

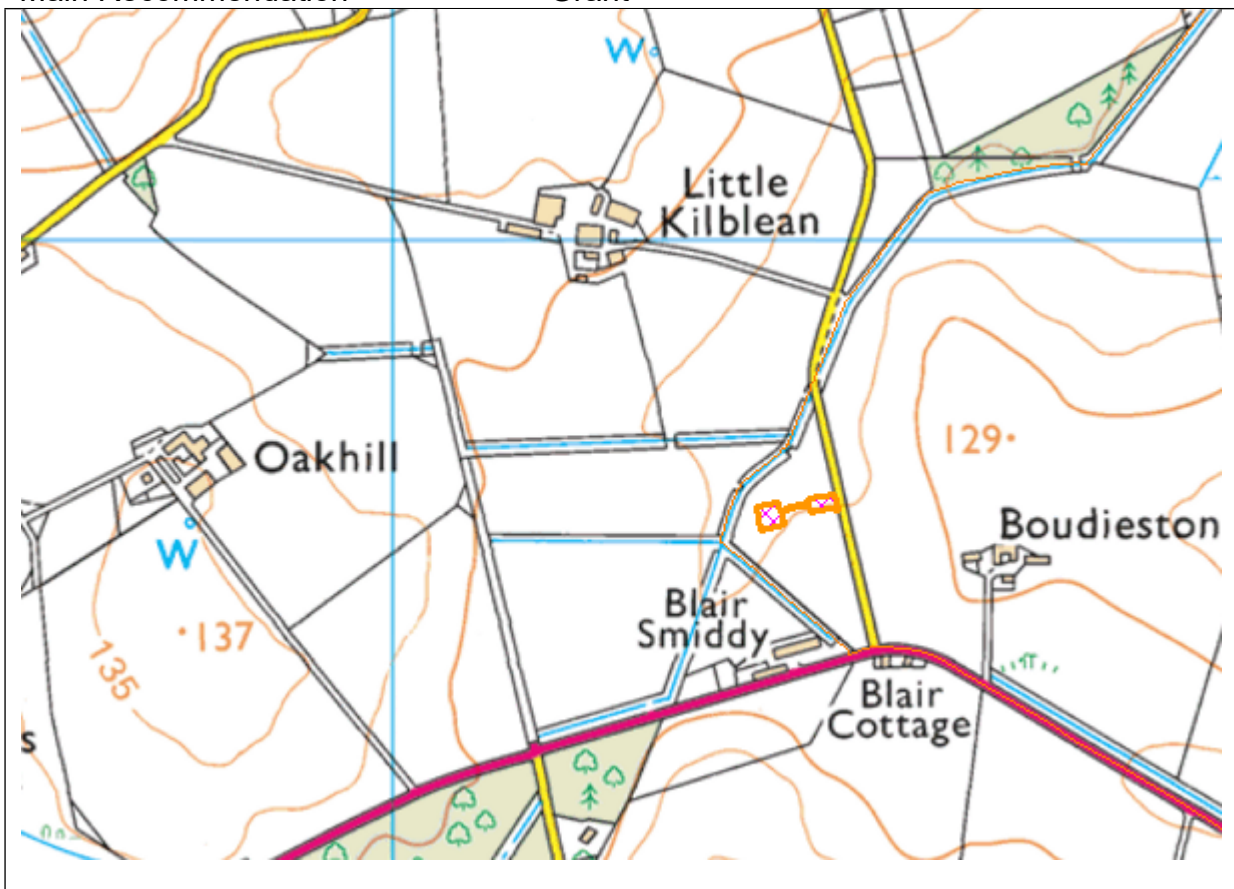


Formartine Area Committee Report - 24 January 2024

Reference No: [APP/2023/0353](#)

Full Planning Permission for Erection of Outbuildings and Change of Use of Agricultural Land to Formation of Forest School/Outdoor Learning Play Area and Associated Works at Land at Boudiestone, Oldmeldrum, AB51 0BP

| | |
|----------------------------------|--------------------------------------|
| Applicant: | Mrs Lisa Knights |
| Grid Ref: | E:383465 N:827688 |
| Ward No. and Name: | W09 - Ellon And District |
| Application Type: | Full Planning Permission |
| Representations | 0 |
| Consultations | 4 |
| Relevant Proposals Map | Aberdeenshire Local Development Plan |
| Designations: | Accessible Rural Area |
| Complies with Development Plans: | Yes |
| Main Recommendation | Grant |



NOT TO SCALE

Reproduced from Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright and database rights. Ordnance Survey Licence Number 0100020767.

