

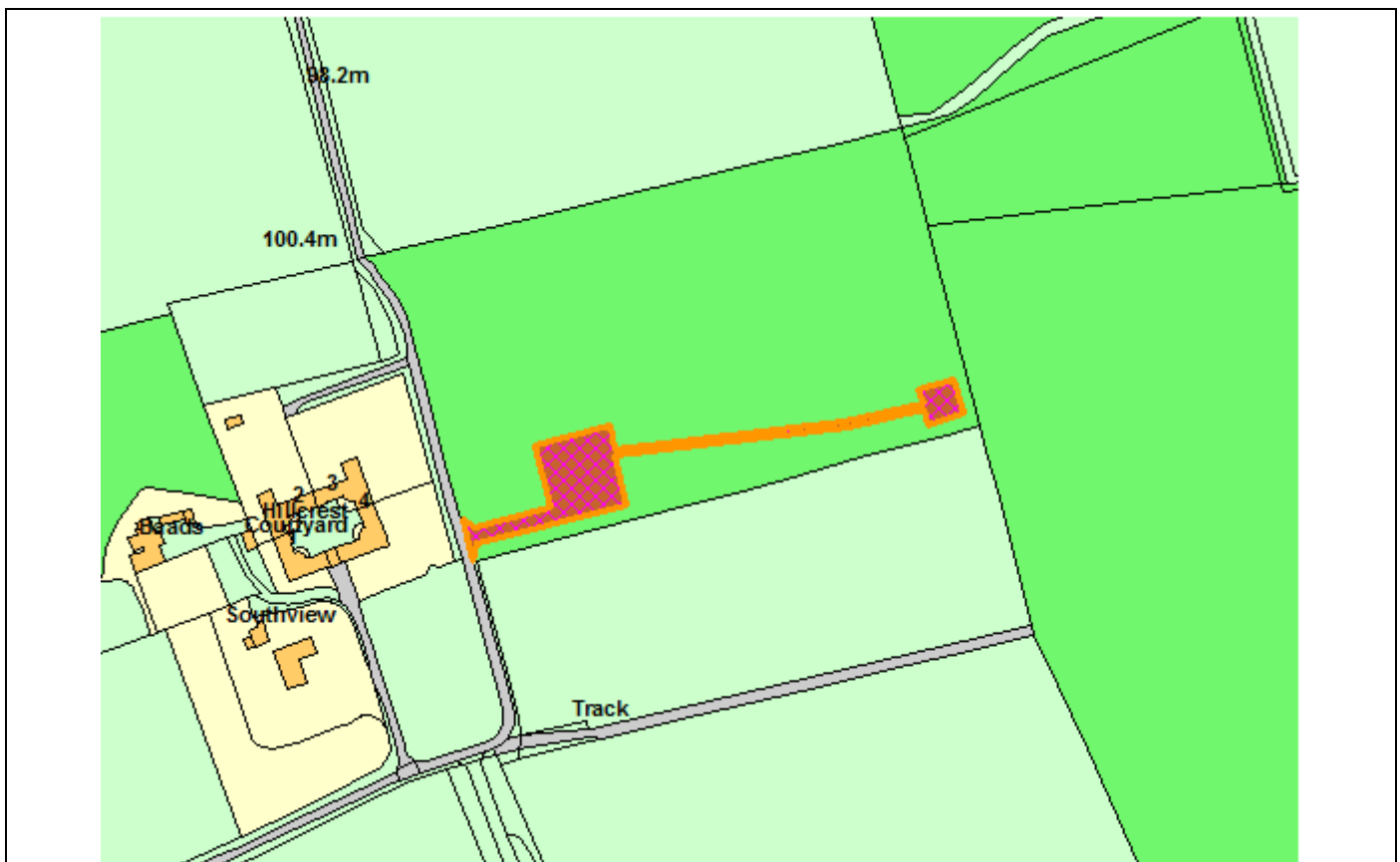


## Planning Development Management Committee

Report by Development Management Manager

**Committee Date:** 22 April 2021

<b>Site Address:</b>	Baads Farm, Anguston Road, Aberdeen, AB14 0PP
<b>Application Description:</b>	Change of use of land for erection of temporary chalet/mobile home
<b>Application Ref:</b>	201480/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	2 December 2020
<b>Applicant:</b>	Mr & Mrs G. Stewart
<b>Ward:</b>	Lower Deeside
<b>Community Council:</b>	Culter
<b>Case Officer:</b>	Jane Forbes



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### **RECOMMENDATION**

Approve Conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

The site is located in the countryside some 3.5km to the north west of Peterculter, to the east of Baads and a group of houses known as Hillcrest Courtyard. The site extends to an area of some 906m<sup>2</sup> and forms part of a wider area of uncultivated agricultural land extending to 2.3 hectares, located to the east of Hillcrest Courtyard. The application site extends along the southern boundary of the wider area of the agricultural land, where there is a gradual rise in ground level from south to north, with the northern boundary of the wider site forming the crest of the hill. To the south of the application site are fields, whilst to the west and across an access track are six houses. Access to the site is initially via a 350 metre long tarred, single track, private road which serves the neighbouring houses, followed by an unsurfaced track for a further 80 metres.

### **Relevant Planning History**

Planning permission (Ref: P110648) was approved by Planning Committee, against officer recommendation, on the 11th October 2011 for the erection of a residential dwelling, garage and associated stud farm. Conditions applied to the planning permission included restriction on the occupancy of the house to a person employed full time in the stud farm business and the dependants, widow or widower of such a person; ensuring that the stables and associated infrastructure are constructed and available for use prior to the commencement of the construction of the house and garage; restricting the hours of construction; requiring the submission of schemes of all external lighting and drainage/sewage facilities, and of samples of all external finishing materials; and the provision of landscaping and tree planting on site.

Planning permission (Ref: P120873) was approved under delegated powers on the 27th July 2012 for a variation to condition 7 to allow for the disposal of sewage effluent by means of a suitable primary and secondary treatment system as designed by a qualified engineer.

Two applications for planning permission (Ref: P140187 & Ref: P141149) were refused under delegated powers in March and September 2014 for the removal of Condition 1 (Control of Occupancy) from Planning Permission Ref: P120873, the latter of these decisions being upheld by the Local Review Body on 15<sup>th</sup> December 2014.

A subsequent application for planning permission (Ref: P150074), again seeking removal of Condition 1 (Control of Occupancy) was submitted in January 2015, however the Planning Authority declined to determine this application, as permitted under Section 39(1)(b) of the Town and Country Planning (Scotland (Act) 1997, on the basis that within the previous two years, two similar applications had already been refused and there had been no significant change in the development plan or in any other material consideration since the third application was submitted in January 2015.

