

Signed (authorised Officer(s)):

WYNFORD FARM, KINGSWELLS

PROPOSED EXTENSION TO EXISTING
PLAYBARN

For: Mr G Hogg

Application Type : Detailed Planning
Permission

Application Ref. : P130002

Application Date : 07/01/2013

Advert : Can't notify

neighbour(s)

Advertised on : 30/01/2013

Officer : Jennifer Chalmers

Creation Date : 14th March 2014

Ward: Kingswells/Sheddocksley/Summerhill
(L Ironside/S Delaney/D Cameron)

Community Council: No response received

RECOMMENDATION:

Refuse

DESCRIPTION

The proposals are associated to Wynford Farm and Playbarn, which is located on the C93C (Borrowstone Road - Clinterty to Kingsford) to the west of Brimmond Hill. The wider grounds adjoin the western boundary of the Aberdeen City Council administrative area, some 135m west of the development location. Wynford Farm is approximately 1.2km east of Westhill, Aberdeenshire and 2.1km northwest of Kingswells.

The farm complex itself comprises a 2 storey farmhouse and a converted and extended steading which forms the farm shop / café and playbarn. There are several trees along the eastern boundary, between the buildings and the road.

On the opposite side of the road are large modern agricultural storage buildings, associated to the operation of the farm.

The BP Forties (Cruden Bay to Kinneil) pipeline crosses through the south eastern corner of the site, from north to south. The proposed works are within the inner notification zone of the pipeline, for the purposes of Health and Safety Executive (HSE) consultations. Additionally the development area is within the inner zone of the Shell Natural Gas Liquids pipeline.

RELEVANT HISTORY

P090706 – ‘Proposed Conversion of Existing Steading and Extension to form Farm Shop/Café and Playbarn’: Officer recommendation for refusal placed before Committee on 17th June 2010 saw a site visit take place on 24th June 2010. Thereafter Committee voted to conditionally approve the application on 19th August 2010.

RELATED APPLICATIONS

P130142 – Pending planning application for a ‘Proposed Change of Use from Agricultural Land to Recreational Ground Associated with Wynford Playbarn’.

P120696 – Pending planning application for a ‘Proposed Extension to Existing Hardcore Car Park including Change of Use from Agricultural Land to Car Parking (Retrospective)’.

PROPOSAL

Detailed planning permission is sought to extend the existing playbarn by a further 312sqm. This extension would be to the front, southern elevation, of the converted and extended steading and would result in the loss of 13 existing car parking spaces. The proposal also includes for the replacement of this lost parking via an extension to the existing parking area to the south-east, part of which is subject to pending application ref: P120696.

The proposed extension to the steading would essentially continue the modern range approved in 2010 and match its scale, form and finishes. It would measure 16.8m x 18m x 7.8m. Additionally, on the existing extension, just west of the roof apex, it is proposed to create a projecting tower, with glazing to all four elevations and a pitched and double hipped dark grey grp clad roof. The tower projection would measure approx. 2.9m x 1.7m x 1.3m, giving an approximate maximum height above ground level of 9.1m.

CONSULTATIONS

Roads Projects Team – No objection. Parking proposals are acceptable, subject to conditions relating to surfacing with suitable materials and drainage, delineation of spaces and enclosure. Motorcycle and cycle parking should also be required by condition.

Environmental Health – No observations.

Enterprise, Planning & Infrastructure (Flooding) – No observations.

Community Council – No observations.

BP – Request that the applicant liaises with their Wayleaves Officer to ensure that appropriate pipeline protection measures are incorporated within the construction specification.

Shell – The proposed development is outside the Shell pipeline servitude, which is to the East of the site and will have no impact on the pipeline. It is requested that a copy of any advice resulting from consultation with the HSE is forwarded.

Health and Safety Executive – Does not advise, on safety grounds, against the granting of planning permission.

Aberdeen International Airport (AIA) – The proposal does not conflict with safeguarding criteria thus there is no objection to the proposal, subject to an overall maximum development height of 12m above ground level (AGL). Should the development exceed 12m AGL then AIA must be re-consulted.

REPRESENTATIONS

Two letters of objection have been received. The objections raised relate to the following matters:

1. Car parking not adequate for the site. People currently park on the public road outwith the site or in the public car park for Brimmond Hill, or elsewhere;
2. The safety of those using the road to the Playbarn, including residents on that road, would be further compromised by increased traffic to and from the Playbarn;
3. The safety of those using the Playbarn can expect to be compromised by overcrowding;
4. It is noted that the car park is proposed to be on top of the BP gas pipeline, and the Playbarn extension is closer to it than the existing extent of the Playbarn, raising questions about safety;
5. There will be a reduction in the amount of agricultural land in the Green Belt; and
6. It seems likely that there will be an increase in the amount of untreated sewage that finds its way into the water course that runs between Wynford Playbarn and Wellside Croft which drains from the Playbarn block.

One letter of support was received on 10th January 2014, well outwith the time set for representations.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP) (2010) – Although the ‘*Rural Development*’ section of SPP highlights that planning authorities should promote economic activity and diversification in rural areas, this section is primarily aimed at areas more remote from significant urban areas, and which are not designated as

green belt. It is, therefore the section on green belts that is considered directly relevant.