1. Reason for Report

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1f of Part 2C Planning Delegations of the Scheme of Governance as the application is recommended for approval and there is an unresolved objection from a consultee.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

2. Background and Proposal

- 2.1 Full planning permission is sought for a change of use from agricultural to education/recreation area for outdoor learning environment and the erection of outbuildings at Boudiestone Oldmeldrum AB51 0BP. **Appendix 1 contains the Location Plan.**
- 2.2 The proposed development would be sited within an agricultural field approximately 2 km east of Oldmeldrum. The development includes seven structures in total. The three main building structures on site would be the main shed (01), the fire pit (02) and the mud kitchens (03) as shown on **Appendix 2 Site Plan**. Alongside, the other structures include two wendy houses (04), two investigation and sand pit huts (05), a hexagonal hut (06) and a teepee/triangular hut (07).
- 2.3 Materials to be used for the units include timber slats and rails for the walls, featherboarding and felt roofs to all units other than clear polyurethane profile roofing for unit 05 and 06 and metal profiling for unit 01 with additional plastic to allow natural sunlight. There would be timber flooring to the sandpit and triangular teepee. All other units are to sit onto existing ground, levelled where necessary with bark. **Appendix 3 contains the elevation and floor plans.**
- 2.4 The applicant has envisaged a maximum number of 16 visitors per day staggered throughout the day from multiple sessions. There are 16 car parking spaces shown (including two disabled spaces). The site will provide two eco-toilets and hand basins for hand washing using mobile water bowsers using the public mains waters from the applicant's house.
- 2.5 The site can be accessed from the north of the development and by the south. The southern accessible route would use the main A920 road, meanwhile the northern entrance would use the unclassified C35c road.
- 2.6 There was a pre application enquiry submitted for this proposed development under reference ENQ/2023/0032. The Planning Service concluded that the proposal was likely to meet the requirements of the Aberdeenshire Local Development Plan 2023 and National Planning Framework 4.

- 2.7 The applicant provided a Supporting Statement which outlined how visitors could travel to the site.
- 2.8 With regards to amendments, two revised drawings were submitted for this application to address visibility splays.

3. Representations

- 3.1 No valid letters of representation have been received.

4. Consultations

Internal

- 4.1 **Environmental and Infrastructure Services (Contaminated land)** has advised that there is no indication of any past use which might have caused contamination and as such, has no further comments on this proposal.
- 4.2 **Environment and Infrastructure Services (Environmental Health)** initially requested additional information on hand washing provisions and type of water supply. Following discussions with the applicant, it has been confirmed that the eco-toilets will have wash hand basins located within the toilet cubicle with a reservoir under them containing mains water. On this basis, the Service has no objections to the proposal.
- 4.3 **Environment and Infrastructure Services (Roads Development)** initially requested additional detail on visibility splays and number of staff/attendees and anticipated number of vehicle movements. Following the submission of additional information, it has advised it does not object to the proposal on transportation grounds and has requested a number of conditions.

External

- 4.4 **Tarves Community Council** has no objections to the principle of the proposed development, but cannot support the application due to road safety issues and object on this basis. The main concerns relate to the width of the entrance, the number of spaces, access road needs additional passing places, junction with A920 should be widened and no safe place for a bus stop and access for pedestrians and cyclists.

Appendix 4 contains two letters received.

5. Relevant Planning Policies

- 5.1 National Planning Framework 4 (NPF4)

Scotland's fourth National Planning Framework (NPF4) is a long term plan looking to 2045 that guides spatial development, sets out national planning policies, designates national developments and highlights regional spatial

priorities. It is part of the development plan, and so influences planning decisions across Scotland.