A further application for planning permission (Ref: 181084/S42), once again seeking removal of Condition 1 (Control of Occupancy) of Planning Permission Reference P120873 was submitted in June 2018 and refused under delegated powers on 30 August 2018.

Finally, an application was submitted in January 2020 for detailed planning permission (Ref: 200040/DPP), seeking a change of use of land to a caravan site to allow for the erection of a residential chalet/mobile home on the site for a period of up to 5 years. The application was refused at Planning Development Management Committee on 30 April 2020. The decision was subsequently appealed through the Scottish Government's Planning & Environmental Appeal's Division, and the appeal dismissed by Scottish Ministers in July 2020, with planning permission refused and a separate claim for an award of expenses declined.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

Detailed planning permission is sought for the change of use of land to a caravan site for the erection of a temporary chalet/mobile home. The drawings submitted with the application indicate the chalet/mobile home, which the applicants have stated would be located within the site for a period of up to 18 months, has a footprint of 73m<sup>2</sup> (12.2 metres x 6 metres), and a ridge height of 4.25 metres. No details of the material finish of the chalet/mobile home have been provided, but it has been identified as a 2 bedroom, 'Westfield' style Omar Park Homes type, which is of residential standard and considered suitable for permanent residence. It would be situated within a site of some 906m<sup>2</sup>, and accessed off an existing unsurfaced track. The application site forms part of a wider development site for which conditional planning consent was originally granted in 2011 for a stud farm, residential dwelling and garage. Works relating to that consent have been carried out, including the clearing of overgrowth, fencing, construction of a stable building with associated infrastructure, formation of formal entrances with gate piers serving both the stable building and the area identified for the dwelling and garage.

### **Supporting Documents**

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QKLT44BZMN400>

- Supporting Planning Statement
- Correspondence from Lambridden Stud in Ayrshire, dated 21<sup>st</sup> October 2020
- Correspondence from Donview Veterinary Practice in Inverurie, dated 26<sup>th</sup> October 2020
- Copy of correspondence from the British Horse Society (H Mauchlen, National Manager for Scotland), dated 12<sup>th</sup> February 2021
- Copy of correspondence from Scotland's Rural College (G Turnbull, Lecturer in Equine Business Management, Grassland Management & Breeding Units), dated 26<sup>th</sup> February 2021
- Copy of correspondence from Scottish Water dated 2<sup>nd</sup> April 2021

### **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because the proposal has attracted six or more objections from the public and an objection from Culter Community Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

### **Pre-Application Consultation**

None

## **CONSULTATIONS**

**ACC - Roads Development Management Team** – No objection on the basis that the proposed development would be a temporary feature with adequate parking provided.

**ACC - Environmental Health** – No objection. Note that the applicants propose to connect to the Scottish Water mains water supply and confirm that such a connection is the most appropriate supply type due to public health risks associated with inadequate private water supply sources, associated sampling, treatment and system maintenance costs and the risk of insufficient supply during dry periods. Recommend that suitable demonstration is given that the mains water supply as proposed by the applicants is established.

**Culter Community Council** – Reflecting extensive representation from the community, the Community Council object to the proposal submitted for the following reasons:

1. Whilst there may be a strong preference for running a stud business by living on the site and providing 24-hour supervision of stallions it is clear that a stud farm can operate in what is now the usual way, using artificial insemination and not having stallions at the stud farm, and therefore having no need for accommodation on the site.
2. Refusal of the application does not affect the applicant's ability to establish and operate a stud business, as provided-for in the existing planning permission P110648/P120873.
3. Refusal of the application maintains the integrity of Green Belt protections, and in particular "the principle of a temporary change of use to a caravan site within the green belt would not meet the provisions of policy NE2", as set out by the Reporter hearing the appeal to the earlier application 200040/DPP (Appeal Decision Notice, PPA-100-2111)
4. The sole difference we can see between this present application and the earlier 200040/DPP is that the applicant now asserts that it is vital to live on-site from the outset. Their logic is that they intend to operate a stud business; and that business requires stallions to be kept on-site; and therefore the owners must live on-site.
5. Operation of stud business: "The terms of the planning permission granted in 2011 are clearly understood by the Applicant and she has bought the land knowing that the equestrian use has to be established before the dwellinghouse is built and occupied." (letter from the applicant's agent during application 200040/DPP). How come the current application (for the same owner, less than a year later) makes the assertion that "the business cannot be established without the applicant living on the site to allow the supervision and care required for stud horses, who quite simply could not be introduced safely to the stables without the 24 hour presence of the owners on site."?
6. Keeping of stallions: The British Horse Society confirmed to local residents that the majority of stud farms use artificial insemination and do not have stallions. Keeping stallions at a stud farm is therefore a choice by the applicant, and not a necessity.
7. Care of stallions: The British Horse Society wrote to local residents stating that stallions do not require 24-hour supervision, and this was confirmed by SSPCA.
8. The current application does not, in our view, introduce any new material consideration in support of the applicant's position and therefore does not offer any grounds for changing the decisions made by the Planning Authority – first, PDMC, then the Reporter – in refusing 200040/DPP. The points we raised then remain valid, and are attached for reference.
9. There is a new matter raised by the current application which we believe is material and should be added to the assessment of this application: the safety of the local residents. As the application itself makes clear, "stallions in particular, can be very fractious, especially during the covering season and the close proximity of mares in heat." The fencing installed by the applicants is not, we believe, capable of restraining stallions at such times. The western side of the application site is adjacent to a track, immediately beyond which are gardens where residents, including children, may be present.

## **REPRESENTATIONS**

11 representations have been received in relation to this application, all of which state their objection to the proposal. The matters raised can be summarised as follows:

1. The proposal is not consistent with Green Belt Policy (Policy NE2) of the Aberdeen Local Development Plan.
2. Any form of residential accommodation on this site in advance of the stud farm being brought into use would undermine the policies which protect the integrity of the Green Belt and safeguard against unsustainable development and suburbanisation of the area.

