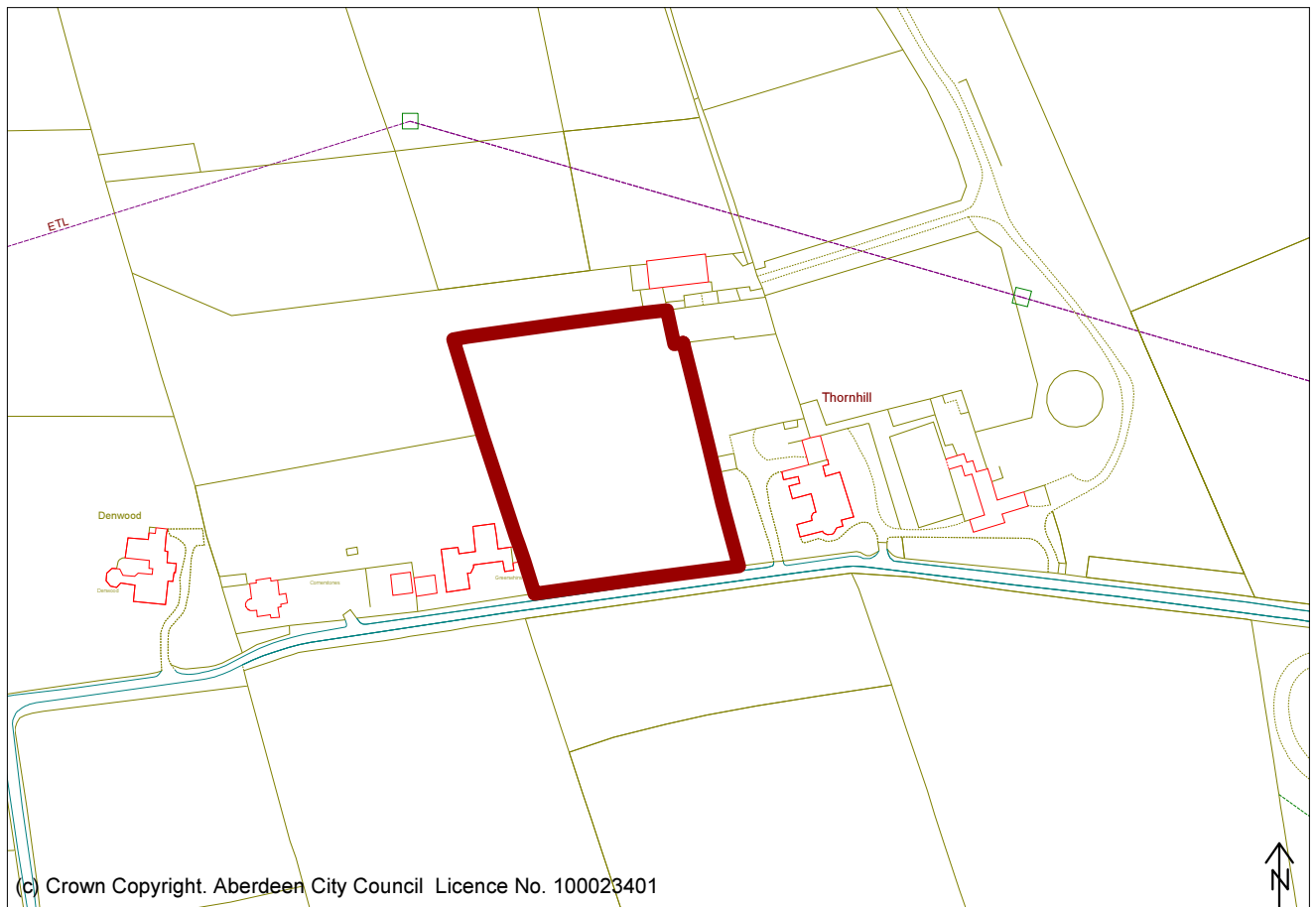


CRAIGTON ROAD, GAP SITE, BETWEEN  
'THORNHILL' &

PROPOSED NEW DWELLING HOUSE  
WITH ACCESS DRIVEWAY UTILISING  
EXISTING ACCESS GATEWAY FROM  
CRAIGTON ROAD

For: Mr John Cameron

Application Ref.	: P111108	Advert	: Dev. Plan Departure
Application Date	: 22/07/2011	Advertised on	: 03/08/2011
Officer	: Frances Swanston	Committee Date	: 22 March 2012
Ward: Lower Deeside (M Boulton/A Malone/A Milne)		Community Council	: Comments



**RECOMMENDATION: Refuse**

## DESCRIPTION

The site is located on the north side of Craigton Road, between the properties known as Thornhill (to the east) and Greenwhins (to the west) and comprises a woodland extending to an area of 0.8 hectares. The site bounded to the south by a stone wall abutting Craigton Road, which along that section is an un-adopted single track, tarred road. To the north is a band of trees, beyond which are agricultural fields. The site generally slopes from north to south with the difference in levels being some 15 metres, which reflects the topography the area which generally slopes down from Countesswells Road to Kirk Brae. All of the trees on the site are protected. The whole of the application site is covered by Tree Preservation Order No. 101.