The '*Green Belts*' section of SPP (paragraphs 159 & 163) states:

1. The purpose of green belt designation in the development plan as part of the settlement strategy for an area is to:
 - direct planned growth to the most appropriate locations and support regeneration;
 - 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.
2. That certain types of development may be appropriate within a green belt, particularly where it will support diversification of the rural economy. These may include, amongst other things:
 - development associated with agriculture, including the re-use of historic agricultural buildings; and
 - recreational uses that are compatible with an agricultural or natural setting.

Intensification of established uses may be appropriate, subject to new development being of a suitable scale and form. Furthermore, suitable access to public transport and walking or cycling will be required for uses that will attract a significant number of visitors. The cumulative erosion of a green belt's integrity through the granting of individual planning permissions should be avoided.

Paragraph 165 within the '*Transport*' section of SPP states that the planning system should support a pattern of development which reduces the need to travel, facilitates travel by public transport and provides safe and convenient opportunities for walking and cycling.

Aberdeen Local Development Plan

T2 (Managing the Transport Impact of Development) – New development requires to demonstrate that sufficient measures have been taken to minimise the traffic generated.

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 will be considered in assessing that contribution.

D3 (Sustainable and Active Travel) – new development shall minimise travel by the private car and promote healthy lifestyles by encouraging active travel.

D6 (Landscape) – states that development will not be acceptable where it: significantly adversely affects landscape character; sprawls onto important or necessary green spaces or buffers between spaces or communities.

Policy NE2 (Green Belt) – that 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.

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.

Policy BI5 (Pipelines and Controls of Major Accident Hazards) – In determining planning applications for development within consultation distances for hazardous installations, the City Council will take full account of the advice from the Health and Safety Executive and will seek to ensure that any risk to people's safety is not increased.

Policy BI4 (Aberdeen Airport and Aberdeen Harbour) – Due regard will be paid to the safety, amenity impacts on and efficiency of uses in the vicinity of the Airport.

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.

Principle of Extension

The site is within the green belt, thus there are strict limitations on the permissible types of development.

Policy NE2 requires that proposals for development associated with existing activities in the green belt will only be permitted if all of the criteria listed are met.

As the proposed works sit within the site identified in the original planning application (P090706), and immediately adjoining the then approved building, it is considered that the development is clearly associated to the established activity and within the wider boundary where that activity takes place. It is also worth noting that the originally identified site extended well beyond the area where physical development or active uses associated to the activity were to, or have

since, taken place. As such there is sufficient land available which could see such expansion, without any requirement to extend further into the green belt. Thus it is considered that the proposals comply with criterion (a).

Otherwise the requirements are that development is small-scale and that the intensity of the activity is not significantly increased. With regard to scale, the proposed extension would increase the floor area by approximately 27% (302sqm) resulting in an overall floor area of approximately 1130sqm with a mass of 16.8m x 18m x 7.8m, which is considered significant, rather than of a small scale. In terms of the intensity of the activity it is considered that this factor is inextricably linked to the scale of the development and it is considered, in this instance, the intensity of the use and associated operations would significantly increase as a result of the large increase in floor area. As such it is not considered that the proposals comply with criteria (b) and (c), nor does it comply with SPP in relation to 'development being of a suitable scale'.

It is accepted that the proposed use of the extension and proposed car parking would be related to the existing operation and use at the site, thus the proposals would satisfy the requirement of criterion (d).

The scale and form of the proposed development would also require to be assessed against Policy D1.

Design / Layout

The proposed extension would continue the design/form and finish of the previously approved modern extension. The existing buildings consist of a mix of a traditional steading and the larger more utilitarian metal clad structures which are attached to it. These modern additions do not necessarily look out of place and are now commonplace on farms, but issues within Policy D1 relating to: context, setting, siting, scale, massing, colour, materials, orientation, details, the proportions of the buildings elements and spaces around the buildings, need to be assessed in conjunction to the wider remit of Policy NE2.

In relation to the context of the proposed extension, it would be attached to an existing modern structure, which is itself attached to a traditional vernacular steading. The existing modern element sits flush with the original steadings southern elevation. The construction of that modern building saw the demolition of earlier farm buildings, with the new structure contained largely within the footprint of those former buildings. In the 2010 decision associated to the development of the modern structures, it was considered that its construction would not unacceptably detract from the character of the original vernacular steading. The now proposed extension, to that recently constructed utilitarian structure, would extend beyond the original building footprint, and onto an area currently used for car parking. Given the significant scale of the proposed extension it is considered that the proposal would considerably increase the impact on this part of the green belt, in relation to visual impacts and intensity of

use, thereby changing the character of the location, such that it is dominated by the large utilitarian forms.

In terms of scale, massing and proportions of the proposed extension, the structure would project out from the front of the property, and would be significantly higher and more imposing than the original parts of the steading. Although it would generally continue the height of the existing 2010 extension, except for the proposed tower, the increased mass and imposing form of the proposed structure would result in the focus of the grouping being overwhelmed by a large modern and utilitarian element, detracting from the more traditional massing and form which would be expected in the wider character of this green belt location.