3. The planning restrictions that apply to the planning permission for the house and stud farm business continue to be perfectly reasonable and remain essential. These required that the stud farm become operational before the associated dwelling is constructed.
4. The supporting veterinary advice submitted with this application is not new information and hence need not be taken into consideration.
5. The previous proposal was for a caravan that required 5+ years on site to demonstrate a viable new business and subsequently build the house. This has now been condensed into an 18 month project, with a very considerable risk of the applicant ending up homeless or further extensions being required to this planning application for temporary accommodation.
6. The stud farm business does not appear ready to be brought into use. There are no services on-site other than electricity. Drainage arrangements are inadequate with heavy rains in December 2020 causing flooding in the vicinity of the stable block. This is contrary to Policy NE6 (Flooding, Drainage and Water Quality).
7. No evidence has been submitted showing the new business venture is a success and has a viable future, and no new evidence has been submitted since the previous application was turned down in 2020.
8. The proposed design and material finish of the chalet/caravan is not 'high quality' as required by policies NE2 (Green Belt), D1 (Quality Placemaking by Design) and D2 (Landscape) and its appearance would be out-of-keeping with properties in the surrounding area;
9. Approval of the proposal would set a terrible precedent for similar development in the green belt.
10. Any form of residential accommodation on the application site in advance of the equestrian stud farm being brought into use would undermine the policies which protect the integrity of the Green Belt and safeguard against unsustainable development and suburbanisation of the area.
11. The requirements for operating a stud farm must have been fully understood prior to submitting the original application for development of the site. This was demonstrated in the correspondence submitted in support of the previous application.
12. It was previously stated that the applicant bought the land knowing that the equestrian use had to be established before the dwellinghouse was built and occupied. The reasoning provided for the proposed development, that "without the presence of any on-site accommodation, the introduction of stud animals to the stables is impossible" is therefore disingenuous.
13. The current applicant and previous applicant have continuously tried to remove or circumvent the planning restrictions associated with the initial application focussing on the ability to live on site.
14. Improvement of the land and further development of the stud farm business and building of the dwellinghouse as per the original application approval is welcomed.
15. The mobile home/chalet would be located on a hilltop site and would be clearly visible from Peterculter and the main Deeside Road to the south. It would be a blot on the landscape.
16. Temporary structures such as a mobile home/chalet have a habit of becoming permanent.
17. If granted permission for 18 months, there would likely be reasons given by the applicant for the use of the chalet/mobile home being extended beyond this and for it not being removed from the site, including the need for additional time to build the dwelling or establish the business.
18. An application for further planning change appears likely in the future, regardless of whether this current proposal is approved or rejected.
19. There are no rules or regulations that require the carers of horses to live on-site, and no clear evidence that onsite accommodation is a requirement for establishing a stud farm. There is no need for 24 hour on-site supervision of horses. The Government UK code of Practice for Welfare of Horses does not stipulate the need for on-site supervision of horses, but merely states that regular checks are undertaken.
20. The British Horse Society stated in writing to us that stallions do not require 24 hour supervision and confirmed that there exist no stipulations regarding the presence of stallions to establish a stud farm. Indeed the majority of stud farms do not have stallions on site and use artificial insemination. We contacted the SSPCA and, in agreement with the British Horse Society, they confirmed that stallions do not require 24 hour supervision. No evidence exists within the law or

amongst equestrian or animal welfare experts to support the applicants' assertions regarding the supervision of stallions, let alone the need for their presence.

21. It could be suggested that a view has been taken by the applicants that the planning authorities will eventually relent and allow the installation of a residential chalet/mobile home. An area of hardstanding has been in place on the area of the proposed residential chalet/mobile home since early in the development of the site in 2020, before the time of the last refusals by Aberdeen City Council and the Scottish Government. Moreover, the hardstanding had water and electricity installed exactly where the proposed mobile home would be sited, further supporting the view that the applicants believe their application for the erection of a temporary chalet/mobile home will eventually be approved.
22. Concerns raised about the implications with regards to a potential caravan site which would be extremely detrimental to the Anguston community and to the Green Belt.
23. If insurance cover is difficult to obtain because there is no 24 hour on-site supervision for the stud farm, then there are examples where the terms and conditions of existing stud farm insurance cover can address this.
24. Aberdeen Riding Centre is located about a mile from this proposed development. It is a much larger business and has been established for many years, with no need for someone staying on site full time.
25. There are a number of residential properties for sale and rent in close proximity to the site which would be available for the applicants to occupy whilst establishing the business. The applicant is relying on the approval of a change of use to allow the use of the chalet/mobile home to establish the business. No explanation has been offered on how the applicant has tried to mitigate this risk of not getting approval for a change in use.
26. The proposed stud farm business adjacent to our home will adversely impose on and impact our quality of life due to noise, odours and increased traffic. The long term siting of an unsightly mobile home/chalet so close to our home would compound this impact and have a very detrimental effect on our quality of life due to the negative/adverse visual impact and on the character of the local area.
27. Concerned that if this planning application is approved then one or more mobile units will be erected on the site, and once on site may well remain long into the future. This could lead to overdevelopment of this Green Belt site and that in the long term the chalet/mobile home would remain alongside the approved dwelling.
28. If this application is approved there is less urgency to complete the development from the original planning approval.
29. In the planning application, the residential use of the chalet/mobile home is not stated to be solely for the use of the manager of the stud farm.
30. If approved, this would allow for the change of use to caravan site and subsequent residential occupancy of that site to occur without any obligation to progress the previously approved planning application.

## **MATERIAL CONSIDERATIONS**

### **Legislative Requirements**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

### **National Planning Policy and Guidance**

Scottish Planning Policy was approved on 18 December 2020. In February 2021, a Judicial Review of the decision of the Scottish Ministers on 18 December 2020 to amend Scottish Planning Policy (2014) as set out in 'Scottish Planning Policy Finalised Documents' and to publish 'Planning Advice Note 1/2020' was lodged with the Court of Session. As it stands, SPP2020 remains in place and is a relevant consideration in the determination of all planning applications.

### **Aberdeen City and Shire Strategic Development Plan (2020) (SDP)**

Aberdeen City and Shire Strategic Development Plan (2020) (SDP) The Strategic Development Plan 2020 was published in 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 and promotes a spatial strategy for 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. The following general targets are identified; promoting diversified economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change and limiting 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.

### **Aberdeen Local Development Plan (2017) (ALDP)**

Policy NE2 (Green Belt)

Policy D1 (Quality Placemaking by Design)

Policy T2 (Managing the Transport Impact of Development)

Policy NE6 (Flooding, Drainage & Water Quality)

### **Proposed Aberdeen Local Development Plan (2020)**

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020. The Proposed ALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be, and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- such matters have or have not received representations as a result of the period of representations in public for the Proposed ALDP;
- the level of representations received in relation to relevant components of the Proposed ALDP and their relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case by case basis. The following policies of the Proposed ALDP are relevant to this application:

Policy NE1 (Green Belt)

Policy D1 (Quality Placemaking)

Policy T2 (Sustainable Transport)

Policy NE4 (Water Infrastructure)

### **Other Material Considerations**

Scottish Ministers Appeal Decision of 20 July 2020 (Planning Appeal Ref: PPA-100-2111) which relates to an appeal against the decision by Aberdeen City Council to refuse planning application Ref 200040/DPP which sought a change of use of land at Baads Farm, Anguston for the erection of a chalet/mobile home. Scottish Ministers dismissed the appeal and planning permission was refused.