On 13 February 2023 (0900am) Scottish Ministers adopted and published National Planning Framework 4 (NPF4), meaning that it is in force and National Planning Framework 3 and Scottish Planning Policy are superseded from that date and time. This will also have the effect that all strategic development plans and any supplementary guidance issued in connection with them cease to have effect on that date. As such the Aberdeen City and Shire Strategic Development Plan 2020 has now ceased to have effect. The NPF4 now forms part of the development plan along with the Aberdeenshire Local Development Plan 2023.

Policy 14 Design, quality and place
Policy 21 Play, recreation and sport
Policy 25 Community wealth building
Policy 29 Rural development

5.2 Aberdeenshire Local Development Plan 2023

On 13 January 2023 the Aberdeenshire Local Development Plan 2023 was adopted.

Policy R2 Development Proposals Elsewhere in the Countryside
Policy P1 Layout, Siting and Design
Policy E2 Landscape
Policy RD1 Providing Suitable Services

5.3 Other Material Considerations

None.

6. Discussion

6.1 The main planning considerations are the principle of development, siting and layout, impact on visual amenity, impact on residential amenity, and services.

Principle

6.2 Under Policy R2 Development Proposals Elsewhere in the Countryside, the planning authority will permit small-scale development under 0.5 hectares in the accessible and remote rural areas outwith the green belt and coastal zone and small-scale employment proposals outside settlements. The policy also permits small-scale development that would be compatible with the location being in the green belt as listed under R1.2.

6.3 In this case, the proposal for an outdoor learning/recreational area necessitates a rural location that can provide a safe and secure space connected to nature and the environment to allow the recreational activities

proposed by the specific development targeting outdoor educational and play areas for children. Under linked Policy R1, the proposed development is a recreational use which is considered compatible with its agricultural and natural setting. As such, the principle of development is compliant with Policy R2 and linked R1.

- 6.4 Under Policy 29 and Policy 21 of the National Planning Framework 4, it states that development that contributes to the viability, sustainability and diversity of rural communities and where they are for play and recreation, while also supporting physical and mental health through the provision of, and access to, outdoor recreation, play and sport facilities will be supported. There are multiple beneficial factors to the proposal which would increase the availability for children educational and recreational areas for the town of Oldmeldrum and other residents in the countryside. Furthermore, the proposal can also be found to be in accordance with Policy 25 of the NPF4 on community wealth building as the purpose of the development will be to serve the local communities, focusing on community and place benefits as a primary consideration for these types of developments and will also support local employment.

Layout, Siting and Design

- 6.5 In terms of design and impact on the wider area, any proposal must comply with Policy P1 Layout, siting and design of the ALDP 2023 and Policy 14 of the NPF4, which requires proposals to demonstrate the six qualities of place; distinctive, safe and pleasant, welcoming, adaptable, efficient and well connected. The design of the structures to be erected do not pose any detrimental impacts on the character of the area. The height of the proposed structures would ensure that they are not altering the visual appearance of the wider landscape and will only be seen in close proximity to the site. The Planning Service considers that the siting, scale, design, and external appearance of the proposed structures on the site would not be out of character within the surrounding area as the development is situated amongst neighbouring fields that present agricultural style buildings with similar materials.
- 6.6 The introduction of car parking would alter the rural ambiance, becoming a notable feature in the area without sufficient screening, albeit this is at ground level. If the application is approved, a landscaping condition can be applied to help blend the car park into the site. The proposed siting, layout and design is compliant with Policy P1 and Policy E2 of the Aberdeenshire Local development Plan 2023 and Policy 14 of the National Planning Framework 4.

Servicing, Access and Parking

- 6.7 Policy RD1 Providing Suitable Services seeks new accesses to be designed to be safe and convenient for cyclists, pedestrians and public transport. The access can be designed to the satisfaction of the Roads Development Service and the site can accommodate sufficient parking requirements.

