

**Town and Country Planning (Scotland) Act 1997**

**ABERDEENSHIRE COUNCIL  
CAIRNGORMS NATIONAL PARK AUTHORITY**

**REPORT ON OBJECTIONS TO THE  
FINALISED ABERDEENSHIRE LOCAL PLAN**

**Volume 3 – Buchan Area Objections**

**Reporters:**

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**Dates of inquiry: 31 August 2004 – 4 February 2005**

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Your ref:M302  
Our ref:IQD/2/100/4

July 2005

Dear Sirs

## **ABERDEENSHIRE LOCAL PLAN**

We refer to the letters of appointment dated 27 June 2003 and 20 May 2004 and can confirm that we held a public local inquiry into objections to the finalised Aberdeenshire Local Plan at various locations in Aberdeen and Aberdeenshire between 31 August 2004 and 4 February 2005.

Recommendations are made in respect of all valid objections that have not been unconditionally withdrawn. In some instances, recommendations have consequential implications. For example, the recommendation under Issue 20 that, on the proposals maps for individual settlements, the settlement boundaries should be modified to include within them any land allocated for housing development for the period January 2006 to December 2010 will, if accepted, involve boundary adjustments to various settlements.

Please find enclosed 6 bound copies of our report (4 for the council and 2 for the national park authority). An electronic copy has also been supplied. Those objections relevant to the interests of the park authority are contained in Volume 1, Introduction and Policies, and Volume 7, Marr.

Yours sincerely

David A Russell  
Principal Reporter

Richard G Dent  
Reporter

## VOLUME 3: BUCHAN AREA OBJECTIONS

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**Issue 84: Auchnagatt**

**Objector:**  
Auchnagatt Community Council

**Reference Number:**  
1038.1.1

**Procedures:**  
Written Submissions

**Reporter:**  
David Russell

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**The provisions of the local plan**

84.1 Auchnagatt is defined by a settlement boundary in the settlement proposals map on Page 138 of the local plan; and is identified as one of the rural service centres in the Buchan area of Aberdeenshire. It lies within the rural housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, among all the rural service centres in the Buchan area, land for 50 houses for the period 2000 to 2005, and for 100 houses for the period 2006 to 2010. This is in addition to existing housing sites, either effective or constrained, which formed part of the established housing land supply at January 2000.

84.2 For Auchnagatt, the local plan identifies two existing, constrained housing sites, each with capacity for around six houses: Site ch1, near the centre of the village; and Site ch2, to the north-west adjacent to the A948 road to New Deer. It identifies Site A, with an indicative capacity of 15 houses for development in the period 2000 to 2005, stretching northwards from the centre of the village, and comprising a sloping field to the east of the disused railway.

**The objection**

84.3 Auchnagatt Community Council objects that the views expressed by the village residents have been ignored. They are opposed to Site A, and want the village boundary moved.

**The case for the council**

84.4 In response, the council states that Site A is the most appropriate site in landscape terms for the village.

**Conclusions**

84.5 Auchnagatt is a very small village. There are two existing housing sites with capacity for 12 houses, and I have no evidence to suggest that the constraints currently affecting them would preclude their development within the plan period. In this context, while I accept that Site A may be the most appropriate additional site in landscape terms, its capacity is likely to exceed 15 houses, and I do not consider that it is appropriate to allocate such a large scale of development to such a small settlement. I therefore conclude that no additional land for housing development should be allocated in Auchnagatt for the period to 2010.

## **Recommendation**

84.6 I recommend that the plan's provisions in relation to Auchnagatt should be modified by the deletion of Site A, and the consequential re-defining of the settlement boundary.