## **EVALUATION**

### **Development Plan**

The application requires to be determined in accordance with the Aberdeen City Local Development

Plan (ALDP), so far as material to the application unless material considerations indicate otherwise. The relevant policies of the ALDP are considered below.

### **Scottish Planning Policy**

Scottish Planning Policy (SPP) states that the main purpose of designating green belt around a city is to support a spatial strategy which will allow for development to be directed to the most appropriate location; protect and enhance the character, landscape setting and identity of towns and cities; and protect and provide access to open space.

### **Strategic Development Plan**

In terms of assessment against the Aberdeen City and Shire Strategic Development Plan (SDP), the proposal is not considered to be regionally significant or require consideration of cross-boundary issues and, therefore, does not require detailed consideration against the SDP.

### **Background**

Planning permission was granted on the 11<sup>th</sup> October 2011 for the erection of a dwellinghouse, garage and associated stud farm at Baads Farm. Whilst the site was located within the Green Belt, where policies are generally restrictive, it was judged that a house was required to support the proposed stud farm business, which was relocating from another site outwith the city boundary. The application was approved against officer recommendation on the basis *“that the application was not contrary to Policy 28 of the Local Plan as the proposed buildings would not be higher than the others in the landscape and the proposed business was an agricultural activity within Policy 28”*.

Conditions were applied to the planning permission which included restricting the occupancy of the dwellinghouse to a person employed full time in the stud farm business and the dependants, widow or widower of such a person; phasing the development to ensure that the stables and associated infrastructure are constructed and available for use prior to the commencement of the construction of the house and garage; restricting the hours of construction; requiring the submission of schemes of all external lighting and drainage/sewage facilities, samples of all external finishing materials, the provision of landscaping and tree planting on the site.

An application to remove Condition 1 (control of occupancy) was submitted and subsequently refused in March 2014, as the deletion of the condition would mean that the proposal would be contrary to Policy NE2 (Green Belt) of the ALDP as well as Scottish Planning Policy. The reasoning for this refusal was as follows:

*“The proposed deletion of Condition 1 of planning permission P120873, relating to occupancy, is contrary to Scottish Planning Policy and Policy NE2 (Green Belt) of the Aberdeen Local Development Plan, which seek to protect the integrity of Green Belts and, in particular, seek to avoid the granting of individual planning permissions to prevent the cumulative erosion of a green belt. If it were not for the specific individual requirements of the business the house would not have complied with planning policy and ultimately refused. The removal of this condition would undermine the policies which seek to protect the integrity of the Green Belt which seeks to safeguard against unsustainable development and suburbanisation of the area. It was judged necessary to impose Condition 1 to ensure that the development complied with planning policies. It is judged that Condition 1 meets the tests set out in Circular 4/1998. The advice in the letter from the Chief Planner (04.11.2011) has been considered. The proposal to delete Condition 1 is considered unacceptable in planning policy terms.”*

A second application to remove Condition 1 was submitted and refused under delegated powers in September 2014, and the decision upheld by the Aberdeen City Local Review Body on 15 December 2014.

The reason given by the LRB for refusing the application and upholding the decision of the appointed



officer was:

*“The proposed deletion of Condition 1 of planning permission P120873, relating to occupancy, is contrary to Scottish Planning Policy and NE2 (Green Belt) of the Aberdeen Local Development Plan which seek to protect the integrity of Green Belts and, in particular, seek to avoid the granting of individual planning permissions to prevent the cumulative erosion of a green belt. If it were not for the specific individual requirements of the business the house would not have complied with planning policy and ultimately refused. The removal of this condition would undermine the policies which seek to protect the integrity of the Green Belt which seeks to safeguard against unsustainable development and suburbanisation of the area. It was judged necessary to impose condition 1 to ensure that the development complied with planning policies. It is judged that condition 1 meets the tests set out in Circular 4/1998. The advice in the letter from the Chief Planner (04.11.2011) has been considered. The proposal to delete condition 1 is considered unacceptable in planning policy terms and no sufficient justification has been submitted from the previous refusal (P140187) in order to justify the removal of the condition”.*

A third application to remove condition 1 was submitted under planning application P150074. The Planning Authority exercised its power to decline to determine this application under Section 39(1)(b) of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006, which provides planning authorities with discretionary powers to decline to determine planning applications in circumstances where more than one similar application has been refused without an appeal to the Scottish Ministers within the previous two years and where there has been no significant change to the development plan or in any other material considerations.

A fourth application to remove condition 1 was submitted under planning application 181084/S42 in June 2018 and refused under delegated powers in August 2018. The reasoning for this refusal was as follows:

*“The proposed deletion of Condition 1 of planning permission P120873, relating to occupancy, is contrary to Scottish Planning Policy and Policy NE2 (Green Belt) of the Aberdeen City Local Development Plan, which seek to protect the integrity of Green Belts and, in particular, seek to avoid the granting of individual planning permissions to prevent the cumulative erosion of a green belt. If it were not for the specific individual requirements of the business, the dwellinghouse would not have complied with planning policy and would ultimately have been refused. The removal of Condition 1 would undermine the policies which seek to protect the integrity of the Green Belt, and safeguard against unsustainable development and suburbanisation of the area. It was deemed necessary to apply Condition 1 in order to ensure that the development complied with planning policies. It is judged that Condition 1 meets the tests set out in Circular 4/1998. The advice in the letter from the Chief Planner (dated 4 November 2011) has been considered. The proposal to delete Condition 1 remains unacceptable in planning policy terms and there has been no additional supporting information submitted from either of the previous refusals (Ref: P140187 & P141149) which would justify its removal.”*

Finally, a fifth application was submitted in January 2020 for detailed planning permission (Ref: 200040/DPP), seeking a change of use of land to a caravan site to allow for a residential chalet/mobile home to be located on the site for a period of up to 5 years. The application was refused at Planning Development Management Committee on 30 April 2020. The reasoning for refusal was as follows:

*The proposed development comprises a change of use of land to caravan site for the erection of a residential chalet/mobile home for a period of up to 5 years. This is a stand-alone application, which if approved, would allow for the change of use to caravan site and subsequent residential occupancy of that site to occur without any obligation for the construction of the previously approved stud farm being progressed.*

*It is the considered opinion of the planning authority that provision of any form of residential accommodation on the application site in advance of the aforementioned stud farm being constructed and brought into use would undermine the policies which seek to protect the integrity of the Green Belt, and safeguard against unsustainable development and suburbanisation of the area. Such development would have an adverse effect on the character of the area and the landscape setting within which the site lies.*

*The proposed development would be clearly contrary to the expectations of Scottish Planning Policy (SPP) and to the requirements of Policy NE2 (Green Belt) of the Aberdeen City Local Development Plan, and would only partially address the expectations of Policy D1 (Quality Placemaking by Design) and Policy T2 (Managing the Transport Impact of Development).*

