

## ABERDEEN CITY COUNCIL

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COMMITTEE	Planning Development Management Committee	
DATE	28 May 2014	
LEAD HEAD OF SERVICE Margaret Bochel		DIRECTOR Gordon McIntosh
TITLE OF REPORT	Planning Digest	
REPORT NUMBER	EPI/14/150	

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### 1. PURPOSE OF REPORT

- 1.1 To advise Committee about recent appeal decisions, recent updates in Scottish Government Planning Advice and other aspects of the planning service.

### 2. RECOMMENDATION

- 2.1 To note the outcome of the appeal decision.

### 3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from these appeal decisions.

### 4. OTHER IMPLICATIONS

- 4.1 The report is for information and does not have any implications for any legal, resource, personnel, property, equipment, sustainability and environmental, health and safety and/or policy implications and risks.

### 5. BACKGROUND/MAIN ISSUES

#### **APPEAL UPHELD STANDING STONES, DYCE**

A retrospective planning application for change of use of land within the green belt (formerly a water pumping station) to form two permanent gypsy / traveller pitches (with provision for 6 caravans) was refused at Planning Development Management Committee on 10 December 2013 (ref P130119). The reasons for refusal related to concerns regarding inadequate drainage / flood risk and lack of facilities in the area. The planning application had been recommended for conditional approval by officials.

The Reporter appointed by the Scottish Ministers has now determined that planning permission should be granted subject to a number of suspensive conditions relating to provision of foul drainage, surface water drainage and landscaping of the site. He considered that the proposal did not conflict with green belt policy and satisfied the relevant criteria set out in local development plan policy H6 (Gypsy and Traveller

Caravan Sites). Notwithstanding the level of noise intrusion evident at the site (due to proximity to aircraft and industry) and a previous appeal decision for a house on the site, which was dismissed partly due to this concern, he was satisfied that the noise levels experienced at the site do not warrant refusal and that the level of residential amenity is satisfactory. He also considered that the site was adequately connected to services and schools by public transport.

A separate related appeal for award of expenses against the Council was not successful as the Reporter did not consider that the Council had acted unreasonably. He did however consider that explicit reference to local development plan policy should have been made in the reasons for refusal.

The relevant documents, including decision notices can be found at the following web link: - <http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=114998&T=20>

## 6. IMPACT

The Scottish Government has stated that an effective planning service is fundamental to achieving its central purpose of sustainable economic growth. As such the information in this report relates to a number of Single Outcome Agreement Outcomes:

- 1 - We live in a Scotland that is the most attractive place for doing business in Europe;
- 2 - We realise our full economic potential with more and better employment opportunities for our people;
- 10 - We live in well-designed, sustainable places where we are able to access the amenities and services we need;
- 12 - We value and enjoy our built and natural environment and protect it and enhance it for future generations;
- 13 - We take pride in a strong, fair and inclusive national identity; and
- 15 - Our public services are high quality, continually improving, efficient and responsive to local people's needs.

Public – The report may be of interest to the development community and certain matters referred to in the report may be of interest to the wider community.

## 7. BACKGROUND PAPERS

None.

## 8. REPORT AUTHOR DETAILS

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