

WOODEND FARM (LAND AT), CULTER
HOUSE ROAD, PETERCULTER

PROPOSED RESIDENTIAL DEVELOPMENT
(PERMISSION IN PRINCIPLE)

For: John Adam & Son

Application Type : Planning Permission in
Principle
Application Ref. : P121581
Application Date: 06/11/2012
Officer: Garfield Prentice
Ward : Lower Deeside (M Boulton/A Malone/M
Maik)

Advert : Dev. Plan Departure
Advertised on: 28/11/2012
Committee Date: 18 July 2013
Community Council : Comments



RECOMMENDATION:

Refuse

DESCRIPTION

The site located to the north of Peterculter on the west side of Culter House Road some 2.3 km from the junction with North Deeside Road and 1.2 km from Malcolm Road and comprises the farmyard known as Woodend Farm. The site, which extends to 1.8 hectares, contains numerous dilapidated glasshouses and poly-tunnels for growing fruit and several dilapidated farm buildings. The structures are scattered in a random pattern across the site. There are numerous trees in the west corner of the site. There is an existing access into the site directly off Culter House Road. Immediately to the east and between the site and Culter House Road are the farmhouse and a disused steading. To the north west and south east are areas of woodland, the latter being a Local Nature Conservation Site (LNCS) - No.54 Peterculter. A small part of the application site falls within LNCS area. To the south west is the recently constructed cattery and equestrian business at Tillyoch, while on the opposite side of Culter House Road are agricultural fields, a small woodland and a house known as Forest Cottage.

RELEVANT HISTORY

Planning permission for the conversion of the disused steading to form two dwellings was granted planning permission on 28th January 2011 (application reference P100905). The planning permission has not been implemented.

Planning permission for a replacement house was granted on 19th May 2011 (application reference P101817). The planning permission has not been implemented.

Planning permission in principle for 14 houses on the site (application reference P111144) was refused on 2 April 2012 following a site visit by the Development Management Sub-committee on the grounds (1) 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 the provisions of Scottish Planning Policy and Policy NE2 'Green Belt' of the Aberdeen Local Development Plan, (2) that the proposal, if approved, would be contrary to Scottish Planning Policy, the Aberdeen and Shire Structure Plan key objective on accessibility and Policy D3 of the Aberdeen Local Development Plan by reason that the development would be isolated and remote from the settlement of Peterculter, would be inaccessible by public transport and thus would be reliant on the private car and (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.

PROPOSAL

Planning permission in principle is sought for a residential development comprising 14 houses and associated landscaping and open space. An indicative development layout has been submitted with the application. An indicative house

type has also been submitted, which is a large 1½ storey, 4-bedroomed detached property. The layout indicates access would be taken from Culter House Road to the south of the existing farm buildings.

The application is accompanied by a Supporting Planning Statement, which presents the case for granting planning permission and includes a series of photographs and aerial views showing the application site and the adjacent cattery and livery business. However, it should be noted that the report states it was prepared on behalf of a company (Kinellan Building Services Ltd) that is not the named applicant. Separate documents titled Review of Green Belt Policies in Support of the Residential Development and Bon Accord Cricket Club respectively have also been submitted by the applicants.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?121581>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

- Transport Statement (April 2013)
- Aerial views and photographs

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the proposal has attracted an objection from the Council's Roads Projects Team. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – Object to the proposal for the reasons set out in the Memo appended to this report. In summary, there are serious concerns regarding the accessibility of the site. Culter House Road is constrained in width and varies in width along its length generally between 4.7 metres and 5.0 metres, although there is one section reduced to 3.0 metres at Forest Cottage. There are no formal passing places. A request for the developer to provide passing places has not resulted in any proposals coming forward. Equestrian movements, as acknowledged by the applicant's agent, along with cycling occur on the surrounding roads. Increased traffic volumes associated with the development, irrespective of the size of the increase, must be considered in this context.