*That the proposal, if approved, would set an undesirable precedent for applications of a similar nature which would result in the proliferation of sporadic, temporary residential accommodation in the Green Belt, and in turn lead to the erosion of the character of the Green Belt and adversely affecting the landscape setting of the City.*

The decision was appealed to the Scottish Ministers and the appeal dismissed in July 2020, with planning permission refused. A separate claim for an award of expenses was also declined. The reasoning provided by the Scottish Government Reporter for refusal was as follows:

*Overall, whilst I find that the appeal proposal is acceptable in terms of policies D1, T2 and NE6, the principle of a temporary change of use to a caravan site within the green belt would not meet the provisions of policy NE2. Therefore, I find that, overall the appeal proposal is not in accordance with the provisions of the development plan. I also find that there are no material considerations, including those of personal circumstances, which would warrant setting aside the provisions of the development plan in this case. I have considered all the other matters raised, but there are none which would lead me to alter my conclusions.*

In relation to the current status of the application site it should be noted that excavation work was carried out on site in September 2014 in order to secure 'initiation of development', and as such, planning permission for the stud farm, dwelling house and garage was retained in perpetuity. In support of the original application which was granted consent in October 2011, it had been stated that there was an urgent need for the applicants to relocate the stud farm business which was already in operation, because at that time the lease for land from where the business was operating was not being renewed.

The statement submitted in support of the 2018 application outlined above (Ref 18/1084/S42) advised that the site had been on the market since April 2014 and the site did indeed change hands following determination of the 2018 application. In recent months works have continued on site including the clearing of overgrowth and erection of fencing, and the construction of the approved stable building with associated infrastructure, with formal entrances including gate piers erected at the entrance to the stables and to the area identified for the approved dwelling and garage development. Drainage works across the site and connection to the mains water supply have also taken place, with Scottish Water confirming connection was completed on 6 April 2021.

### **Supporting Document**

The agent has submitted a Planning Statement on behalf of the applicants, and in support of the application. This supporting document states that: *"The applicants, since purchasing the ground with permission for the stud business, stables and a dwellinghouse, have established Green Pasture Stud Farm. However, without the presence of any on-site accommodation, the introduction of stud animals to the stables is impossible due to the nature of the business and the care required on site. They seek permission to house the temporary mobile residential lodge at the site for a period of*

*eighteen months while the house is being constructed, but most importantly, the business cannot be established without the applicants living on the site to allow the supervision and care required for stud horses, who quite simply could not be introduced safely to the stables without the 24 hour presence of the owners on site."*

The supporting document further outlines that *"Since purchasing the ground, the applicant has already invested a significant amount of money in preparing the ground for all of the development, has erected the stables for the stud farm and created the access points for both the stables and stud farm and the dwellinghouse. The stud farm is ready to be brought into use but without on-site supervision and care the stud horses cannot be brought to the farm. Given this, the stud farm cannot be brought into use."*

### **Principle of Development**

The site lies within an area which is designated as green belt, as supported by Scottish Planning Policy, and is therefore zoned under Policy NE2 (Green Belt) of the Aberdeen City Local Development Plan (ALDP). Scottish Planning Policy (SPP) is clear in identifying that the purpose of green belt designation in the development plan is: to direct planned growth to the most appropriate locations; protect and enhance the quality, character, landscape setting and identity of towns and cities; and, protect and give access to open space within and around towns and cities. Policy NE2 states: 'No development will be permitted in the Green Belt for purposes other than those essential for agriculture; woodland and forestry; recreational uses compatible with an agricultural or natural setting; mineral extraction/quarry restoration; or landscape renewal'.

The following exceptions apply to this policy:

1 Proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:

- a) The development is within the boundary of the existing activity;
- b) The development is small-scale;
- c) The intensity of activity is not significantly increased; and
- d) Any proposed built construction is ancillary to what exists.

2 Essential infrastructure (such as electronic communications infrastructure, electricity grid connections, transport proposals identified in the LDP or roads planned through the masterplanning of opportunity sites) will only be permitted if it cannot be accommodated anywhere other than the Green Belt.

3 Buildings in the Green Belt which have a historic or architectural interest, or a valuable traditional character, will be permitted to undergo an appropriate change of use which makes a worthwhile contribution to the visual character of the Green Belt.

4 Proposals for extensions of existing buildings, as part of a conversion or rehabilitation scheme, will be permitted in the Green Belt provided:

- a) The original building remains visually dominant;
- b) The design of the extension is sympathetic to the original building in terms of massing, detailing and materials, and
- c) The siting of the extension relates well to the setting of the original building.

5 Replacement on a one-for-one basis of existing permanent houses currently in occupation will normally be permitted provided:

- a) It can be demonstrated to the Council that they have been in continuous occupation for at least 5 of the seven years immediately prior to the date of the application;
- b) The replacement house, except in exceptional circumstances (e.g. to improve a dangerous access), occupies the same site as the building it would replace, does not permit development for

purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration, or landscape renewal.

Approval of this application would see a change of use of the land to a caravan site. The proposal indicates that one chalet/mobile home would be located on the site, and for a period of up to 18 months. The principle of erecting a dwellinghouse within the wider site was supported under planning application Ref P110648 (and subsequently P120873), however as part of the assessment of this current application it is relevant to note that in granting consent in 2011, the Planning Development Management Committee deemed the residential element of the application at that time acceptable on the provision that the stud farm business, which was to be relocating from another location, be constructed, completed and operational prior to the approved dwellinghouse and associated domestic garage being constructed and occupied, and a condition was applied by the Committee to this effect.

The applicants stated requirement for the proposed chalet/mobile home, as explained in the Supporting Planning Statement submitted by the applicants agent, is as follows: *“They seek permission to house the temporary mobile residential lodge at the site for a period of eighteen months while the house is being constructed, but most importantly, the business cannot be established without the applicants living on the site to allow the supervision and care required for stud horses, who quite simply could not be introduced safely to the stables without the 24 hour presence of the owners on site.”*

As was made clear in terms of the previous application, this is a stand-alone application, therefore it is once again important to note and to take into account in considering this proposal, that if planning permission were to be granted for a change of use of land to a caravan site to allow for a temporary chalet/mobile home to be located within the site, the permission for such a change of use could be implemented independently of the stud farm becoming fully operational or any part of the 2011 permission, or subsequent 2012 permission, being progressed. Similarly, the original application for the stud farm, dwellinghouse and garage could be implemented alongside any permission granted for the caravan site, with the potential cumulative impact of both consents being delivered also a relevant consideration. Suitably restrictive conditions can however be applied with a view to addressing issues resulting from the above, namely, by ensuring that only a single chalet/mobile home is permitted on site at any one time, applying a time limit on the use of the chalet/mobile home, and that its occupation is limited to a person or persons employed full-time in the stud farm.