- 6.8 The site is only 2 km from the settlement of Oldmeldrum, thus not requiring a long travel distance for parents transporting their children to the site. Furthermore, the age ranges for the proposal are babies and children under 5 years old, which will be accompanied by an adult at all times, most likely not by cycling or footways due to the site being located purposely in the countryside and thus there would be no alternatives but to walk on the side of the road which could be unsafe for that age range. The main mode of transport would likely be via private car. The applicant has advised that there is a regular bus route (number 49) which passes the entrance to the site and there is a safer bicycle/walking route to the site via Old Meldrum Golf Course, past Kempwood and through Kilblean Farm.
- 6.9 The primary issue raised by Tarves Community Council concerning the development relates to the current road provisions around the site. The Infrastructure and Environment Service (Roads Development) do not object to this proposal on transportation grounds. Furthermore, the site is envisaged for 16 visitors per day (and 16 parking spaces have been provided on site), which is not a significant amount of additional roads users. There are other developments within the wider rural area subject to a higher volume of visitors per day on similar roads.
- 6.10 Environmental Health are satisfied with the provision of two eco-toilets and hand washing facilities.
- 6.11 As such, overall the proposal is not in conflict with Policy RD1.

Conclusion

- 6.12 The proposed development for an educational and recreational area to serve the communities complies with the Aberdeenshire Local development Plan 2023 and National Planning Framework 4. In addition, the development can provide the required services. The application is therefore recommended for approval due to its compliance with Policy P1, Policy E2, Policy R2 and Policy RD1 of the Aberdeenshire Local Development Plan 2023 and Policy 14, Policy 21, Policy 25, and Policy 29 of the National Planning Framework 4.

7. Area Implications

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

8. Implications and Risk

- 8.1 An integrated impact assessment is not required because the granting or refusing of the application will not have a differential impact on the protected characteristics of the applicant or any third parties.
- 8.2 There are no staffing and financial implications.

8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

8.4 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

9. Departures, Notifications and Referrals

9.2 The application is not a Departure from the valid Development Plan and no departure procedures apply.

10. Recommendation

10.1 GRANT subject to the following conditions:-

01. In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) this planning permission will lapse on the expiration of a period of three years from the date of this decision notice, unless the development is begun within that period.

Reason: Pursuant to Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority.

Details of the scheme shall include:

- a) The location of new trees, shrubs, hedges, grassed areas and water features;
- b) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- c) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;
- d) A programme for the implementation, completion and subsequent management of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

03. No development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility of 90 metres in a northerly direction and 120 metres in a southerly direction along the channel line of the public road has been provided from a point 2.4 metres measured at right angles from the existing edge of the carriageway surface along the centre line of the approved new access in accordance with the Council's Standards for Road Construction Consent and Adoption. The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated outwith the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason: To enable drivers of vehicles using the access to have a clear view of other road users and pedestrians in the interests of road safety.

04. The development hereby approved shall not be brought into use unless its parking area for 16 cars has been provided and surfaced in accordance with the details shown on the approved plans. Once provided, all parking areas shall thereafter be permanently retained as such. In addition, the maximum gradient of the first 5 metres of the new access shall not exceed 1 in 20 and the first 5 metres shall be fully paved.

Reason: To ensure the timely completion of the driveway to an adequate standard to prevent the carriage of loose driveway material on to the public road in the interests of road safety.

10.2 Reason for Decision

The planning authority considers that the application is for a development that is in accordance with National Planning Framework 4 and Aberdeenshire Local Development Plan 2023.

The proposed development of an outdoor learning/recreational area is a recreational use which is considered compatible with its agricultural and natural setting in compliance with Policy R2 Development Proposals Elsewhere in the Countryside and linked R1 Special Rural Areas of ALDP 2023. The development necessitates a rural location that can provide a safe and secure space connected to nature and the environment to allow the recreational activities proposed by the specific development targeting outdoor educational and play areas for children. The development would contribute to the viability, sustainability and diversity of rural communities and supports

physical and mental health through the provision of, and access to, outdoor recreation, play and sport facilities in compliance with Policy 29 and Policy 21 of the National Planning Framework 4. In addition, the site can be suitably serviced in compliance with Policy RD1 Providing Suitable Services of ALDP 2023.

Alan Wood
Director of Environment and Infrastructure Services
Author of Report: Rudy Cialucco
Report Date: 8 December 2023