**Issue 87: Cruden Bay**

**Objector:**  
Taylor Design Service

**Reference Number:**  
1085.14.1

**Procedure:**  
Written Submissions

**Reporter:**  
David Russell

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**The provisions of the local plan**

87.1 Cruden Bay is defined by a settlement boundary in the proposals map on Page 138 of the local plan; and is identified as one of the rural service centres in the Buchan area of Aberdeenshire. It lies within the rural housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, among all the rural service centres in the Buchan area, land for 50 houses for the period 2000 to 2005, and for 100 houses for the period 2006 to 2010. This is in addition to existing housing sites, either effective or constrained, which formed part of the established housing land supply at January 2000.

87.2 The local plan identifies three existing, effective housing sites, with a total capacity of 54 houses; and one existing constrained site on the north side of the village, with a capacity of around 102 houses. No sites have been allocated for development in the period before 2010; but an area of search for future housing development (fh1\*) has been identified beyond the eastern edge of the village.

**The objection**

87.3 Taylor Design Services seeks the re-instatement of a boundary line to enclose the search area for future housing development (fh1\*), which had previously been shown.

**The case for the council**

87.4 In response, the council states that it would be inappropriate to define a precise boundary, as the intention is to indicate the direction of future development.

**Conclusions**

87.5 I agree that it would not be consistent with the structure plan to allocate a specific site for housing development after 2010, and that the approach adopted in these circumstances is appropriate.

**Recommendation**

87.6 I recommend that the plan's provisions in relation to Cruden Bay should not be modified.

**Issue 88: Fetterangus**

**Objector:**  
Fetterangus Community Association

**Reference Number:**  
1133.1.1

**Procedure:**  
Informal Hearing

**Reporter:**  
David Russell

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**The provisions of the local plan**

88.1 Fetterangus is defined by a settlement boundary in the proposals map on Page 142 of the local plan; and is identified as one of the rural service centres in the Buchan area of Aberdeenshire. It lies within the rural housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, among all the rural service centres in the Buchan area, land for 50 houses for the period 2000 to 2005, and for 100 houses for the period 2006 to 2010. This is in addition to existing housing sites, either effective or constrained, which formed part of the established housing land supply at January 2000.

88.2 For Fetterangus the local plan identifies two existing, effective housing sites: Site eh1, for around 6 houses, at the south-east edge of the village; and Site eh2, suitable for around seven houses, at the south-west edge of the village. It identifies Site A, at the north-west edge of the village, as being suitable for seven houses, for the period 2000 to 2005. It also identifies two further extensions to the village, at its north-east edge, with Site fh1, adjacent to the Fraserburgh road, being suitable for 10 houses for the period 2006-2010; and an area of search (fh2\*) adjoining it to the west, for housing development in the period beyond 2010.

**The objection**

88.3 Fetterangus Community Association objects that its views, which reflected a 'Planning for Real' exercise among local residents, have not been incorporated in the plan. It seeks more housing development, particularly of affordable housing, to ensure the long term viability of the community, and notes that there is spare capacity in the waste water treatment plant.

88.4 In discussion it was stated that some of the sites which have been allocated are unlikely to be developed: the release of Site eh1 is unlikely, due to a family dispute; there are ongoing discussions in relation to accessing Site eh2; and there are problems with the tenancy agreement over Sites fh1 and fh2\* which are likely to prevent their release during the plan period. The association would prefer the release of an alternative site at the eastern end of the settlement, which it understands has a single owner who would not object to its development. In earlier submissions, it had suggested that Site A, as shown in the finalised plan, should be released for early development.

### **The case for the council**

88.5 In response, the council agrees with the long term view of the Community Association, but considers that the suggested site would be inappropriate at present.

### **Conclusions**

88.6 On the evidence before, me it appears the prospects for securing housing development prior to 2010 on the 'effective' housing sites are limited. However, these are taken as committed by the structure plan, and I do not have confirmation from the owners which might justify their replacement.

88.7 On the basis of the information given to the inquiry regarding difficulties over the agricultural tenancy on the land allocated as fh1 and fh2\*, I consider that these allocations should be transferred to the land at the east end of the village. This is shown as Site G in the Community Association's earlier submission. The southern half, which is closer to the waste water treatment plant, should be identified as Site fh1 for development between 2006 and 2010, with an indicative capacity of 10 houses; and the land to the north of it should be identified as fh2\*, as a search area for future housing development.