There are no adopted pedestrian routes or any formal cycle routes in the vicinity of the site. Culter House Road is too narrow to accommodate such infrastructure. A route constructed to the appropriate standard, including Safe Routes to School, has been requested from the developer but no such proposals have come forward. The Strategic Transport Fund (STF) contribution required for this proposal cannot be used for that purpose. Its purpose is to fund strategic

projects, not measures required to mitigate the impact of the development on the local road network.

The Transport Statement submitted by the applicant does not take into consideration accident statistics or proposals to rectify the issue of vehicles using the narrow roads.

The site is approximately 1.5km from Culter Primary School, within the distance that pupils would be expected to walk to school. However, that route would be unsafe at present. There is limited accessibility of the site on foot and none that would be considered to meet current standards. Public transport services are at some distance and considerably beyond that required by current Council policy.

The above comments are made on the assumption that a full STF contribution will be made to adequately mitigate the impact of the development's contribution to the cumulative impact on the strategic road network.

Environmental Health – The proposal would need to be connected to the nearest mains water supply and mains sewage facilities.

Developer Contributions Team – Given the location of the proposal, remote from existing housing and transport routes, the delivery of affordable housing on site may not be appropriate. However, there may be scope for off-site provision. Developer contributions would be required for affordable housing, community facilities, recreation purposes, library facilities, core paths network and the Strategic Transport Fund. An education contribution may be required, but insufficient information is currently available to conclude this matter.

Enterprise, Planning & Infrastructure (Flooding) - No observations

Education, Culture & Sport (Archaeology) – A condition should be applied to secure the implementation of a programme of archaeological works.

Community Council – Culter Community Council has commented as follows. This is an upgraded re-submission of a previous application for a development of 14 houses, on a site currently containing run-down agricultural buildings and decaying greenhouses and poly tunnels. Additional land (approximately 3 hectares) would be donated as enabled land for community use as a cricket ground as 'planning gain'. Following the refusal of the application for the housing and approval of the separate application for the cricket pitch, the Community Council would like to find out how this community resource can be provided as part of 'planning gain'. It is not clear to the Community Council how the same reasons for refusal for the housing application, namely non-inclusion in the local development plan housing areas, did not apply to the Waterwheel Inn site in Milltimber.

The application site could be considered as brownfield. The Community Council had proposed Culter House Road to be included in the City's core path network, because of the number of people who currently walk, cycle and horse ride along it – it is classed as 'aspirational'.

The Community Council agree in principle to the proposal for housing plus land for community use/cricket ground, provided that conditions will be applied so that children and adults will be protected through traffic control measures and any other measures deemed appropriate.

It is also noted that the new submission has provided a woodland path to be included between existing trees beside Culter House Road, providing safe access to Bucklerburn Road and School Road without loss of trees. An existing pavement and kerb along Culter Hhouse Road, opposite the development, although overgrown, could be resurrected.

REPRESENTATIONS

6 letters of objection have been received. The objections raised realte to the following matters –

1. There is no need for further housing in area
2. Additional houses would spoil the character of the area
3. The proposal would affect trees in the area where there are country walks
4. Culter House Road is a quiet road used by walkers

One further letter of representation has been received from the adjacent proprietor, which although not objecting to the development of houses, raises a number of concerns and issues –

1. The houses should be liimited to single storey (bungalows) only and that sufficient and adequate screening is created along the boundary in order to preserve privacy
2. Due to the differences in levels suitable infiltration trenches and drainage will be required to avoid run-off into the adjacent site
3. On-site hazards, such as an unbunded diesel tank, glass houses and disused tyres should be removed
4. There are concerns regarding the safety of the steading on the site, which has had part of the roof removed
5. The housing in close proximity to the adjacent equestrian business, which has regular shows with the use of PA systems, and pet resort will lead to noise disturbance

44 letters of support, of which 39 are standardised letters signed by individuals, have been received. Many of the letters are from people who are neither near neighbours nor live in the local area. The main issues raised relate to the following matters –

1. The land would be ideally suited for a small scale, low density residential development of around 14 houses.
2. The area *“could do with tidying up and because only land currently brownfield consisting of old semi-redundant and dilapidating farm buildings would be used.....this housing development is an excellent way to do that for the long term.”*

3. The low density housing with a large proportion of landscaping would enhance the appearance and character of the area.
4. The applicant is willing to donate a significant area of land for community use as a cricket pitch, for which planning permission has been granted. The housing must also be granted for the land to be passed over to the cricket club.
5. There is demand for family housing in the area

PLANNING POLICY

Scottish Planning Policy (SPP) is the statement of Government policy on land use planning and includes the Government's core principles for the operation of the planning system and concise subject planning policies. The general policy on sustainable development and the subject planning policies relating to housing, green belts and transport are relevant material considerations.

