

Planning Development Management Committee

NETHER ANGUSTON, PETERCULTER

FORMATION OF RIDING SCHOOL WITH ASSOCIATED BUILDINGS, CAR PARKING AND LANDSCAPING.

For: Aberdeen Riding Club

Application Type : Detailed Planning Permission
Application Ref. : P150110
Application Date: 24/02/2015
Officer: Nicholas Lawrence
Ward : Lower Deeside (M Boulton/A Malone/M Malik)

Advert : Section 34 -Proj. Pub.
Concern
Advertised on:
Committee Date 16.07.2015
Community Council : No Response



RECOMMENDATION: Refuse

DESCRIPTION OF THE APPLICATION SITE

The application site is undeveloped farmland located to the north east of Nether Anguston Farmhouse at the junction of the farmhouse access lane and the C149 and is a roughly rectangular shaped parcel of land on a north south axis totalling some 1.99 ha in area. The application site is immediately bounded by open fields and to the south by a stand of beech trees lining the access lane.

In locational terms the Application Site is some 180 metres to the south of a cluster of 27 dwellings at Quarryhill and is some 5.5 kilometres (3.4 miles) from the settlement of Peterculter. In sustainability terms the Application Site is not served by public transport and there are no footpaths or cycle routes on the narrow local C149 that form the route to the proposed development.

The Application Site is designated as Green Belt within the adopted and emerging Aberdeen Local Development Plan and this part of the Green Belt is characterised by slightly undulating open landscape with limited field boundaries, pockets of woodland and restricted tree lined roads.

RELEVANT HISTORY

Not Applicable

PROPOSED DEVELOPMENT

In brief, planning permission is sought for the creation of a new riding and livery centre that comprises the following elements:

- Erection of indoor riding arena (incorporating stabling for 26 horses, viewing gallery, office and welfare facilities) that adopts a pitched roof form fashioned from trapezoidal metal sheeting and finished in a combination of light and green pantones. The roofing finish is carried through to the walls of the proposed building as well as the doors and fenestration. In terms of size, the building is some 91.16 metres in length (i.e. equal to some 18 double decker buses placed end to end) with a height of 9.70 metres (2 double decker buses stacked on top of each other) and with a maximum width of 40.00 metres. This equates to a gross floor area of 3,434m².
- Stable building providing accommodation for 63 horses together with toilets and areas to accommodate the tack, farriers area, horse wash down zone and feed store. This building is 74.94 metres in length, with a height of 6.70 metres and width of 20.88 metres (i.e. 1,565m² gross floor area). In terms of materials and finishes the stables will adopt that proposed for the indoor arena building.
- Flood lit menage/outdoor riding area measuring 30.00 metres by 50.00 metres.

- Muck heap area measuring some 30.00 metres by 15.00 metres
- Parking is provided in an area that immediately abuts the access point and encompasses parking for 55 cars, including 5 disabled spaces, horse box turning area and a rack for 7 bicycles. A secondary area is marked as “*Hard Standing Area*”. No area within the proposed development as a whole is shown to accommodate either horse box or horse transporter parking.

To facilitate the scale and quantum of development it is proposed to construct a retaining wall that forms the northern boundary to the Application Site that has a height of 5.00 metres and extends to some 100.00 metres in length.

Access to the proposed development is via the private lane servicing Nether Anguston Farmhouse and that part of the access land between the proposed access point to service the development and the C149 will be upgraded to an adoptable standard and will incorporate two passing places and improvements to the existing junction.

It is proposed that the area surrounding the Application Site that totals some 42.00 ha will be utilised for the grazing and exercising of horses, together with the grazing of sheep and the creation of silage. The level of this activity is dependent upon the number of horses accommodated at the proposed development.

The disposition of each of the above described elements is shown on submitted Drawing No.P05 Rev4 dated 4th of June 2015, entitled *Drainage Design / Road Design*.

Basis of Application and Proposed Operation

The Applicant in the supporting “*Report of Justification*” document sets out the key points to support the proposed development, which can be distilled as:

- Aberdeen Riding Centre (ARC) is being forced to relocate to accommodate new housing through the Local Development Plan.
- ARC must move premises by 2016, due to the scheduled build of 550 homes on their current site
- Nether Anguston is the only available site within the Aberdeen City boundaries which meets the requirements for the relocation of the ARC due to size, location and transport links.
- ARC would have no option but to cease operating should planning permission be declined

- ARC is an important facility providing riding, training and livery for the community of Aberdeen and surrounding areas.
- ARC is the largest riding school and livery yard in Scotland and has over 400 riding members and a waiting list.
- ARC is a provider of horse, equipment and facilities for Aberdeen Riding for the Disabled (ARD).
- ARC is a work experience and education provider.