### **Recommendation**

88.8 I recommend that the plan's provisions in relation to Fetterangus should be modified as outlined at paragraph 88.7 above

**Issue 89: Hatton**

**Objectors:**

Mr and Mrs Falconer  
Taylor Design Service

**Reference Numbers:**

568.40.1; 568.89.1  
1085.10.1

**Procedure:**

Written Submissions

**Reporter:**

David Russell

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### **The provisions of the local plan**

89.1 Hatton is defined by a settlement boundary in the proposals map on Page 143 of the local plan; and is identified as one of the rural service centres in the Buchan area of Aberdeenshire. It lies within the rural housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, among all the rural service centres in the Buchan area, land for 50 houses for the period 2000 to 2005, and for 100 houses for the period 2006 to 2010. This is in addition to existing housing sites, either effective or constrained, which formed part of the established housing land supply at January 2000.

89.2 The local plan identifies one existing, effective housing site (Site eh1) at the south-east side of the village, with capacity for around 39 houses. One site (Site A) has been allocated for development in the period 2000-2005, with an indicative capacity of 15 houses, on land lying between the southern edge of the village and the A952 Peterhead to Aberdeen road. Site fh1, on the eastern edge of the village has been allocated for development between 2006 and 2010, with a capacity of around 15 houses. A further area of search for future housing development (fh2\*) for the period beyond 2010 has been identified to the north-west.

### **The objection**

89.3 Mr and Mrs Falconer seek an increase in the capacity of Site A, from 15 to 25 houses. It is capable of accommodating 20-25 houses, together with the provision of extended public open space and an attractive walk alongside the Cruden Water, including a footbridge across it. An indicative layout was submitted to illustrate this.

89.4 In response to the council's suggested modifications, they object to the reduction in the area of Site A and to the remainder being allocated as fh2\*. Both sites should be reinstated as one site for development in 2000-2005, or part for development in 2000-2005, with the remainder for development in 2006-2010.

89.5 Taylor Design Services seeks the designation of the playing field area, presently identified as a protected area, for housing development, as this will help to fund the development of new recreation facilities.

### **The case for the council**

89.6 In response to Mr and Mrs Falconer's original objection, the council argues that the boundary of Site A should be drawn more tightly, to limit its capacity to 15 houses. Enough

housing land has been provided to meet the structure plan's allowances. Its suggested modification restricts Site A to the northern half of the area, with the southern half being identified as fh2\*, a search area for future housing development.

89.7 In relation to the playing fields, the council states that, while no allocation is available for housing, the site of the playing fields may be suitable for sheltered housing. It suggests a modification, changing the designation from a protected area, to a project area (P4) for a "possible future sheltered housing development".

## **Conclusions**

89.8 I agree that Site A provides the opportunity to secure landscape and recreation improvements in conjunction with a housing development of around 20 houses. I consider that the council's suggested modification could preclude the improvements being secured. Accordingly I conclude that Site A should be retained as originally defined, but the text should state that it is suitable for around 20 houses, in conjunction with landscape and recreation improvements.

89.9 Unlike Site A on the opposite side of the Cruden Water, the playing fields are low lying and would appear to be at risk from flooding. Until such time as the feasibility of a sheltered housing development here is proved, and alternative provision of playing fields is made or guaranteed, I consider that it would be premature to change its current designation or remove its designation as a "protected area".

## **Recommendation**

89.10 I recommend that the plan's provisions in relation to Hatton should be modified as follows: the reference to Site A should state that it "is suitable for around 20 houses, in conjunction with the provision of landscape and recreation improvements". The site's boundary should remain as originally shown.

