

Report of Handling Detailed Planning Permission

170395/DPP: Erection of two detached dwellings, formation of associated private garden ground and car parking (Resubmission of previous application ref: 161777/DPP). at Burnside Poultry Units, Little Clinterty, Aberdeen, AB21 0TL

For: Mr Graham Buchan

Application Date:	18 April 2017
Officer:	Robert Forbes
Ward:	Dyce/Bucksburn/Danestone
Community Council:	Dyce And Stoneywood
Advertisement:	Development Plan Departure
Advertised Date:	28.4.17

RECOMMENDATION: Refuse

SITE DESCRIPTION

This 1.3 Ha site relates to former agricultural land located in open countryside to the south of Blackburn. It includes a redundant asbestos roofed poultry shed (10m by 35m), associated slurry tank and other land partly used for grazing of sheep, horticulture, including the site of a demolished glass house. A residential caravan is located on the site, although it is unclear what purpose it is used for. A supporting report states that the redundant poultry shed is currently used for "ad-hoc storage". There are a number of sporadic established trees on the site including native ash and exotic conifer trees and a recently planted tree belt. The application form certifies that none of the site constitutes or forms part of an agricultural holding.

PROPOSAL

Planning permission is sought to redevelop the site to erect 2 detached mainstream housing units. The existing farm access track from the public road would be used. Two plots are proposed at the western and eastern ends of the site. Garden ground would be defined by post and wire fencing. Plot 1 (to the east) would consist of a 4 bedroomed house with attached garage. It would be of 2 storeys, with the upper floor contained within the roofspace. Plot 2 would consist of a similar 4 bedroomed unit (in contrast with the 6 bedroomed house previously proposed). Roofs would be pitched at 45 degrees and clad with corrugated metal with Velux rooflights. Walls would be finished with a mix of smooth render and larch cladding. Ancillary surface car parking within the plots. Drainage would be via a private system (septic tanks).

APPLICATION REF: 170395/DPP

The proposal differs from the previous refusal (161777) in that one of the houses would be smaller and would not include a detached garage.

RELEVANT HISTORY

Application Number	Proposal	Decision Date
161777/DPP	Erection of 2 houses	Refused 31.01.17
A2/2173 (022148)	Erection of a house adjacent to the site	Refused 10/04/03

There is no record of planning permission having been granted for installation of a residential caravan at the application site.

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at <https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OO6RQ4BZK2000>.

Bat Survey, Structural Survey, Sustainability Report, Feasibility Report, Financial Appraisal, Site Investigation, Asbestos Reports, Design Statement, Drainage Impact Assessment and Planning Statement.

CONSULTATIONS

Consultee	Date of Comments	Summary of Comments
ACC - Roads Development Management Team	03.05.17	No objection on public / road safety grounds (e.g. regarding the access). Note that the site is not readily accessible by walking or cycling.
ACC - Flooding And Coastal Protection	25.4.17	No objection. Recommend use of water butts and permeable paving on site.
ACC - Environmental Health	21.4.17	Recommend conditions to address possible site contamination. Request that the applicant demonstrate that a mains water supply is to be provided.
ACC - Environmental Policy Team	13.06.17	Note that a tree survey has not been provided and is required. No concern regarding bat impact. Recommend further ecological survey work. Consider that the landscape impact of the proposal would be adverse.
ACC - Waste Strategy Team	25.4.17	Advise that the property would have wheelie bin refuse storage.

Community Council	24.4.17	Object on grounds of contravention of green belt policy (NE2), and precedent. No evidence of “enabling development” to justify approval, in contrast with Clinterty Mill. Consider that the houses are high quality design. Policy R2 does not support the development.
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REPRESENTATIONS

3 letters of objection have been received. The matters raised can be summarised as follows:-

Contravention of green belt policy (NE2),
Precedent for future development,
History of refusal of housing nearby,
Public/ road safety impact,
The poor sustainable transport connections to Blackburn,
Visual prominence / landscape impact,
Concern that existing trees offer little screening,
Lack of justification for 2 houses on the site,
Consider that the level of site contamination is unlikely to be severe and that the site has potential for agricultural use as evident by recent use as vegetable plot / market garden / grazing),
Concern regarding negative impact on adjacent residential amenity due to screening,
Consider that previous building design concerns have been addressed by the revised proposal.

PLANNING POLICY

Scottish Planning Policy (SPP) expresses a presumption in favour of development which contributes to sustainable development. It acknowledges that green belt has a significant role in pressurised housing market areas.

The Aberdeen City and Shire Strategic Development Plan 2014 (SDP) directs housing development to existing settlements and planned growth areas to be set out in Local Plans. It identifies the need for a green belt for Aberdeen, to protect the character and landscape setting of the city. Its boundaries are to be identified by Local Plans. It has an objective to ensure that all new development contributes towards reducing the need to travel.

2017 Adopted Local Development Plan

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 Woodlands

NE6: Flooding, Drainage & Water Quality

NE8: Natural Heritage

R2: Contaminated Land

R7: Low and Zero Carbon Buildings & Water Efficiency

OTHER RELEVANT MATERIAL CONSIDERATIONS

Planning guidance regarding landscape and transport / accessibility is relevant

Local Transport Strategy

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 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.