In terms of the operation of the proposed facility it is envisaged that the site will accommodate the level of activity as the current site (362 members and circa 80 horses) with headroom to accommodate further horses and members (i.e. 90-100 and 499 respectively). It is proposed that the facility will operate for the public/members from 10 am to 9 pm Mondays to Thursdays and between 9 am and 6 pm on Saturdays and Sundays. On Tuesdays the RDA run the centre (excluding livery) between 9 am and 3 pm. The riding school will not operate on a Friday to “*allow the horses a day off*”.

Whilst it is the intention that the Applicant will not undertake riding on a Fridays, this cannot be controlled by a lawful planning condition. The Applicant recognises the proposal would permit the use of the facilities by the owners who have horses at livery within the proposed development on a Friday.

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?ref=150110>

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

REASON FOR REFERRAL TO COMMITTEE

The application is referred to the Planning Development Management Committee as more than 5 objections have been received. Accordingly, the application falls outwith the scope of the Council’s Scheme of Delegation.

CONSULTATIONS

Roads Development Management	No objections subject to junction improvements, access lane made up to an adoptable standard and creation of passing places
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Environmental Health	No objection subject to imposition of conditions
Developer Contributions Team	Clarification is being sought by the Roads Project team regarding a STF contribution
Flooding	Drainage Impact Assessment requirements could be addressed by way of a condition
Community Council	No response received

REPRESENTATIONS

A total of 43 representations have been received, of which 26 object to the proposed development, 14 are in support whilst 3 respondents have concerns with the proposed development. The matters raised are summarised below against the form of representation.

Objections

- Buildings appear visually dominant in the landscape due to the large expanse of metal sheeting
- Contrary to green belt policy
- Road not adequate for increased traffic
- Road not suitable for pedestrians and horses – people walk along the road from Lyndholme School with families and people with learning difficulties
- Road is barely larger than single track with deep ditches at the roadside
- Poor exit point would be at a blind summit of the road, on a carriageway section which would seriously impact upon the safety of the road users
- Huge impact upon the surroundings
- Unrelated to the existing settlement
- Viability, suitability and size of proposal

Support

- Allow facility to remain within the city boundaries and sporting resource to the City
- Will prevent this sport from being lost to this area
- Encourages volunteering for charities
- Work closely with riding for the disabled
- Great advantage to have horses stabled next to the indoor arena
- Design makes good use of the landform and design sympathetic to area
- Will safeguard a valuable serviced provided locally

Concerns

- Community involvement – no residents have been informed
- Length of building – blot on the landscape
- No site accommodation shown on the plans

- Sound and light pollution
- Road is narrow
- Unsightly caravans / horse boxes on the site

In terms of spread of representations against the proposed development, of the 26 objections received, 20 of these came from the AB14 0PP or 0PN post codes that are in the immediate vicinity of the Application Site.

PLANNING POLICY

National Policy and Guidance

- National Planning Policy Framework No.3
- Scottish Planning Policy
- Planning Advice Note 73 – Rural Diversification

Aberdeen City and Shire Structure Plan

- Quality of the Environment

Aberdeen Local Development Plan (ADLP)

- NE2 Green Belt
- D1 Architecture and Placemaking
- D3 Sustainable and Active Travel
- D6 Landscape
- NE5 Trees and Woodland
- NE6 Flooding and Drainage
- T2 Managing the Transport Impact of Development

Proposed Aberdeen Local Development Plan (PADLP)

- D1 Quality Placemaking by Design
- D2 Landscape
- T2 Managing the Transport Impact of Development
- T3 Sustainable and Active Travel
- NE2 Green Belt
- NE5 Trees and Woodland
- NE6 Flooding, Drainage and Water Quality

EVALUATION

Main Issues

The main issues at hand in this case are firstly; whether the proposed development would harm the character and appearance of the landscape / Green Belt; and secondly, if harm is caused whether that harm is clearly outweighed by

other considerations so to amount to circumstances needed to justify the development; and thirdly, the highway implications of the development. All issues have regard to the provisions of the Development Plan and other material considerations.