It should be noted that planning permission is required solely for the change of use of the land to a caravan site, and although a separate caravan site licence would be required to allow for the chalet/mobile home to be located on the site, the erection of the chalet/mobile home in itself does not require planning permission. As such, whilst information has been submitted specifically relating to the type and style of chalet/mobile home to be located on the site, this level of detail is largely outwith the control of the planning authority, albeit a condition will be applied which requires prior approval of the external material finish to the walls and roof of the chalet/mobile home, thereby providing some degree of control on the visual impact.

With this in mind, if consent were to be granted for the change of use of the land as proposed, it is worth noting that the applicants would be under no obligation to install the specific chalet/mobile home which has been identified as part of the proposal, and could potentially install any style/scale of caravan/mobile home/chalet falling within the definition of a caravan (under Section 29(1) of the Caravan Sites and Control of Development Act 1960; modified by Section 13(1) of the Caravan Sites Acts 1968 and by the Caravan Sites Act 1968 (Amendment of Definition of Caravan) (Scotland) Order 2019).

It was at the time of the original permission being granted, and has remained to be the considered opinion of the planning authority, that provision of any form of residential accommodation on the site in advance of the stud farm being constructed and brought into use, would be contrary to the terms of Policy NE2 (Green Belt), and there have been no substantive changes with regards to green belt policy, either in terms of Scottish Planning Policy or the Aberdeen Local Development Plan, which would give support to a different approach being taken.

The Planning Statement submitted in support of the proposed change of use which would allow for temporary residential accommodation on site for a period of 18 months does however provide particular personal circumstances which demonstrate that there is a specific need for such accommodation in advance of the stud farm becoming fully operational, and on this aspect of the proposal it is necessary for the planning authority to take cognisance of the Scottish Government Reporter's appeal decision of 20 July 2020 (Planning Appeal Ref: PPA-100-2111) whereby it was acknowledged that personal circumstances could be considered in establishing whether there was '*an overriding need for on-site temporary accommodation*', and if special or exceptional circumstances were indeed evident, that these could be deemed '*sufficient to set aside the provisions of the development plan and in particular Policy NE2.*'

The aforementioned Supporting Statement outlines that '*The stud farm and stables are established but cannot be put into operation without accommodation on-site, given the essential supervision and care needs of the stud horses*'. The Supporting document states that '*There is no doubt that the need for 24 hour on-site security is essential to address potential theft or damage and that on-site presence is critical to the health and wellbeing of the horses*' and further detail is provided on the specific health and safety requirements of the stud farm, outlining that the owners cannot fully establish the business and introduce the horses due to the risk this would bring to the animals in the absence of a permanent residential base at the site. Such health and safety requirements have been backed up in correspondence received in support of the application and submitted by an existing long-standing stud operator and by a local veterinary practice.

The aforementioned correspondence states that horses, and especially stallions, should not be kept on a site where there is no on-site accommodation, temporary or otherwise, to allow for the required 24hr on-site supervision. In the absence of on-site presence, it was envisaged that there could be problems regarding liability insurance. It was also made clear in the correspondence submitted that early identification of any injury sustained by horses kept on site would be essential on welfare grounds, and having someone staying on the stud farm enabled regular inspection of the horses to be carried out throughout the day.

Taking the above into account it is worth noting at this point that in terms of the previous application, there was no clear explanation or justification provided as to why a permanent on-site presence was necessary during the construction of the stud farm. It was at the time acknowledged by the planning authority that a case could potentially be made following the construction of the stud farm, and it having become operational, for on-site temporary accommodation to be allowed whilst the permanent dwellinghouse was being built. This was on the basis that such an arrangement would be deemed reasonable and relatively commonplace where residential development is taking place on a site which lies outwith an urban setting.

As outlined above, it is of particular relevance in terms of our assessment of this current application that consideration is given to the findings of the Scottish Government Reporter's appeal decision (Ref PPA-100-2111). The Reporter stated in 2020 that the proposal had been determined in accordance with the development plan, with the main issues considered being as follows: the principle of development; the proposal's impact upon the character and appearance of the area; and whether there were personal circumstances that would support the proposal. With regards to the

personal circumstances which were presented, the Reporter stated that *'In regard to welfare and security issues, until such time that the proposed stud farm is completed and becomes operational (or at least until its operation is imminent), I do not consider that these considerations can be given weight.'*

With this in mind, the current status of the stud farm is therefore quite critical in terms of our assessment and determination of this application. The stable building has now been constructed including appropriate drainage infrastructure, thus permitting a temporary completion certificate to be issued which allows its use and occupation, and a full connection for the site to the mains water supply has also been confirmed by Scottish Water. So whilst the stud farm business is not yet in operation, it has been suitably demonstrated that the essential infrastructure is now in place and its operation could therefore be deemed imminent, thereby giving more weight to welfare and security requirements, if these are indeed deemed to be valid. This aspect is discussed in more detail below.

### **Material considerations**

Having considered the correspondence submitted in support of the proposal and taken into account the points raised which relate primarily to the need to ensure appropriate levels of animal welfare and security for the stud farm, whilst also bearing in mind that a number of concerns were raised in letters of representation which questioned the need for on-site accommodation to allow for the 24 hour supervision of the stud farm, the Planning Authority sought guidance on this matter from both the The British Horse Society (National Manager for Scotland) and from the Scottish Rural College in Oatridge, West Lothian, and specifically from a Lecturer in Animal & Veterinary Sciences (Equine Business Management, Grassland Management & Breeding Units). The responses we received confirmed that in their opinion (a) if breeding is taking place on the stud farm, either the proprietors or staff need to be on site 24/7 for foaling; (b) fire is a hazard for equines shut in (stabled); (c) the previous two points could affect insurance; (d) it would be very difficult to operate a professional stud without on-site accommodation; (e) the supporting information provided in relation to the essential requirement for on-site accommodation to allow the 24-hour supervision of horses, including stallions, sounds accurate; and (f) there could potentially be an issue with liability insurance.

Taking all of the above into account, it is apparent that the weight which can be given to the particular circumstances of the applicants and their requirement to be living on site to deliver the necessary levels of safety and welfare for the stud farm is now a material consideration in the determination of the application. Whilst the proposal may well remain contrary to the terms of Policy NE2 (Green Belt) of the ALDP, it has nevertheless been suitably demonstrated that the operation of the stud farm is likely to be imminent, and therefore a reasonable degree of weight can be given to what appears to be a valid argument made by the applicants in terms of their personal circumstances, whereby the need to secure appropriate levels of safety and animal welfare for the stud farm would justify the introduction of temporary accommodation on site.