Aberdeen City and Shire Structure Plan

The Structure Plan sets out the following key objectives for the growth of the City and Aberdeenshire.

Population growth: to increase the population of the city region and achieve a balanced age range to help maintain and improve people's quality of life.

Quality of the environment: to make sure new development maintains and improves the region's important built, natural and cultural assets.

Sustainable mixed communities: to make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and businesses to move to.

Accessibility: to make sure that all new developments contribute towards reducing the need to travel and encourage people to walk, cycle or use public transport by making these attractive choices.

Aberdeen Local Development Plan

Policy D3 - Sustainable and Active Travel

New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel.

Policy D6 – Landscape

Development will not be acceptable unless it avoids (i) 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; (ii) disturbance, loss or damage to important recreational, wildlife or woodland resources or to the physical links between them; and (iii) sprawling onto important or necessary green spaces or buffers between places

or communities with individual identities and those which can provide opportunities for countryside activities.

Policy H5 – Affordable Housing

Housing developments of five units or more are required to contribute no less than 25% of the total number of units as affordable housing.

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 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.

Policy NE5 – Trees and Woodlands

There is 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.

Policy R7 – Low and Zero Carbon Buildings

All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards. This percentage requirement will be increased as specified in supplementary Guidance.

Supplementary Guidance

The Council's supplementary guidance 'Transport and Accessibility', 'Trees and Woodlands', 'Affordable Housing' and 'Low and Zero Carbon Buildings' are relevant material considerations.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) 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. The development plan comprises the Aberdeen City and Shire Structure Plan and the Aberdeen Local Development Plan.

Planning permission in principle for a similar development of 14 houses on the site was refused in April 2012 for the reasons set out in the history section above.

Scottish Planning Policy (SPP)

SPP is a relevant material consideration. The proposal constitutes a local development as defined in the 'Hierarchy of Development' Regulations. It is also considered to be a departure from the development plan and was advertised accordingly. SPP sets out the Government's core principles that underpin the modernised planning system. It states *"The system should be genuinely planned...."* and *"There should be a clear focus on the quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment"*. SPP also states that the purpose of green belts is to direct planned growth to the most appropriate locations, to protect and enhance the quality, character, landscape setting and identity of towns and cities and to protect and give access to open space within and around towns and cities. It states further that the cumulative erosion of the green belt's integrity through the granting on individual permissions should be avoided. In relation to transport, SPP advises that in order to reduce emissions from transport, there requires to be a shift to more sustainable modes of transport, i.e. from car-based travel to walking, cycling and public transport. It states further that *"Development should be supported in locations that are accessible by walking, cycling and public transport...."* In relation to new housing, SPP advises that new developments should be integrated with public transport and active travel networks (walking and cycling), rather than encouraging dependence on the car.

Aberdeen City and Shire Structure Plan Spatial Strategy

The structure plan contains a spatial strategy which identifies three strategic growth areas, one of which is Aberdeen City. The strategy acknowledges that although brownfield sites are the preferred option for development, more than half the development will need to take place on greenfield sites, with a consequent review of the whole green belt being required. The strategy recognises the vital need to reduce travel distances and make walking, cycling and public transport more attractive to people. The structure plan specifically requires local development plans to use the spatial strategy to set policies and identify land for development. It also states that planning applications should be assessed against the spatial strategy to decide whether the location, nature and scale of the development is in line with the plan.