**Issue 91: Longside**

**Objectors:**

Chap Construction Ltd  
Mr J C Allan  
Mr G R Bryce  
Longside & District Community Council  
Church of Scotland General Trustees

**Reference Numbers:**

252.17.1; 252.218.1  
794.1.1-4  
834.1.1-10  
1078.1.1-6  
1234.1.1

**Procedures:**

Informal Hearing and Written Submissions

**Reporter:**

David Russell

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**The provisions of the local plan**

91.1 Longside is defined by a settlement boundary in the proposals map on Page 145 of the local plan; and is identified as one of the rural service centres in the Buchan area of Aberdeenshire. It lies within the rural housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, among all the rural service centres in the Buchan area, land for 50 houses for the period 2000 to 2005, and for 100 houses for the period 2006 to 2010. This is in addition to existing housing sites, either effective or constrained, which formed part of the established housing land supply at January 2000.

91.2 For Longside, the proposals map shows a line to the south and west of the village for a possible future by-pass. It identifies two existing, effective housing sites: Site eh1, for around 47 houses, lying on the western edge of the village, immediately to the south of the main A950 and within the line of the proposed by-pass; and Site eh2, which is an infill site on the south side of the village, stated to be for around 3 houses. No further land is allocated for housing development during the period 2000-2005, but one site (fh1) is identified for development in the period 2006-2010. It adjoins both the western edge of the village and the south-eastern edge of Site eh1, but does not extend as far west as the line of the proposed by-pass. It has an indicative capacity of 15 houses. Adjoining it to the south-east, again at the western edge of the village, is a project area (P3), which is stated to be a “possible site for community facilities”.

91.3 Further south, a site (EmpA) lying between the south-western edge of the village and the line of the proposed by-pass is allocated for employment uses; while on its southern edge, the land between the existing primary school and the line of the proposed by-pass is identified as another project area (P1), for a possible extension to the school.

**The objections**

91.4 Chap Construction Ltd seeks the designation of more land for residential development, as an extension to Site eh1 within the line of the proposed bypass. In discussion at the inquiry, the company confirmed that it is completing the development of Site eh1, and is seeking to continue that development southwards, at a rate of about 10 houses each year. It therefore wishes Site fh1 to be re-aligned east-west, extending to the line of the proposed by-pass, with a realistic capacity reflecting the density of recent development. If

there is found to be a shortfall of housing land in Buchan for the rural housing market area, it should be re-designated as Site A for the period 2000-2005, allowing for its immediate release. There are no other constraints. The remaining land to the north of Site EmpA should be designated fh3\*, as a search area for future housing development.

91.5 Its objection also suggests that the area indicated for community facilities is too large, and that a bypass for the village is not necessary. In discussion at the inquiry, it was explained that the firm accepted the obligation to provide community facilities in conjunction with the development, and was willing to discuss what would be appropriate for Longside. It also intended to include 2-bedroom affordable houses as part of the development; and it would provide strategic landscaping on the western boundary of the site, along the inside of the line of the proposed bypass, which is suggested as a modification by the council.

91.6 The firm also objects to the council's suggested modification to introduce a search area for future housing development (fh2\*) to the south of Longside. The line of the proposed by-pass would be extended outwards from the village on its southern side, so that the search area fh2\* would be within it. Chap Construction Ltd considers that the land to the west of the village is preferable as a search area.

91.7 The objections from Longside & District Community Council, Mr Allan and Mr Bryce concerned the following issues:

- Continued development of Site eh1 constitutes ribbon development and is contrary to the 'Design of New Development in the Countryside' guidance.
- Housing on Site fh1 will detract from the village atmosphere, and should not be developed until improved infrastructure and community facilities are in place. The school roll already exceeds its capacity.
- More housing development should be delayed until a timetable for completion of the bypass is agreed. Further houses would add to pressure on the existing A950 through the village.
- There should be definite proposals for community facilities, not just an area indicated on a map.
- There is a need to provide for tree planting and landscaping; and for an alternative to the existing right of way, in the event of the bypass being built.
- Site EmpA is not appropriate for employment uses. There is a possible drainage problem, and the development would be disruptive to open views from houses on Harvest Hill. There is no need to re-locate present businesses to Site EmpA.
- Development should be directed to the north-east of Longside beyond the golf course.
- There was a lack of public debate with the Planning Service on the new local plan. There is a need to re-visit a number of the issues raised in the previous local plan inquiry.