### **Design, Scale & Siting**

Policy D1 (Quality Placemaking by Design) of the ALDP highlights the need for development to respond to the site context and be designed with due consideration to siting, scale and massing; for it to reinforce established patterns of development; and to be well planned, with high quality design, materials and craftsmanship.

In terms of assessing this proposal, there are however limitations in suitably addressing the expectations of Policy D1, given that the planning authority would be granting consent solely for the proposed change of use to caravan site, with the general style and design of chalet/mobile home determined by a separate legislative process. Notwithstanding this, the proposed change of use of the land which would allow for a chalet/mobile home for a period of up to 18 months on the site would have a visual impact on the green belt, and it is therefore a relevant consideration in the

determination of the application. The open aspect of the site and its relative prominence within the surrounding area is such that a chalet/mobile home within this location would be clearly visible from well beyond the curtilage of the site. It is apparent that the consequence of granting consent for a change of use would be the subsequent introduction of a chalet/mobile home to the site, and there are certainly limitations in controlling its overall style and design as part of the planning process, however a condition has been applied which would require details of the external finishing materials to the roof and walls of the mobile home/chalet unit to be submitted for prior approval and for such finishes to be suitably maintained, thus allowing some control over its potential impact on the character of the surrounding area.

Whilst acknowledging that the siting of a chalet/mobile home in this location would not have a positive impact on the character and appearance of the area, given that this current proposal is seeking consent for a period of 18 months, in comparison to the previous application which sought consent for a period of 5 years, then it is considered that the resulting visual impact would be suitably limited and would not be of such significance that it would merit refusal of the application.

### **Access/Parking**

The site is currently served by a private access road and the Council's Roads Development Management team has raised no objection to the proposal, advising that it is a temporary feature with adequate parking proposed.

It is accepted that the proposal may not fully address the requirements of Policy T2 (Managing the Transport Impact of Development), largely as a result of the somewhat isolated location of the site which limits the measures which can feasibly be put in place to minimise traffic and maximise opportunities for sustainable and active travel. However, consideration must also be given to the limited site area and the temporary nature of the proposed change of use for a single chalet/mobile home, and with this in mind it is acknowledged that the proposal would raise no significant concerns in terms of the expectations of Policy T2 (Managing the Transport Impact of Development).

### **Drainage/Water Supply**

ACC Environmental Health officers raised no objection to the proposal but advised that suitable demonstration is given that the mains water supply as proposed by the applicants is established at the property. Confirmation has been provided by the agent that a connection to the mains water was carried out by Scottish Water on 6 April 2021. Servicing arrangements would appear adequate for the proposed change of use of the land to caravan site for the erection of a chalet/mobile home, and as such the expectations of Policy NE6 (Flooding, Drainage & Water Quality) would be suitably addressed.

### **Proposed Aberdeen Local Development Plan**

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 (ALDP) substantively reiterate those in the adopted Local Development Plan and with the exception of Policy NE1 the proposal is suitably compliant for the reasons previously given.

### **Matters raised by the Community Council**

The concerns raised by the local Community Council have been addressed in the foregoing evaluation with the exception of the following:

1. *There is a new matter raised by the current application which we believe is material and should be added to the assessment of this application: the safety of the local residents. As the application itself makes clear, "stallions in particular, can be very fractious, especially during the covering season and the close proximity of mares in heat." The fencing installed by the applicants is not, we believe, capable of restraining stallions at such times. The western side of the application site is adjacent to a track, immediately beyond which are gardens where residents, including children, may be present. The management and day-to-day operation of the*

previously approved stud farm is not a material consideration in the determination of this application which seeks consent for a change of use for the erection of a temporary chalet/mobile home.

### **Matters raised in representations**

The majority of the material concerns raised by objectors in representations have been addressed in the foregoing evaluation. The remainder of the concerns are addressed as follows:

1. *There are a number of residential properties for sale and rent in close proximity to the site which would be available for the applicants to occupy whilst establishing the business. The applicant is relying on the approval of a change of use to allow the use of the chalet/mobile home to establish the business. No explanation has been offered on how the applicant has tried to mitigate this risk of not getting approval for a change in use.* Information has been submitted which supports the view that a 24hr on-site presence is required for the operation of the stud farm, in order to ensure appropriate levels of safety and animal welfare can be provided, therefore securing accommodation outwith the site would not appear to address this requirement.
2. *The proposed stud farm business adjacent to our home will adversely impose on and impact our quality of life due to noise, odours and increased traffic. The long term siting of an unsightly mobile home/chalet so close to our home would compound this impact and have a very detrimental effect on our quality of life due to the negative/adverse visual impact and on the character of the local area.* This current application is for a change of use of land for the erection of a temporary chalet/mobile home which will be assessed against relevant planning policy and any other material consideration, including consideration of any relevant time period for which permission could be granted. Approval has been granted for the erection of the stud farm and therefore its resulting impact is not a material consideration in the determination of this application.
3. *If granted permission for 18 months, there would likely be reasons given by the applicant for the use of the chalet/mobile home being extended beyond this and for it not being removed from the site, including the need for additional time to build the dwelling or establish the business.* The applicants are within their rights to apply for planning permission for a period of 18 months, and for the acceptability of this period of time to be considered by the planning authority in the assessment of the application.
4. *The previous proposal was for a caravan that required 5+ years on site to demonstrate a viable new business and subsequently build the house. This has now been condensed into an 18 month project, with a very considerable risk of the applicant ending up homeless or further extensions being required to this planning application for temporary accommodation.* The applicants have applied for a change of use of land for the erection of a temporary chalet/mobile home at this site. The application is assessed against relevant planning policy and any other material consideration relating to such a proposal, and this includes considering any relevant time period for which permission could be granted.

### **Conclusion**

Both national and local planning policies seek to protect the integrity of the Green Belt and the granting of individual planning permissions which lead to the cumulative erosion of the green belt are therefore deemed contrary to such policy. If it had not been for the specific individual requirements of an existing stud farm business which was granted consent at Baads Farm in 2011, the associated dwellinghouse would not have complied with planning policy and consent would not have been granted at that time.

The same condition which was applied in 2011 and subsequently under planning application Ref P120873 continues to be valid and relevant today, under current Green Belt policy, namely that the stud farm that was granted planning permission and all associated infrastructure had to be constructed, completed and brought into use prior to construction starting on the dwellinghouse and



garage. The condition was applied to ensure that the dwellinghouse and garage were only constructed in association with an operational business, in accordance with Green Belt policy. This condition remains justified. The applicants now make a case particular to their circumstances to bring that stud farm into full operation.