Principle of Housing Development

The Aberdeen Local Development Plan was adopted by the Council on 29th February 2012. It identifies the specific sites and land to be developed for housing in accordance with the strategy set out in the structure plan. The proposed development clearly does not comply with the land allocations identified in the Plan, which for Deeside are set out in Table 9. Instead, the site is identified as green belt (Policy NE2), overlain by Green Space Network (Policy NE1). The Reporters in their examination of the Local Development Plan considered whether Woodend Farm (Development Option 9/26) should be included as a housing site and associated cricket pitch in the Plan. They stated *"Policy NE2 which applies to the green belt sets out certain circumstances in which proposals for development may be permitted. It is not possible for such policies to address every possible eventuality or potential development proposal in the green belt. In dealing with any planning application, the planning authority*

would be required to decide whether there are any particular aspects of the site, its surroundings, or of the nature of the proposed development, which might justify approval as an exception to the terms of the relevant policies. Having said all that.....the site cannot be recommended for inclusion in the local development plan for housing development.” The reason given by the Reporters was that *“the overall vision and spatial strategy of the local development plan is appropriate and that adequate housing land has been provided to meet the allowances set in the structure plan”*. Accordingly, there is no justification for sacrificing part of the green belt for a housing development.

The proposal clearly does not fall within any of the categories of development identified as acceptable in the Green Belt, which seeks to generally restrict development to that which is necessary for the purposes of agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration or landscape renewal. New housing is permitted only if applicants can satisfy the Council that it is required to provide residential accommodation for essential workers, such as those employed in agriculture or forestry, who are needed to be housed immediately adjacent to their place of employment. This restriction applies primarily to avoid the proliferation of housing in these areas, which would be damaging to the Green Belt and the landscape setting of the City. Clearly it could not be demonstrated that a development of 14 houses would be required to accommodate essential agricultural or forestry workers who must be housed in that area and thus the proposal does not comply with Policy NE2, nor would it meet the green belt and transport objectives of SPP. The Green Space Network consists of areas of land that have particular value in terms of recreation, public access, wildlife or landscape, together with links between such areas. Policy NE1 states that these qualities will be protected and enhanced and that development likely to destroy or erode them will not be permitted. The proposed development would be contrary to the objectives and underlying purpose of that policy.

The Aberdeen Green Belt Review states that in Deeside all the settlements are well contained by the 90 to 95 metre contour on the northern side of the Dee valley. It goes on to state that maintaining this as a northern limit to their development will help to prevent urban sprawl northwards where it would be isolated from the main transport corridors along the North Deeside Road and Deeside Line. The proposed housing development would be just beyond the limit of this contour, being located on the 100 metre contour. Given the characteristics of the locality, woodland to the north and south and a cattery and equestrian centre to the west of the site, the visual impact of the proposed development in terms of long distant views would be limited provided a substantial landscape buffer was introduced on the west side of the site. Notwithstanding, the appearance of that part of Culter House Road would be change substantially and the local landscape character would be adversely affected and irrevocably changed from rural to an urbanised form of development, which would be contrary to SPP and to Policy D6 of the local development plan.

For the reasons stated above the principle of housing on the site is not acceptable. Furthermore, there have been no material changes to planning policy

that would justify making a different decision to that made on the previous application for housing on the site.

Accessibility and Traffic Impacts

SPP advises that new development should be located in places that are accessible by walking, cycling and public transport. The site is isolated and remote from the settlement of Peterculter (a view supported by the Reporters) and is not easily accessible by walking and cycling and not accessible at all by public transport. The nearest public transport route would be over 800 metres away. Access to the site by cycle would be difficult. In addition, there are no footways on Culter House Road, which is narrow country lane, thus raising pedestrian safety concerns. The Community Council states that a "pavement and kerb" along part of Culter House Road could be resurrected. However, it would be difficult to achieve a footway on Culter House Road to the appropriate standard, including meeting the requirements of Safe Routes to School, as it could potentially impact on a number of mature trees within the LNCS. The development would be reliant on the private car, contrary to SPP, the structure plan key objective on accessibility and to Policy D3 of the local development plan. It is noted that the applicant draws attention to a partially implemented planning permission for a farm shop, tearoom and children's activity venue at Woodend Farm, which it is argued if fully provided would generate more traffic than the proposed housing development. Attention is also drawn to the traffic associated with the recently constructed cattery and equestrian centre on the adjacent land (Tillyoch). Notwithstanding, the proposed housing would result in additional traffic on a sub-standard country road, which would not be in the interests of public safety. The roads officer objects to the application as the proposal does not adhere to current local and national policy for accessibility for residential developments and there would be an inherent road safety issue for pedestrians, cyclists and horses and riders in the area. For these reasons, a housing development on the site is not acceptable.