91.8 In discussion at the inquiry, it was confirmed that a new primary school is now being built, but that a sports hall and drop-in centre is required for the village. Concern was expressed that housing development is proceeding without any part of the by-pass being built. Longside has narrow streets and buildings suffer from vibration. It is important that traffic is put onto the by-pass. The scale of the proposed housing development makes local people feel that the village atmosphere of Longside is threatened.

91.9 The Church of Scotland General Trustees object as the plan does not allow for the full site of the proposed school extension. They also suggest that the remainder of the glebe land should be designated for residential development.

### **The case for the council**

91.10 In response to the objections by Chap Construction Ltd, following discussion at the inquiry the council agreed that Site fh1 should be re-aligned east-west and extended to the line of the by-pass. It did not agree with an increase in the stated capacity, but this could be addressed through a masterplan for the land to the west of Longside, and in the consideration of a planning application. The site should not be brought forward for earlier development, due to the restricted scale of the allocations made by the structure plan for the whole of Buchan.

91.11 In response to the objections from Longside & District Community Council, Mr Allan and Mr Bryce, the council states that:

- Development at Longside is required irrespective of progress with the bypass. There is no timetable for its construction, as this is dependant on finance, which may come in part from developer contributions. The issue of the Right of Way will be addressed as the bypass plans advance.
- The issue of 'planning loss' is now addressed as 'developer contributions', and is set out in Policy Gen\3. These will be sought to mitigate increased pressure on school facilities. The provision of new services and infrastructure will, in part, be achieved through developer contributions from new developments.
- The suggested location of the community facilities is indicative only. It is not possible to be more specific until firm proposals are put forward.
- Site eh1 is effective and in the established land supply, and development of the approved scheme cannot be halted without due reason. Development to the north-east of the golf course would spread the village beyond its current landscape limits.
- There are no proposals to forcibly move present businesses. Site EmpA has been provided to accommodate new businesses and any existing business which wishes to re-locate. There are no alternative employment sites. Views from houses are not a consideration, and drainage has not been identified as a problem.
- It agrees that strategic landscaping project areas should be added to sites EmpA and fh1, and along the line of the bypass, and should be added to the indicative developer contributions list for Longside in Appendix 8 (p376).
- Certain policy issues have been carried forward into this local plan, but no settlement issues.
- The normal local plan consultation procedures have been followed.

91.12 In response to the objection from the Church of Scotland General Trustees, the council agrees that the proposals map should accommodate the larger school site and a revised line for the village bypass.

### **Conclusions**

91.13 I agree that Longside would benefit from the construction of the proposed by-pass, and it is apparent that the sites allocated for the proposed housing developments reflect an expectation that it will be constructed. While the full benefits will only be secured by its

completion, it is also clear that the developments proposed in this plan would still benefit from gaining access to and from a partially completed by-pass. It is therefore unfortunate that the construction of a first phase was not secured in conjunction with the housing development now being completed on Site eh1. Nevertheless the opportunity remains, if further housing land is released to the south, for that to be implemented in conjunction with the construction of the northern section of the proposed by-pass.

91.14 In this context, I consider that it is appropriate to allocate further land for housing development in the period 2006-2010, in this location. I agree that Site fh1 should be re-aligned east-west, and extended to the line of the proposed by-pass, with an indicative capacity of 50 houses to reflect more accurately the likely scale of development, if its density reflects that on Site eh1. With the remainder of the land to the south, as far as Site EmpA, designated fh3\* as a search area for future housing development, I consider that this would give the best prospect of the council securing progress in construction of part of the by-pass, while also contributing to meeting the housing requirements of the structure plan. It is justified by the specific town planning requirements of Longside in relation to the by-pass.