Development Principle

The supporting planning statement indicates that the existing shed on the site (formerly used for agricultural purposes as a poultry unit) is used for general storage purposes (i.e. class 6 use). However, no evidence exists that such use is authorised. Therefore, the application requires to be assessed on the basis of the authorised use of the site as agricultural land. No planning permission has been granted for change of use of that building or for other development at the site. There has been no material change in the physical appearance / context of the site or in relation to relevant planning policies / guidance referred to above since refusal of the previous planning application for erection of 2 houses on the site in January 2017.

The site is not identified as an opportunity site for development or a site identified for housing development within with the adopted Local Development Plan. It lies in open countryside within the green belt and outwith any established settlement. The proposal therefore conflicts with the SDP which directs development to identified housing sites or existing settlements and identifies the need for a green belt in order to direct housing pressure elsewhere.

Erection of mainstream housing at the site would conflict with NE2 (green belt) policy. It is clear that the proposed development is not essential in the interests of agriculture, forestry or any other type of rural development which is itself appropriate in the Green Belt. No attempt has been made to suggest otherwise. Given the limited extent of the land holding, the redundant nature of the poultry unit, and the low intensity of any existing agricultural use at the site, there would be no justification for housing on essential need grounds. Moreover the remaining sheds on the site are not of historic or architectural interest that would justify potential conversion to residential use and, in any event, the proposal is for demolition of such building and redevelopment of the site. No evidence has been provided that other uses which may comply with green belt policy have been considered. Although it is accepted that the remaining building on the site is in a poor structural condition and that the site has remediation constraints, the supporting feasibility report and planning statement are not considered to have sufficient weight to justify approval of the development contrary to green belt policy.

Contamination

The site investigation states that “The asbestos present on site (in-situ or ground contamination) presents negligible risk to human health....There is no evidence of other potential contamination on site.” The majority of the site appears to remain in active agricultural use and is not visually degraded in nature (e.g. compared to larger farm complexes / industrial / mineral workings) elsewhere in the green belt. There is no evidence of previous industrial use / landfilling that is likely to have caused contamination. It is accepted that the remaining building on the site is in a poor structural condition and that the site has remediation constraints. It is considered that the costs associated with maintenance / replacement of the shed roof are not so exceptional to justify approval of housing on the site. Notwithstanding the objective of policy R2, given that the site is not significantly visually degraded, does not pose a significant environmental hazard and is in part used for appropriate countryside purposes, there is considered to be no strong justification for allowing its redevelopment for other purposes not currently allowed for by green belt policy.

Sustainability

Whilst the submitted sustainability report claims that “the site.... provides a basis from which to achieve a highly sustainable development” this conclusion can be questioned on various grounds.

Although the site is located close to Blackburn, it lies in open countryside and is poorly connected to urban areas by sustainable transport means. Occupants would be required to walk about 1km along an unlit country road with no footways to access facilities at Blackburn. There is no bus service on the adjacent public road and no convenient / safe pedestrian crossing on the A96. Public transport would not be available within 400m of the site, in conflict with the Council’s guidance regarding transport. Although alternative access is available via a farm track, outwith the site, this is unsurfaced and unlit and is not under the applicant’s control. Although the site is claimed to be located within cycling distance of Dyce, Westhill and Kingswells, the intervening topography and high level / speed of vehicle traffic is likely to discourage cycling. Accordingly it is considered that the development would be unduly car dependent, and would therefore conflict with the objectives of policies T2 and T3 and with the SDP objective of reducing the need to travel.

Notwithstanding the potential for low energy design, the significant size of the proposed housing units is considered to sit uneasily with the resource minimisation objective of sustainable development. No re-use of building material within the site is proposed. No details of renewable energy equipment or demonstration of compliance with local plan policy R7 have been provided, although it is accepted that technical solutions are available.

The applicant claims that the development would help to ensure the survival of local services such as the shop and school in Blackburn. However, no evidence has been provided that such facilities are at risk of closure. Given that Blackburn has experienced significant residential growth in recent decades and Aberdeenshire Council has previously advised that a new school is to be constructed there, this is unlikely. In any case, given that the application is for two houses within the Aberdeen housing market area, it can be concluded that there would be no significant social, economic or community benefits resulting from the proposal.

The proposal would result in the loss of established trees within the site. No tree survey or details of replacement planting have been provided. It is accepted that existing trees are not protected and their loss could potentially be mitigated by replacement planting, although the scope for that would be constrained by the proximity of the proposed houses and existing features (e.g. an overhead power line). It is possible that, in the long term, the proposed development would conflict with retention of the existing recently planted tree belt along the northern site edge. There would be no adverse impact on bats. Notwithstanding the limited ecological information submitted, it is considered that there would be no substantive/unresolvable conflict with policies NE5 and NE8. Overall it is considered that the proposal offers no significant ecological benefits that would warrant approval.