Layout, House Types, Access etc

As the application is for planning permission in principle, consideration of the proposal is limited to the principle of a residential development on the site. Although an indicative layout and house type has been provided, these are not up for consideration. The details merely give an indication of what the layout of the development and houses may look like if planning permission in principle were to be granted. If such consent were to be granted these matters, including precise details of the access arrangements, would be the subject for a future planning application.

Impact on Trees

The proposal would potentially result in the loss of the trees in the western corner of the site. A number of trees could also potentially be affected immediately adjacent to public road. The loss of those trees would have a detrimental impact on the rural character of that part of Culter House Road. It is likely that the impact on the LNCS would not be significant. However, because only an indicative site layout has been provided, the potential impacts cannot be fully assessed and quantified at this stage. The proposal would not impact directly on any country or woodland walks.

Issues Raised in the Supporting Planning Statement and Review of Green Belt Policies

It has been suggested in the Supporting Planning Statement that the site should be treated as a brownfield site as it was previously developed. The Community Council concurs with that opinion. However, brownfield land is normally taken to be vacant or unused, previously developed land within settlement boundaries. The site is not within the settlement boundary and thus is not considered to be brownfield. Notwithstanding, even if it could be construed as brownfield, the proposal must be considered in the context of the relevant local plan policies, which in this case relate to green belt and Green Space Network. The proposal is not an acceptable form of development in the green belt and thus cannot be supported.

It has been stated in the Supporting Planning Statement that the housing would be sustainable and carbon neutral. For the reasons stated above, the proposed housing would not be in a sustainable location, being remote from the settlement of Peterculter. No details have been provided to demonstrate that the houses would be carbon neutral. There is merely an aspirational comment in the Statement. Notwithstanding, this matter does not outweigh the fundamental issue of the principle of housing on the site being unacceptable.

The Supporting Planning Statement also states the proposal would enhance the landscape setting by replacing dilapidated farm buildings and would complement the biodiversity of the area. The condition of the existing farm buildings is not a relevant material planning consideration in the determination of this application and thus cannot be used as justification for housing on the site. To do so, could encourage the other property owners in green belt locations to allow buildings to deteriorate into a state of disrepair in anticipation of being allowed inappropriate development in the green belt. Constructing 4 houses on the site would introduce an urbanised form of development into a rural area characterised by farm buildings, agricultural fields, areas of woodland and a scattering of individual houses. The one exception to this is the cattery and livery business at Tillyoch. However, that establishment is substantially hidden from view from Culter House Road and thus has significantly less impact on the landscape character of the area than would be housing on this site. The proposal would have little, if any, positive impact on the biodiversity of the area.

Attention is also drawn in the Supporting Planning Statement to a planning permission granted at the former Waterwheel Inn on North Deeside Road (Application reference P111606). However, the circumstances of that development are entirely different to this proposal, not least that it includes a listed building that requires considerable restoration work that needs enabling development to fund the works and also is in a more sustainable location being on a bus route and cycle route. Notwithstanding, this application must be determined on its own planning merits and decisions taken by the planning authority on other proposals are not relevant material considerations.

Comments raised in the Supporting Planning Statement regarding the principle of development on the site, the Aberdeen Green Belt Review, traffic impacts and public transport are addressed earlier in this report. As the application is only for

the principle of development on the site, comments made in the Supporting Planning Statement are not directly relevant to the assessment and determination of this application.

Attention is drawn in the Statement to the proposed footpath from the site to link with the existing path through Tillyoch Wood. It is accepted that the provision of such a link could in principle be provided as the adjacent land, through which it would run, is under the control of the applicant.