91.15 With the current construction of the replacement primary school, I do not consider that it would be appropriate to identify a specific site for community facilities in conjunction with these housing developments. Policy Gen/3 would still apply to the development, but here priority should be attached to securing the construction of the first phase of the bypass.

91.16 In the context of the proposed by-pass, I agree that the allocation of land for employment uses on Site EmpA would be appropriate, although its outer boundary should be adjusted to follow the revised line of the by-pass on the southern side of the village, as suggested by the council.

91.17 I consider that locating new development to the north-east of the village, beyond the golf course, would not be preferable, and would not secure any additional benefits. However I do agree that a further search area for future housing development (fh2\*) should be designated to the south of the village, inside the revised line of the proposed by-pass.

91.18 I accept that Longside will grow as a result of the proposed housing developments, although this is in the context of a largely static population and continued reductions in household size across Aberdeenshire. I do not consider that the village atmosphere of Longside would be threatened, or that its growth would be so great that it would be unable to absorb the changes.

## **Recommendations**

91.19 I recommend that the plan's provisions in relation to Longside should be modified as follows:

- The boundaries of Site fh1 should be re-aligned east-west (as outlined in Chap Construction Ltd's Document 3), with an indicative capacity of 50 houses. The text should state that its development should be the subject of a masterplan, in conjunction with the area of future search for housing development (fh3\*) and the first phase of the Longside by-pass.
- The area between the western edge of the existing built up area of Longside, to the south of Site fh1 and to the north of Site EmpA, should be designated fh3\*, as a

search area for future housing development. Project area P3 (possible site of community facilities) should be deleted.

- The line of the southern section of the proposed Longside by-pass should be revised, as suggested by the council.
- The outer boundary of Site EmpA should be modified to follow the revised line of the proposed Longside by-pass.
- A search area for future housing development (fh2\*) should be indicated in the area between the southern edge of the existing built up area (including the site of the new school), the modified line of the Longside by-pass, and the modified boundary of Site EmpA.
- Projects areas P4 to P6 (strategic landscaping) should be added, as suggested by the council.

**Issue 92: Maud**

**Objector:**  
Mr J Penny

**Reference Number:**  
945.1.1

**Procedure:**  
Written Submissions

**Reporter:**  
David Russell

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### **The provisions of the local plan**

92.1 Maud is defined by a settlement boundary in the proposals map on Page 146 of the local plan; and is identified as one of the rural service centres in the Buchan area of Aberdeenshire. It lies within the rural housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, among all the rural service centres in the Buchan area, land for 50 houses for the period 2000 to 2005, and for 100 houses for the period 2006 to 2010. This is in addition to existing housing sites, either effective or constrained, which formed part of the established housing land supply at January 2000.

92.2 The local plan identifies four existing, effective housing sites on the edge of the village, with a total capacity of around 74 houses. No additional sites have been allocated for housing development in the period between 2000 and 2010, although a re-development area in the centre of village is identified as “suitable for uses meeting the plan’s policies”.

### **The objection**

92.3 Mr Penny seeks the allocation for housing development of the agricultural fields lying between the north-west edge of the village and Mains of Affleck. It would be an appropriate extension to the village, adjoining existing housing and a park; sheltered from the north by trees; and with potential road access from both Castle Road and New Deer Road.

### **The case for the council**

92.4 In response, the council argues that the local plan allocates enough housing land which, together with existing effective and constrained sites and windfalls, will meet the structure plan’s housing requirement.

### **Conclusions**

92.5 I accept that this land at Mains of Affleck would provide an appropriate direction for the future expansion of Maud. However, given the scale of the existing housing land supply in relation to the size of the village, I consider that it would not be appropriate to allocate additional land for housing development for the period to 2010.