The Planning Policy Framework and Materiality

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (the Act), as amended, requires 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 for the purposes of this application comprises the Aberdeen Local Development Plan (the ALDP) that was adopted by the Aberdeen City Council (the Council) on the 29th of February 2012, together with the Aberdeen City and Shire Strategic Development Plan (the Strategic Development Plan) that came into force on the 28th of March 2014. The ALDP also contains a suite of Supplementary Guidance documents that underpin its policies.

Aside from the ADLP the Council issued the Proposed Aberdeen Local Development Plan (the PALDP), together with Supplementary Guidance for public consultation between the 20th of March and the 1st of June 2015. Whilst the PALDP is not a statutory part of the Development Plan it does provide an indication of a direction of policy travel and was adopted by the Council on the 28th of October 2014 as constituting a material consideration in the decision-taking process.

Materiality is set by a number of documents and Ministerial pronouncements that include, albeit not limited to, the National Planning Policy Framework No.3 (NPF3), Scottish Planning Policy of the 23rd of June 2014 (the SPP) and Planning Advice Note 73 – “*Rural Diversification*” issued on the 7th of February 2005 (PAN 73).

Planning Policy and Materiality Background

ADLP policy NE2 addresses the matter of Green Belt development and notes that appropriate development within the Green Belt includes recreational uses compatible with an agricultural or natural setting. The preamble to policy NE2 under the heading of “*Protecting and Enhancing the Natural Environment*” at paragraph 3.60 notes that:

“The natural environment and open spaces are important for landscape, natural heritage and wider social, health, economic and environmental reasons, such as adapting to climate change and helping to improve air quality.”

With regard to the Green Belt designation the ALDP sets out the aims of such areas as to maintain the identity of Aberdeen and the communities within and around the City by defining their physical boundaries clearly, avoiding coalescence and urban sprawl, maintaining the landscape setting and providing access to open space. In broad terms the Green Belt directs development to the most relevant locations to protect such areas.

Policy D1 of the ALDP “*Architecture and Placemaking*” looks to ensure high standards of design and development must be designed with due consideration for its context and make a positive contribution to its setting. Policy D1 is non-prescriptive in terms of a ‘required’ design form and presence. However, the preamble does look for the design of new development to be based on an understanding of its context and respond to its location, both in terms of landscape fit and design quality.

ALDP policy D6 considers “*Landscape*” and will not allow development that adversely affects the landscape character and elements which contribute to, or provide a ‘distinct’ sense of place. Linked with the protection of the City’s landscape is the presumption against all activities that would result in the loss or damage to established trees that contribute to landscape character as contained in ADLP policy NE5.

Managing the transport impact of development is covered by policy T2 of the ADLP, which looks to ensure that sufficient information is available to take a reasoned decision in assessing the transport impact, including highway safety, of new development.

Policy D3 of the ADLP is applicable to all proposed development within the governance of the City Council and has at its heart the aim of locating development that will minimise travel by private car and thereby encouraging the use of other modes of transport (e.g. public transport, cycling and walking).

The PALDP in broad terms replicates the aforementioned policies of the ALDP and in relation to policy NE2, which is carried over, adds an overarching paragraph that reads:

“All proposals for development in the Green Belt must be of the highest quality in terms of siting, scale, design and materials. All developments in the Green Belt should have regard to other policies of the Local Development Plan in respect of landscape, trees and woodland, natural heritage and pipelines and control of major accident hazards”.

The Strategic Development Plan under the heading of “*Quality of the Environment*” has a common objective and target in ensuring that new development maintains, improves, and does not lead to the loss of, or damage to built, natural or cultural heritage assets. At the same juncture the Strategic Development Plan sees the Green Belt as providing a vital role in protecting the character and landscape setting of Aberdeen, whilst acknowledging it will need to change. In essence, it guides development to the appropriate location.

At the national level the SPP sets out national planning policies for the development and use of land and includes a number planning outcomes together with a series of policy principles. The SPP as with NPF3 is an overarching policy document and critically introduces a presumption in favour of sustainable development with the aim of achieving the right development in the right place whilst crystallising the position that the presumption is not to allow development at any cost.