The general issues raised in the Review of Green Belt Policies submitted by the applicant have generally been addressed earlier in this report. The document, however, acknowledges that the Reporters in their examination of the Local Development Plan stated that whilst it is not possible for green belt policy to address every eventuality, in dealing with any planning application, the Planning Authority would be required to decide whether there are any particular aspects of the site, its surroundings, or the nature of the proposal, which might justify approval as an exception to green belt policy. It is considered there are no relevant material or exceptional circumstances that would justify departing from green belt policy.

Gifting of nearby land for Community Use as a Cricket Ground

The applicant has stated that if the proposed housing is granted planning permission land on the opposite site of Culter House Road would be gifted to Bon Accord Cricket Club in order that the club can establish a new cricket ground for its own and community use and thus the proposed housing should be considered as 'enabling development'. It is not accepted that the proposal can legitimately be described as enabling development as the land could be gifted to the cricket club and developed as a cricket ground (subject to planning permission being granted) without Woodend Farm being developed for housing. This application must be considered on its own merits in the context of the development plan and primarily in terms of green belt policy. Whilst it is acknowledged that a cricket ground would be a new community facility for Peterculter, the possible formation of such a facility does not override the fundamental failings of the housing proposal in terms of national and local planning policy.

Relevant Planning Matters Raised by the Community Council

Additional land (approximately 3 hectares) would be donated as enabled land for community use as a cricket ground as 'planning gain' – This matter has been commented on the issues addressed earlier in the report in the section 'Gifting of nearby land for Community Use as a Cricket Ground.'

Following the refusal of the application for the housing and approval of the separate application for the cricket pitch, the Community Council would like to find out how this community resource can be provided as part of 'planning gain' – The proposal to donate land for community use/cricket ground is a private matter between the applicant and the cricket club. The Council has no role in this matter and cannot require/ensure that this to would occur should planning permission be granted.

It is not clear to the Community Council how the same reasons for refusal for the housing application, namely non-inclusion in the local development plan housing areas, did not apply to the Waterwheel Inn site in Milltimber - The circumstances of that development are entirely different to this proposal, not least that it includes a listed building that requires considerable restoration work that needs enabling development to fund the works and also is in a more sustainable location being on a bus route and cycle route. Notwithstanding, this application must be determined on its own planning merits and decisions taken by the planning authority on other proposals are not relevant material considerations.

The application site could be considered as brownfield. – Brownfield land is normally taken to be vacant or unused, previously developed land within settlement boundaries. The site is not within the settlement boundary and thus is not considered to be brownfield. Notwithstanding, even if it could be construed as brownfield, the proposal must be considered in the context of the relevant local plan policies, which in this case relate to green belt and Green Space Network. The proposal is not an acceptable form of development in the green belt and thus cannot be supported.

The Community Council had proposed Culterhouse Road to be included in the City's core path network, because of the number of people who currently walk, cycle and horse ride along it – it is classed as 'aspirational' – This comment supports the Council view that the road is currently used by walkers, cyclists and horse riders. As stated previously in the report it would not be interests of those road users for additional traffic arising from the proposed development to be using the road.

The Community Council agree in principle to the proposal for housing plus land for community use/cricket ground, provided that conditions will be applied so that children and adults will be protected through traffic control measures and any other measures deemed appropriate – The issue of the principle for housing on the site has been discussed in full earlier in the report.

It is also noted that the new submission has provided a woodland path to be included between existing trees beside Culterhouse Road, providing safe access to Bucklerburn Road and School Road without loss of trees. An existing pavement and kerg along Culterhouse Road, opposite the development, although overgrown, could be resurrected - The potential provision of a footpath link is noted. It would be difficult to achieve a footway adjacent to Culterhouse Road to the appropriate standard.

