant**
- **easy to move around**
- **adaptable**
- **resource efficient**

How a development meets these qualities must be demonstrated in a design strategy whose scope and content will be appropriate with the scale and/or importance of the proposal.

- Does the proposal represent a high standard of design and have strong and distinctive sense of place?



# Policy T2 (Managing the Transport Impact of Development)

## Policy T2 - Managing the Transport Impact of Development

Commensurate with the scale and anticipated impact, new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel.

Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in Supplementary Guidance.

The development of new communities should be accompanied by an increase in local services and employment opportunities that reduce the need to travel and include integrated walking, cycling and public transport infrastructure to ensure that, where travel is necessary, sustainable modes are prioritised. Where sufficient sustainable transport links to and from new developments are not in place, developers will be required to provide such facilities or a suitable contribution towards implementation.

Further information is contained in the relevant Supplementary Guidance which should be read in conjunction with this policy.

# Policy T3 (Sustainable and Active Travel)

## Policy T3 - Sustainable and Active Travel

New developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport, and the internal layout of developments must prioritise walking, cycling and public transport penetration. Links between residential, employment, recreation and other facilities must be protected or improved for non-motorised transport users, making it quick, convenient and safe for people to travel by walking and cycling.

Street layouts will reflect the principles of Designing Streets and meet the minimum distances to services as set out in the Supplementary Guidance.

Existing access rights, including core paths, rights of way and paths within the wider network will be protected and enhanced. Where development proposals impact on the access network, the principle of the access must be maintained at all times by the developer through provision of suitable alternative routes.

Recognising that there will still be instances in which people will require to travel by car, initiatives such as like car sharing, alternative fuel vehicles and Car Clubs will also be supported where appropriate.

- Emphasis on encouraging active and sustainable travel (e.g. walking, cycling, public transport)
- Need to protect existing links and form new ones where possible
- Scope to also encourage car sharing and low-emissions vehicles, with associated infrastructure

# Policy T5 (Noise)

## Policy T5 – Noise

In cases where significant exposure to noise is likely to arise from development, a Noise Impact Assessment (NIA) will be required as part of a planning application.

There will be a presumption against noise generating developments, as identified by a NIA, being located close to noise sensitive developments, such as existing or proposed housing, while housing and other noise sensitive developments will not normally be permitted close to existing noisy land uses without suitable mitigation measures in place to reduce the impact of noise.

Development within or near to Candidate Noise Management Areas (CNMAs) and Candidate Quiet Areas (CQAs) will not be permitted where this is likely to contribute to a significant increase in exposure to noise or a deterioration of noise conditions in these areas, or where this will reduce the size of, or cause an increase in the noise level within, the CQA.

Further information on NIAs, CNMAs and CQAs, including maps of these areas, can be found in the relevant Supplementary Guidance which should be read in conjunction with this policy.

- Noise Impact Assessments central to consideration
- Presumption against noisy developments being located close to noise sensitive uses

# Policy NE6 (Flooding, Drainage and Water Quality)

## Policy **NE6** - Flooding, Drainage and Water Quality

Development will not be permitted if:

- 1 It would increase the risk of flooding:
  - a) by reducing the ability of the functional flood plain to store and convey water;
  - b) through the discharge of additional surface water; or
  - c) by harming flood defences.
- 2 It would be at risk itself from flooding;
- 3 Adequate provision is not made for access to waterbodies for maintenance; or
- 4 It would require the construction of new or strengthened flood defences that would have a significantly damaging effect on the natural heritage interests within or adjacent to a watercourse.

Drainage Impact Assessment (DIA) will be required for new development proposals comprising 5 or more homes or 250 square metres non-residential floorspace. DIA will also be required for developments of any size that affect sensitive areas. DIA should detail how surface water and waste water will be managed. Surface water drainage associated with development must:

- 1 Be the most appropriate available in terms of SuDS; and
- 2 Avoid flooding and pollution both during and after construction.

Connection to the public sewer will be a pre-requisite of all development where this is not already provided. Private wastewater treatment systems in sewered areas will not be permitted. In areas not served by the public sewer, a private sewer treatment system for individual properties will be permitted provided that the developer demonstrates that there will be no adverse effects on the environment, amenity and public health.

# Policy R6 (Waste Management Requirements for New Development)

## **Policy R6 - Waste Management Requirements for New Development**

All new developments should have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Recycling facilities should be provided in all new superstores or large supermarkets and in other developments where appropriate. Details of storage facilities and means of collection must be included as part of a planning application for any development which would generate waste. Further details are set out in Supplementary Guidance.

For proposals where we believe the potential savings on construction or demolition materials for recycling or reuse is likely to be significant, we will ask developers to prepare a Site Waste Management Plan as a condition of planning consent.

# Policy R7 (Low and Zero Carbon Building and Water Efficiency)

## Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency

### Low and Zero Carbon Buildings

All new buildings, must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through the installation of low and zero carbon generating technology.. This percentage requirement will be increased as specified in Supplementary Guidance.

This requirement does not apply to:

- 1 Alterations and extensions to buildings;
- 2 Change of use or conversion of buildings;
- 3 Ancillary buildings that are stand-alone having an area less than 50 square meters;
- 4 Buildings which will not be heated or cooled, other than by heating provided solely for the purpose of frost protection; or
- 5 Buildings which have an intended life of less than two years.

### Water Efficiency

To reduce the pressure on water abstraction from the River Dee, and the pressure on water infrastructure, all new buildings are required to use water saving technologies and techniques. The level of efficiency required and types of efficiencies are detailed in Supplementary Guidance.

Further guidance on compliance with this policy is contained in existing Supplementary Guidance and future Supplementary Guidance on Sustainable Design.

# Points for Consideration:

Principle: Does Green Belt policy NE2 allow for the proposed development in areas designated as green belt?

Design: Is the proposal of high design quality, appropriate to its context (D1) - *having regard for factors such as scale, siting, footprint, proportions relative to original, materials, colour etc?*

Roads impact: Does the proposal satisfy the terms of policies T2 and T3, which include a requirement that development minimise traffic generated and maximise opportunity for sustainable and active travel?

Noise: Do members consider that the proposal satisfies policy T5 (Noise) and protects amenity from noise impacts associated with the proposed use?

Private water supply: Do members consider that it has been adequately demonstrated that a mains water connection cannot be achieved? Has the suitability of the proposed private supply been properly established?

**1. Does the proposal comply with the Development Plan when considered as a whole?**

**2. Do other material considerations weigh for or against the proposal? (e.g. SPP) Are they of sufficient weight to overcome any conflict with the Development Plan?**

Decision – state clear reasons for decision

Conditions? (if approved – Planning Adviser can assist)