The SPP in considering “*Promoting Rural Development*” notes that the planning system should, to paraphrase, in rural areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces. The SPP goes on to critically comment that plans should set out a strategy which promotes economic activity and diversification including, where appropriate, sustainable development linked to tourism and leisure whilst ensuring that the distinctive character of the area is protected and enhanced.

PAN 73 sets out in its simplest form that rural diversification means the establishment of new enterprises in rural locations that in turn helps broaden the economic activity of rural areas, providing opportunity and creating a more balanced and stable economy. Paragraph 25 states:

“However, rural diversification can also raise fundamental questions. The siting of businesses in rural areas, particularly in the open countryside, can encourage unsustainable traffic generation or commuting patterns. There may be impacts on an area’s natural or cultural heritage or other environmental factors to consider.”

Assessment of Main Issues

Affect upon character and appearance of the landscape / Green Belt

Small scale stables and outdoor riding areas are not uncommon within the countryside around the edge of settlements and are compatible within a natural and agricultural setting. Whilst a recreational use may be deemed to be appropriate that is not to say that any development associated with that use is appropriate. The question at issue here is the quantum and appropriateness of the proposed development and the harm that it creates to the open countryside.

Whilst small scale stable and outdoor riding areas may be considered appropriate in the open countryside it is considered that the proposed stables, indoor arena and car parking are not appropriate. The proposed indoor arena, stables and car parking, excluding the paths and internal road network, would occupy an area totalling 9,400m² (i.e. equivalent to 2½ football pitches). Indeed, the Applicants in their “*Report of Justification*” acknowledge that the proposed development is of a scale unprecedented in Scotland by stating that it will be “*the largest riding school and livery yard in Scotland*”.

The adopted policies of the Council together with guidance set by the Scottish Government is clear that the proposed development must have regard to context in terms of landscape fit and design and any development should not harm the areas distinctive character.

In this case the character of the area is one of gently undulating countryside with limited field boundaries, small pockets of woodland and tree lined areas. Whilst the area does have agricultural buildings, these again are dispersed and are of a significant lesser scale than the proposed buildings. The Applicant is aware that the scale and location of the development would harm the countryside and this is witnessed by the Applicant seeking to 'dig the development into the ground' by the creation of a false shelf. Consequently, when viewed from the north the current aspect will be transformed from that of open countryside to one of a plateau of roofs. This clearly does not have regard to context or landscape fit and will in turn harm the character of the countryside.

The formation of a 100m long and some 5.00 high retaining wall is an engineered, utilitarian artificial feature, of a scale alien to the countryside and in turn will harm the character of the area.

The creation of a shelf is a poor attempt to mitigate the development's harm, from the north. However, this will not be achieved and it will not diminish its impact when viewed from public views, from the eastern aspect, or when arriving at the location by road. The scale and overall mass of the buildings will appear as a striking imperious feature that harms the distinctive character of the area and indeed the creation of the shelf has no regard to landscape form.

The Applicant has indicated that there will be landscaping, albeit outside the red line boundary. This is not part of the application and would take time to mature. There is also a question of highway safety, as no landscaping can occur to the eastern aspect of the Application Site as this would affect the visibility required for the new junction arrangement.

As noted above the openness is an intrinsic part of the character of the area and the fact that a development may be screened does not diminish its harm to the character of the area. Planting will draw attention to the development, act as a green wall, and remove the aspect of openness and will therefore harm the character of the countryside.

The scale of the buildings and quantum of development would have an industrialising/urbanising effect, it is akin to a modest industrial park, on the immediate and wider area to the Application Site and therefore fails to maintain the distinctive character of the area and the Green Belt.

Aside from the physical, qualitative and aesthetic harm of the proposed development there is a broader environmental harm to the quality of enjoyment of the landscape. PAN 73 recognises that businesses in the open countryside can encourage unsustainable traffic generating or commuting trips. The justification point of the Applicant stated that the site was chosen, in part, due to its "*transport*

links". However, the proposed site does not have the attributes of the existing site that is accessible by public transport, cycling and walking. The proposed development will be dominated by the use of the car with or without horse box and does not represent a form of sustainable development. Such activity will harm the environmental quality of the area in terms of its enjoyment.

The SPP considers rural development against the challenges such areas face and PAN 73 talks about creating a more balanced sustainable economy. There is no evidence that this area is suffering from rural challenges or that the proposed development will create a more balanced and stable community.