In relation to the proposed colour, materials and design details it is accepted that they would replicate the existing extension. However, as discussed it is considered that the scale of development and the resulting visual dominance and impacts in the landscape, as well as the intensification of the use, in this isolated location are strong material factors.

Taking into consideration whether the proposed extension would be small-scale (Policy NE2), along with the criteria involved in Policy D1, it is not considered that the proposal is small-scale or of an appropriate mass and form to the character of this green belt location, and thus does not comply with either Policy NE2 or D1.

Landscape Impact

It is considered that the scale of the proposal is of such a scale that it will have a reasonably significant impact on the landscape character of the area and will erode the quality of the wider green belt to the detriment of its value. As such the development does not comply with the requirements of Policy D6 (Landscape).

Parking

The proposal would result in the loss of 13 car parking spaces, although these would be replaced elsewhere within the site. Overall, the proposed extension would require 16 additional car parking spaces, at 1 space per 18sqm, which would result in the requirement of 65 car parking spaces. This standard has been achieved and the Roads Projects Team are satisfied, subject to conditions.

In relation to the objection that refers to cars parking on the public road, there are no controls in this area to stop members of the public parking on the road or in public car parks and is therefore not a material consideration in the determination of this application. As discussed above the Roads Projects Team are satisfied that sufficient parking is proposed, in relation to the scale of development and the nature of the use.

Sustainability of Location

The location is considered relatively remote from the customer base, and this coupled with the nature of the use, leads to the conclusion that the only reasonable mode of transport to access the location is the private car. As such it is not considered that the location is particularly sustainable and that the intensification of the use at this location will exacerbate that inherent unsustainability, in conflict with SPP and the aims of the Local Development Plan. It has not been demonstrated that there have been sufficient measures taken to minimise the traffic generated. Whilst accepting the existing scale of the use at this location, it is considered that a further intensification, given the unsustainable location would not be justified. Given this it is considered that the proposals do not comply with either Policy T2 (Managing the Transport Impact of Development) nor D3 (Sustainable and Active Travel).

Pipelines

It is recognised that the site is located in close proximity to both the Shell and BP pipelines and as part of Policy BI5 the City Council has taken full account of the advice from the Health and Safety Executive which clearly stated that they do not advise against the granting of planning permission. Therefore there is accordance with Policy BI5.

Aberdeen International Airport

In line with Policy BI4, Aberdeen International Airport were consulted and determined that the proposal would not conflict with safeguarding criteria and therefore they have no objection to the proposal.

Letters of Representation

The Roads Projects Team are aware that there would be an increase in the volume of traffic to the site, however they do not foresee this increase as a road safety issue, as an appropriate standard of parking is proposed on site.

The safety of those using the Playbarn due to overcrowding is not a planning issue and is a matter for other regulating parties.

The comment indicating that untreated sewage currently finds its way into a water course from the existing operations is also not a planning consideration, and a matter to be investigated by other regulating parties, such as SEPA.

In relation to the letter of support sent on behalf of the applicant, the reference to the 'Economic Development' section is acknowledged, however, it is the view that the SPP section on 'Green Belt' takes precedence over economic development in this instance, as previously stated.

Relating to the reference to this existing business as part of rural tourism development, it was indicated, within the original application that the proposal was to be an educational facility and not related to tourism.

It is acknowledged that a survey of local opinion was carried out and secured 827 supporting signatures.

Consideration has been given to what was originally given approval and the fact that this intensification would need to be of a suitable scale in relation to the current situation, as assessed against the development plan and other material considerations.

In relation to the applicant having successfully applied to the Scottish Government for financial assistance for this diversification project it is unclear as to whether this refers to the successful application referred to in the original application or a more recent application. Notwithstanding this is not considered a significant material consideration.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

That Policy NE2 (Green Belt) states that any proposed development should be small-scale and the intensity of the activity should not be significantly increased. Alongside this, Policy D1 (Architecture and Placemaking) states that consideration needs to be given to the context, setting, siting, scale, massing. It is not considered that the proposed extension is small in scale and as a result of this it is considered that the visual impacts and the intensity of activity would be significantly increased. In relation to context, setting and siting, the proposed extension would come forward of the building line into the existing car park, would be higher and more imposing than the original steading building, and although of the same height as the existing modern extension, the existing massing would be significantly increased and the character of the farm grouping altered such that it would appear out of context and dominant in this green belt location. The proposed extension would detract from the character of the original steading building which would lose its visual presence and be dominated by those more modern additions. The scale of the proposal is such that it will have a reasonably significant impact on the landscape character of the area and will erode the quality of the wider green belt to the detriment of its value, thus would not comply with Policy D6 (Landscape). Neither is the location sustainable and the intensification of the scale of development at this location would not be in compliance with the aims of Policy T2 (Managing the Transport Impact of Development) nor D3 (Sustainable and Active Travel). It is therefore considered that the proposal does not comply with Policies D1, D3, D6, T2 nor NE2 of the Aberdeen Local Development Plan.