The applicants' current application seeks permission for a change of use of the land to caravan site for the erection of a chalet/mobile home for residential purposes for a period of up to 18 months. Their case for this is that they require a temporary chalet/mobile home on site because 24 hour on-site supervision is necessary for the stud farm to begin and become fully operational. This is consistent with the above summarised advice regarding the appropriate level of animal welfare and required security being in place for the site. Taken together, this would therefore appear to be justified and legitimate for the purpose of starting and carrying on the stud farm. The implementation period for the proposed change of use would be limited to a period of 6 months on the basis that it has been demonstrated by the applicants that the commencement of the stud farm business is imminent. It is also recognised that the original planning permission requires the stud farm to be in operation before the dwellinghouse can be constructed. As it is accepted that, for the stud farm to become operational, there needs to be some on-site accommodation, and that the dwellinghouse cannot be constructed until the stud farm becomes operational; some on-site accommodation is necessary in order to progress with the original planning permission.

As such it is considered that the current personal circumstances would carry sufficient weight to allow support of the application, notwithstanding that the requirements of Policy NE2 (Green Belt) may not be fully addressed.

Whilst there does remain a risk that an extension could be sought to retain the chalet/mobile home beyond the 18 month period, if for example the previously approved dwellinghouse is not completed within that timeframe, the status of the stud farm is now such that its operation would appear to be imminent, as evidenced by the works which have taken place on site over recent months, including completion of the stable building and the necessary infrastructure. Any extension sought would need to be justified in the context that the permitted dwellinghouse is the solution to permanent accommodation on the site, and any application which would effect such an extension would need to be justified on the particular planning merits of that application, take into account this application and the length of time a chalet/mobile home has been on-site already, and the situation at the time of that application.

If Members are minded to grant the change of use, conditions have been applied which would include limiting the external material finish and number of chalets/mobile homes on site, in order to protect the landscape character and setting of the green belt, and ensuring the duration of permission reflects the 18 months being sought to allow for the approved stud farm to become fully operational and for the construction of the dwellinghouse.

## **RECOMMENDATION**

Approve Conditionally

## **REASON FOR RECOMMENDATION**

Planning legislation requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. Scottish Planning Policy (SPP) sets out the purpose of green belt designation and a caravan site would not be compliant with its intended purpose which includes that of directing planned growth to the most appropriate locations and protecting and enhancing the quality, character, landscape setting and identity of towns and cities. In this instance, the proposal, if considered in isolation, does not sit comfortably with the

general principles of the Aberdeen City Local Development Plan, given that it does not comply with the requirements of Policy NE2 (Green Belt) & therefore with SPP. However, the acceptability of this proposal must be considered in the context of the development which was granted conditional consent in 2011, for the erection of a residential dwelling, garage and associated stud farm at Baads. The current proposal is seeking a change of use of land within the Baads site for the erection of a temporary chalet/mobile home which would provide the applicants with residential accommodation on site for a period of 18 months to allow for the aforementioned approved stud farm to become fully operational as a business, and which would therefore facilitate the dwellinghouse associated directly to the stud farm to be erected on site.

It is considered that suitably robust evidence has been provided and validated, both demonstrating that the business operation of the approved stud farm is imminent, and that the current status of the stud farm is such that a 24 hour on-site presence would indeed now be required in order to suitably address the animal welfare and security requirements of the stud farm.

Taking the above into account, it is considered that there are material considerations, including current personal circumstances of the applicants, which would carry sufficient weight and provide clear justification for the planning authority to support the application in this instance, notwithstanding that the requirements of Policy NE2 (Green Belt) may not be fully addressed.

It is considered that the proposal would not be contrary to the overall expectations of Policies D1 (Quality Placemaking by Design), T2 (Managing the Transport Impact of Development) and NE6 (Flooding, Drainage and Water Quality) of the Aberdeen City Local Development Plan, given the temporary nature of the proposal and the limited scale of development which would result.

It is considered that the relevant policies in the Proposed Local Development Plan 2020 raise no additional concerns beyond those already addressed under current policy. Matters raised in representations are noted, however these are not of sufficient weight to warrant refusal of the application for the reasons outline above.

## **CONDITIONS**

1. That the caravan site hereby granted planning permission, shall not be occupied by any person other than a person employed full-time in the stud farm (approved under application Ref P110648 & P120873) and the dependants, widow or widower of such a person in accordance with the Planning Authority's policy of restricting isolated developments in the countryside unless specifically required in connection with an essential rural occupation.

Reason: to preserve the amenity and integrity of the Green Belt and in accordance with Policy NE2 (Green Belt) of the Aberdeen City Local Development Plan.

2. That the caravan site hereby granted planning permission shall be limited to one caravan/mobile home/chalet on site at any one time.

Reason: that the justification provided and deemed necessary to allow the stud farm to become fully operational would not support multiple homes on site, and in the interests of visual amenity and to suitably protect the landscape character and setting of the Green Belt, in accordance with Policy NE2 (Green Belt) of the Aberdeen City Local Development Plan.

3. That the caravan site hereby granted planning permission shall not be occupied unless a detailed scheme for the provision of foul sewerage facilities has been submitted to and approved in writing by the Planning Authority, and that the said scheme has been installed and is fully operational.

Reason: in the interests of public health.

4. That prior to occupation of the caravan site hereby granted planning permission, details of all external finishing materials to the roof and walls of the caravan/mobile home/chalet unit to be located on site have been submitted to, and approved in writing by the Planning Authority and thereafter the approved material finish is maintained for the duration of the caravan/mobile home/chalet unit being located on site.

Reason: in the interests of visual amenity and to suitably protect the landscape character and setting of the Green Belt, in accordance with Policy NE2 (Green Belt) of the Aberdeen City Local Development Plan.

5. The following time limits and related conditions on the planning permission hereby granted shall apply:
  - 5.1. The development permitted by this planning permission shall begin no later than six months from the date of this decision notice, and if not begun within those six months this planning permission shall expire.
  - 5.2. The development permitted by this planning permission shall endure for a period of eighteen months from the date that the said development is begun, and for no longer period.
  - 5.3. By the date on which that eighteen month period in condition 5.2 ends, the land on which the development permitted by this planning permission shall be reverted to its previous use (as land for the curtilage of the dwellinghouse or otherwise land clear of any structure permitted by this planning permission and any caravan/mobile home/chalet removed), and without prejudice to the foregoing generality, shall include the following works or operations:
    - 5.3.1. Removal of any caravan/mobile home/chalet and associated structures permitted by this planning permission from the land for which this permission relates.
    - 5.3.2. The completion of any works necessary to restore the land to its previous position before the use of the caravan site was begun.
    - 5.3.3. Restoration of the land's use as curtilage to the dwelling house on the development site.

Reason: in the interests of visual amenity and to suitably protect the landscape character and setting of the Green Belt, in accordance with Policy NE2 (Green Belt) of the Aberdeen City Local Development Plan.