For the reasons evidenced above, the proposed development harms the distinctive character of the landscape and as such it is contrary to advice contained within NPF3, SPP, PAN73, together with policies NE2, D1, D3, D6 and T2 of the ALDP and policies NE2, D1, D2, D6, T2 and T3 of the PALDP.

Are there considerations that outweigh the harm

The key points set out within the "*Report of Justification*" document are deemed to constitute the material considerations in this matter.

It is accepted that ARC does provide riding, training and livery for "*the community of Aberdeen and surrounding areas*". That is not to say that other locations either within the governance of Aberdeen City or in surrounding areas could not also provide the same facilities.

With regard to location, the Applicant noted that "*Nether Anguston is the only available site within the Aberdeen City boundaries which meets the requirements for the relocation of the ARC due to size, location and transport links*". The general matter of transport links has been considered above and it is evident that the Application Site is not a sustainable location and does not have a range of transport links. Therefore this does not constitute a justification to outweigh the harm that the development would cause.

The Applicant has submitted clarification on the exercise undertaken to find a suitable location that covered 7 sites, 1 of which was outside the City boundaries, up to the period of November 2014, although between September 2013 and November 2014 there appeared to be lapse of activity. The site was chosen, outwith location and size, on the basis that it was in the Green Belt and such land was cheaper as it was not going to be built upon; whereas all non-green belt land would be the subject of development. This in itself is not a planning justification for allowing the development.

It is clear that the ARC services both the City and its hinterland, and the majority of its users are from the City and subject to where they live will have to negotiate traffic. Therefore any location within the City or just outside would meet the current draw of the ARC and the desire of the ARC to be remain in the City at this location has not been adequately demonstrated.

On the matter of size, from the information supplied the acreage is dependant upon the number of horses (i.e. 1-1½ acres per horse) and allowing for the aspiration of the ARC to develop its business the size of the site would meet its aims. That is not to say other sites of a comparable size may not be available.

Associated with location is the matter of accommodating the “*pre-requisite*” of Aberdeen RDA to be within Aberdeen City. It is accepted by the Applicant that Riding for the Disabled is not geographically restricted. In this case it is the understanding of the Author that Aberdeen RDA are of the view that if the ARC would to re-locate outwith the City boundaries then it may be more difficult to secure volunteers, which is understandable. This pre-requisite has to be balanced against that other facilities could provide Riding for the Disabled and secondly, that the RDA accounts for less than 10% of the available hours for riding lessons if the arena alone was used.

Considering the matter of viability the Applicant has forwarded an amount of information and based upon the documentation the proposed development would make a small profit. It is recognised that the Applicant has successfully operated the current venture and should be able to transfer those attributes to this or any other site. In terms of funding the development, this is dependant upon lottery funding from Sport Scotland and the Landlords contribution. It is fair to reflect that all lottery funding is a variable.

With regard of the need to vacate the site by 2016, it is understood that the current site will not be required by the developers until 2017 at the earliest.

It is the view that the Applicant has not demonstrated that sufficient material considerations exist to clearly outweigh the harm that the development will cause to the landscape and green belt.

Highway Matters

The Roads Development Management team are in principle are content that the proposal in terms of access arrangement and junction improvements will not have a highway safety impact. However, Members are aware that the C149 road servicing the Application Site is narrow, is subject to a national speed limit, blind summit and right angled bend at the access point. Whilst it is the intention of the Applicant not to lead horses by reins on the highway, hacking out could still occur, and restricting horse movements onto the road cannot be controlled by way of a planning condition as it could be deemed to be onerous on a business. In addition, the use of the public highway is controlled by the Roads Authority, not the Local Planning Authority

RECOMMENDATION

Refuse the proposed development the benefit of planning permission

REASONS FOR RECOMMENDATION

- 1. The proposed development by reason of its scale, form, mass and attendant works would demonstrably harm the distinctive character and appearance of the landscape and the Green Belt, together with its unsustainable location and as such it is contrary to advice contained within NPF3, SPP and PAN73, together with policies NE2 (Green Belt), D1 (Architecture and Placemaking), D3 (Sustainable and Active Travel), D6 (Landscape) and T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan and policies NE2 (Green Belt), D1 (Quality Placemaking by Design), D2 (Landscape), T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) of the Proposed Aberdeen Local Development Plan.**