The supporting planning statement claims that the proposal would accord with the policy objective of redevelopment of brownfield sites. However, the majority of the site is undeveloped and is currently considered compatible with the rural character of the area, so that this does not outweigh the conflict with green belt policy or justify approval of housing at the site. The site contains no historically or architecturally significant buildings or granite structures which could potentially justify approval on the basis of green belt policy for conversion of buildings and policy relating to re-use of granite. The absence of potential connection to the public sewer and proposed private sewerage arrangements are considered to be an inherently less sustainable solution than directing housing to existing settlements where such infrastructure and other facilities are available.

Overall, there would be no evident social, economic or environmental benefits resulting from the proposal that would justify setting aside green belt policy in the interest of the wider objective of sustainable development set out in SPP, particularly given that the proposal for mainstream housing targeted at the upper end of the private housing market.

Design

The site is partially visible from the A96 approaching Blackburn and more evidently from various points along the adjacent rural access road, as the surrounding farmland is relatively open and level. Other than the former poultry shed, a caravan, and a smaller shed of domestic scale, it is currently largely undeveloped and contains a recently planted tree belt. It is considered that the proposed house designs are in themselves of high quality and contain features of rural character. It is considered that the finishing materials and appearance of the houses would be of an acceptable design quality in terms of the expectations of policy D1. However, the open / rural landscape context of the site is such that there would be a degree of conflict with the landscape protection objectives of policies D2 and NE2 due to the suburbanisation of the countryside resulting from the development, in contrast with the wooded setting of the housing development approved nearby at "The Mill", Clinterty.

Road / Public Safety

It is noted that the unsurfaced access track to the houses is of a substandard nature and has no passing places and that there is no speed restriction at the junction with the adjacent public road. However, the Council's Roads officers have no objection to

APPLICATION REF: 170395/DPP

the proposal on road safety grounds and consider the access arrangements to be satisfactory. They consider that the proposal would not result in the creation / intensification of a public road safety hazard due to conflict between traffic exiting / entering the junction with the public road and existing road users.

Drainage

The submitted drainage impact assessment demonstrates that the site can potentially be drained and foul / surface water discharged to private systems in accordance with the expectations of policy NE6, although this would require provision of soakways located outwith the plot boundaries. No objection has been received from the Council's Flooding team to the proposals.

Precedent

Approval of this application would establish an undesirable precedent for further sporadic housing developments on farmland within the countryside leading to further erosion of the function of the green belt area and detracting from its rural character. Whilst the supporting statement refers to recent approval of housing elsewhere in the green belt, (e.g. "the Mill", Clinterty) each application requires to be considered on its merits. The four houses which were approved at the Mill site were set within a wooded landscape context which is significantly different from that which exists at the application site, which is more open and visible from adjacent public roads and therefore potentially more visually intrusive. In any event, it is the long established practice of this Council to resist mainstream housing development proposals within the designated green belt, as is evidenced by the Committee refusal of a house adjacent to the application site in 2003. The recently adopted local development plan results in no significant change to established green belt policy, other than allowing for potential replacement of existing houses, which is not relevant in this case.

Other Matters Raised in Objection

It is considered that the proposed houses would be sufficiently distant from existing houses that would not be an adverse impact on residential amenity. It is accepted that there would be an adverse impact on the rural setting of the area. The presence of a mobile home on the site is a matter which is currently being investigated by the Council's planning enforcement team.

Procedural Matters

Erection of mainstream housing at the site would conflict with NE2 (green belt) policy. The application has been advertised as a potential development plan departure on that basis. Notwithstanding the receipt of objection from the community council and nearby residents, it is considered that the volume of objection received does not warrant holding a hearing in this case, falling short of the threshold of 20 objections specified in the report titled "Guidelines: When to hold public hearings in relation to planning applications" agreed by the Development Management Subcommittee on 17 June 2010 and particularly as the recommendation is one of refusal.

RECOMMENDATION: Refuse

REASONS FOR RECOMMENDATION

01. Green Belt Policy

The site is not identified as an opportunity site for development or a site identified for housing development within with the Adopted Local Development Plan. It lies in open countryside within the green belt and outwith any established settlement. The proposal therefore conflicts with the Strategic Development Plan (SDP) which directs development to identified housing sites or existing settlements and identifies the need for a green belt in order to direct housing pressure elsewhere. Erection of mainstream housing at the site would conflict with NE2 (green belt) policy. No adequate justification for approval of the development contrary to the development plan is considered to exist. The development would result in suburban intrusion into open countryside contrary to the landscape protection objectives of policies D2 (Landscape), and NE2 (Green Belt).

02. Transport / Sustainability

The development would be unduly car dependent, and would therefore conflict with the objectives of policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) and with the SDP objective of reducing the need to travel. Overall, there would be no significant social, economic or environmental benefits resulting from the proposal that would justify setting aside green belt policy in the interest of the wider objective of sustainable development set out in Scottish Planning Policy.

03. Precedent

Approval of this application would establish an undesirable precedent for further sporadic housing developments on farmland within the countryside leading to further erosion of the function of the green belt area, detracting from its rural character and further encouragement of unsustainable travel patterns.