Relevant Planning Matters Raised in Written Representations (objections)

1. *There is no need for further housing in area – The local development plan has allocated sufficient land for housing to meet the needs for new housing identified in the structure plan.*
2. *Additional houses would spoil the character of the area – The appearance of that part of Culter House Road would be change substantially and the local landscape character would be adversely affected and irrevocably changed from rural to an urbanised form of development,*

3. *The proposal would affect trees in the area where there are country walks – These issues are addressed in the section above 'Impact on Trees'.*
4. *Culterhouse Road is a quiet road used by walkers - It is agreed that the road is used by walkers and additional traffic on the road would not be the interests of those users.*

Relevant Planning Matters Raised the Further Letter of Representation

1. *The houses should be limited to single storey (bungalows) only and that sufficient and adequate screening is created along the boundary in order to preserve privacy – As the planning application is only to seek approval of the principle of housing on the site, not details of house types (other than an indicative proposal) have been provided. However, should Members be minded to grant planning permission, consideration could be given to the merits and justification, if any, for such a restriction to be applied.*
2. *Due to the differences in levels suitable infiltration trenches and drainage will be required to avoid run-off into the adjacent site – Should planning permission be granted details of the drainage systems would be required as part of a future application.*
3. *On-site hazards, such as an unbunded diesel tank, glass houses and disused tyres should be removed - Should planning permission be granted a condition could be applied addressing any on-site contamination. It would be expected that the glasshouses and disused tyres would be removed safely if the site were to be redeveloped*
4. *There are concerns regarding the safety of the steading on the site, which has had part of the roof removed – This is not a relevant consideration with regard to this application*
5. *The housing in close proximity to the adjacent equestrian business, which has regular shows with the use of PA systems, and pet resort will lead to noise disturbance – It is acknowledged that there is the potential for noise disturbance from the adjacent authorised use (cattery and livery business), in particular from the PA system, which could have an adverse impact on the amenity of residents. However, noise attenuation measures could be employed to reduce the impact within buildings.*

Relevant Planning Matters Raised in Written Representations (support)

1. *The land would be ideally suited for a small scale, low density residential development of around 14 houses – This issue has been fully addressed earlier in the report.*
2. *The area “could do with tidying up and because only land currently brownfield consisting of old semi-redundant and dilapidating farm buildings would be used.....this housing development is an excellent way to do that for the long term.” – It is acknowledged that the site has become rather unsightly with a*

number of dilapidated structures. However, the condition of the existing farm buildings is not a relevant material planning consideration in the determination of this application and thus cannot be used as justification for housing on the site

3. *The low density housing with a large proportion of landscaping would enhance the appearance and character of the area* – This issue has been addressed earlier in the report

4. *The applicant is willing to donate a significant area of land for community use as a cricket pitch, for which planning permission has been granted. The housing must also be granted for the land to be passed over to the cricket club* – This issue is discussed in the section above 'Gifting of nearby land for Community Use as a Cricket Ground'.

5. *There is demand for family housing in the area* - The local development plan has allocated sufficient land for housing to meet the needs for new housing identified in the structure plan.

Conclusion

In conclusion, the principle of a housing development on this site is unacceptable for the reasons set out above. Accordingly, the application is recommended for refusal. However, should Members be minded to support the application, conditions to be applied should include the standard conditions relating to planning permission in principle, the 'matters specified in conditions' of siting, design and external appearance of the buildings, the layout of the development, the means of access, drainage and the landscaping of the site and also a detailed tree survey and tree protection measures, details of boundary enclosures, restrictions on the hours of construction, a report on potential on-site contamination, the installation of low and zero carbon generating technologies in the houses and a restriction on the areas of the site that could be developed in order to protect trees and reduce the visual impact. Also the planning permission should not be issued until the applicant would have entered into a legal agreement for making the developer contributions.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

(1) 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 the provisions of Scottish Planning Policy and Policy NE2 'Green Belt' of the Aberdeen Local Development Plan.

(2) that the proposal, if approved, would be contrary to Scottish Planning Policy, the Aberdeen and Shire Structure Plan key objective on accessibility and Policy D3 of the Aberdeen Local Development Plan by reason that the development would be isolated and remote from the settlement of Peterculter, would be inaccessible by public transport and thus would be reliant on the private car.

(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.