## HISTORY

Planning permission for a house on the site was refused in 1989 on the grounds that the proposed development would (a) be contrary to the provisions of the Council's Green Belt policy which permits the erection of new dwellinghouses only where applicants are able to adduce a local need and no such need has been adduced in this instance, (b) detrimental to the amenity of the area by reason of the unacceptable loss of trees which represent an important landscape feature and (c) set an undesirable precedent for applications of a similar nature within the Green Belt. The decision was appealed. However, the appeal was dismissed.

Outline planning permission is for the construction of a dwellinghouse was refused on 6<sup>th</sup> November 2008 on the grounds (a) that due to the lack of information regarding the proposed house the trees on the site a proper assessment of the proposal could not be undertaken in terms of its impacts on the protected trees on the site, on the character, appearance and amenity of the Green Belt or on the landscape setting of the City, (b) that the proposal, if approved, would be undermine the principles of controlling development and preventing sporadic housing in the Green Belt, lead to the erosion of the character of such areas and adversely affect the landscape setting of the City contrary to green belt policy by reason that the applicant has failed to demonstrate that the house is required to provide residential accommodation for an essential agricultural or forestry worker who must be housed immediately adjacent to his place of employment and (c) that the proposal, if approved, would result in the loss of a significant number of protected mature trees which would be detrimental to the value and amenity of the woodland, the amenity and character of the Green Belt and the landscape setting of the City, contrary to local plan policy.

The applicant made representations to the Draft Aberdeen Local Development Plan (ALDP) requesting that the application site be removed from its green belt designation and instead be identified as a gap site suitable for development. The Reporter in considering the request in his report into representations to the ALDP accepted that by virtue of its location and walled enclosure, this site could be considered a gap site and that while large scale development would be unacceptable, the site may be able to accommodate one house. The Reporter stated that the site lies in a prominent position on top of ridge and is widely visible from the south. In all probability, development would mean that some of the

significant tree cover on the site and the habitat it provides would be lost with consequent negative impact upon the landscape setting of the city. It may be however that by the imposition of suitable planning conditions a single house could be accommodated on the site without intruding significantly into the surrounding landscape. However, the Reporter also stated that the site should remain in the green belt and as such in the adopted ADLP the site is still zoned as green belt.

The site is currently being managed as woodland under a Woodland Management Plan approved in by Aberdeen City Council in 2009.

## **PROPOSAL**

Detailed planning permission is sought for the construction of a detached 1 ½ storey house, centrally positioned to the northern half of the site, with an access road off Craigton Road, leading approximately 50 metres up to the house. The house would be finished in a mix of render to the walls, timber boarding elements to the windows a natural slate roof, with a pediment entrance feature with supporting columns. The house would be almost 31 metres in length and 8.5 metres in width with a patio/pergola area to the rear and an entrance terrace underneath the pediment entrance. The house would have a floor area of 245 square metres. There would be an integral double garage to the eastern end of the house with a sunroom on the western end.

It is proposed to remove 11 trees on the site to accommodate the house.

## **REASON FOR REFERRAL TO SUB-COMMITTEE**

The application has been referred to the Sub-committee because the proposal has attracted adverse comments from Cults, Bielside and Milltimber Community Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

## **CONSULTATIONS**

**ROADS SECTION** – The applicant has provided adequate parking for the proposed development. There are concerns regarding the accessibility of the proposed site to sustainable modes of transport such as public transport. The applicant proposes to take access into the site from an existing access track off a part of Craigton Road that is unadopted. A minimum visibility of 2.4 metres by 33 metres should be provided at the access.

**ENVIRONMENTAL HEALTH** – No observations.

**EDUCATION, CULTURE AND SPORT**- A condition should be applied to any planning permission to secure the implementation of a programme of archaeological works on the site.

**COMMUNITY COUNCIL** – Cults, Bielside and Milltimber Community Council has expressed a wish for the status of the green belt to be upheld and does not want to see a precedent being set for building house the green belt in this area.

## REPRESENTATIONS

None.

## PLANNING POLICY

### **Aberdeen Local Development Plan**

**Policy NE2 – Green Belt** - 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 or restoration or landscape renewal. Other exceptions are proposals for development associated with existing activities in the green belt, essential infrastructure projects and the conversion of buildings of a historic or architectural interest

**Policy NE1 – Green Space Network** - The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted.

**Policy D1 - Architecture and Placemaking** - To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

**Policy D6 - Landscape** - Policy D6 states that development will not be acceptable unless it avoids (a) significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct 'sense of place' which point to being either in or around Aberdeen or a particular part of it and (b) disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them.

**Policy NE5 - Trees and Woodlands** - There is a presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity, including ancient and semi-natural woodland which is irreplaceable.

### **Scottish Planning Policy (SPP)**

SPP sets out the key objectives of the green belt, which are (1) to direct planned growth to the most appropriate locations and support regeneration; (2) to protect and enhance the character, landscape setting and identity of towns and cities; and (3) to protect and give access to open space within and around towns and cities. It states further *"The cumulative erosion of a green belt's integrity through the granting of individual planning permissions should be avoided"*.

## EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) requires planning applications to be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.

### **Planning Policy**

The application site falls within an area zoned as green belt and the Green Space Network in the Aberdeen Local Development Plan (ADLP). As such 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 or restoration or landscape renewal”*. Other exceptions are permitted, none of which apply to this application site. The restriction applies primarily to avoid the proliferation of housing in these areas, which would be damaging to the green belt and landscape setting of the city. Under the terms of Policy NE2, the applicant has failed to demonstrate that the house is required to provide residential accommodation for an essential agricultural or forestry worker who must be housed immediately adjacent to his place of employment.

The opportunity for the green belt designation to be reviewed was done so as part of the process of adopting the ADLP as detailed in the History section of this report and the Reporter recommended retaining the green belt designation for the site.

In terms of the design and appearance of the house, Policy D1 states that new development must be designed with due consideration for its context and make a positive contribution to its setting. The design and appearance of the house raise no planning issues.

The siting of the house however, has serious implications for the trees within the site protected by the TPO. The application site comprises an area of woodland, which has a number of specimen mature trees that are only seen in limited numbers in other parts of the City. The position of the house has been altered since the initial application was submitted to be positioned slightly further to the west and the angle tilted further south with the position of the new access road also altered. It is proposed to remove 11 trees within the site to accommodate the development as detailed in the applicants Tree Survey Schedule. In addition it is recommended that 45 trees be removed for landscape reasons and a further 3 trees would be subject to a no-dig construction method for the proposed driveway.

In 2009 an application for woodland management was made under the TPO. The report that accompanied the application for tree works stated *“The consent of woodland management is to remove dead Elm and poor quality Sycamore to give space for replacement tree planting”*. The woodland management was approved in the 2009 report and as such the site is being managed as woodland. To date none of the tree planting proposed in the 2009 report has been carried out. The site is being managed as woodland and is therefore not a development site.

The Council's Arboricultural Planner states that the change to the location of the proposed house does not change the principle that the site is woodland and is being managed as such. Any development of this site would lead to the deterioration in the woodland character of the site and would increase the pressure for further tree loss due to the proximity of the remaining trees to the proposed house. He is also of the view that the effectiveness of a no dig technique to construct the driveway is questionable given the changes in levels across the site, which would mean that some excavation to create the levels for vehicle access would be required.

The green space network exists to protect, promote and enhance the wildlife, recreational, landscape and access value of the green space network. Proposals for development that are likely to destroy or erode the character or function of the green space network will not be permitted. It is considered that the impact of the house on the site would erode the character of the network at this location, as the character of the site is woodland.

### **Letter of Representation**

In terms of the issues raised by the Cults, Bieldside and Milltimber Community Council, the issue of green belt status has been addressed above. It is agreed that should the application be approved, it would set an undesirable precedent for applications of a similar nature which would result in the proliferation of sporadic housing in the green belt, leading to the erosion of the character of such areas and adversely affecting the landscape setting of the City.

### **Conclusion**

The proposal conflicts fundamentally with Policy NE2 and the provisions for allowing new houses in the green belt for the reasons detailed above. The request to remove the site from the green belt designation was not accepted as part of the consideration by Reporters of objections to the ALDP. Whilst each application is assessed on its individual merits, approval of the application would undermine the underlying principle of controlling development in the green belt.

The application site is woodland that is an essential component of that part of the green belt and green space network. The fact that the site is not readily accessible to the public does not undermine the landscape value of the woodland and the importance of retaining it. Its designation as green belt and green space network reinforces the amenity value of the site as woodland that contributes significantly to landscape character and local amenity. The loss of trees on this site to accommodate the development and the pressure the development would put on the remaining trees would undermine the landscape value of the site.

Given that the approval of the proposal would be contrary to green belt policy and the duty on planning authorities to have regard to the protection of trees, it is recommended that the application be refused. Should the Committee be minded to approve that application it is recommended that a number of conditions be attached relating to landscaping, tree protection and tree management during and after construction.

### **RECOMMENDATION**

## **Refuse**

### **REASONS FOR RECOMMENDATION**

(1) the proposal, if approved, would be undermine the principles of controlling development and preventing sporadic housing in the green belt, lead to the erosion of the character of such areas and adversely affect the landscape setting of the City contrary to the provisions of Policy NE2 Green Belt of the Aberdeen Local Development Plan and Scottish Planning Policy by reason that the applicant has failed to demonstrate that the house is required to provide residential accommodation for an essential agricultural or forestry worker who must be housed immediately adjacent to his place of employment.

(2) the proposal, if approved, would result in the loss of a significant number of protected trees which would be detrimental to the value and amenity of the woodland, the amenity and character of the green belt and the landscape setting of the City, contrary to Policies D6 Landscape and NE5 Trees and Woodlands of the Aberdeen Local Development Plan.

(3) that the proposal, if approved, would set an undesirable precedent for applications of a similar nature which would result in the proliferation of sporadic housing in the green belt, leading to the erosion of the character of such areas and adversely affecting the landscape setting of the City.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.