### **Recommendation**

92.6 I recommend that the plan’s provisions in relation to Maud should not be modified.

**Issue 93: Mintlaw**

**Objectors:**

Scottish Natural Heritage  
Norman Lawie Ltd

**Reference Numbers:**

986.35.2  
1126.44.11

**Procedure:**

Written Submissions

**Reporter:**

David Russell

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**The provisions of the local plan**

93.1 Mintlaw is defined by a settlement boundary in the proposals maps on Pages 127-129 of the local plan; and is identified as one of the main settlements in the Buchan area of Aberdeenshire. It lies within the rural housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate in Mintlaw land for 50 houses for the period 2000 to 2005, and for 150 houses for the period 2006 to 2010. This is in addition to existing housing sites which formed part of the established housing land supply at January 2000, and which consisted of an effective site with a capacity of 3 houses, and a constrained site with a capacity of 15 houses.

93.2 The local plan identifies the effective housing site, but not the constrained sites. One site (Site A) has been allocated for development in the period 2000-2005, with an indicative capacity of 50 houses, on land extending north from the western edge of the main built up area.

93.3 Three sites are allocated for housing development between 2006 and 2010, each with an indicative capacity of 50 houses: Site fh1 extends north from Site A; Site fh2 is at the north-eastern edge of the settlement, lying to the north of the A950 road to Peterhead; and Site fh3 is on the south side of the village, to the rear of existing houses on the west side of the A92 road to Ellon. An area of search for future housing development (fh4\*) is indicated on the north side of the settlement, to the west of the A92 road to Fraserburgh.

**The objections**

93.4 Scottish Natural Heritage states that Sites fh2 and fh4\* are adjacent to the Formartine and Buchan Way, and is concerned that development would impact adversely on its recreational value and use.

93.5 Norman Lawie Ltd objects to a modification suggested by the council which would reduce the western extent of both Site A and Site fh1. The firm seeks the transfer, to the area of fh4\*, of the houses lost by the reduction in the size of Sites A and fh1.

**The case for the council**

93.6 In relation to the Formartine and Buchan Way, the council states that development briefs for these sites can stress the need to protect the Formartine and Buchan Way and ensure a 'buffer' zone between the route and any new development. It suggests the need to indicate a strategic landscaping project area for site fh2.

93.7 In response to the objection by Norman Lawrie Ltd, the council confirms that Site A and Site fh1 are both still large enough to accommodate 50 houses.

### **Conclusions**

93.8 I consider that the presence of the Formartine and Buchan Way on the north side of Site fh2 should not preclude its development for housing. This would be a matter to be taken into account in the detailed layout and design of any proposal. However, I do agree that it would be appropriate to indicate a project area for strategic landscaping along the northern and eastern boundaries of Site fh2, as development here would mark the edge of the built-up area. No similar action is required in relation to fh4\* at this stage, as it is indicated only as an area of search for future development.

93.9 The reduction in the size of Sites A and fh1 does not affect their indicative capacities of 50 houses each, which are needed to meet the specific requirements for Mintlaw set out in the structure plan for the periods 2000-2005, and 2006-2010. I have no evidence to suggest that these capacities cannot be achieved. It is also appropriate that no capacity for fh4\* should be indicated at this stage, as its designation is simply that of a search area for future housing development.

### **Recommendation**

93.10 I recommend that the plan's provisions in relation to Mintlaw should be modified by the addition of a project area designation P2 (strategic landscaping) to the eastern and northern boundaries of Site fh2.

**Issue 99: Peterhead**

**Objectors:**

Esson Properties Ltd  
Mrs Thomas & Others  
Mr & Mrs J Will & Others  
Hermiston Securities Ltd  
Safeway Stores plc  
Hydro Agri (UK) Ltd  
CG Property

**Reference Number:**

47.16.1  
448.25.1  
448.27.1; 448.40.1  
566.7.1; 566.10.1  
693.6.1  
1015.2.1  
1129.2.1

**Procedures:**

Informal Hearing and Written Submissions

**Reporter:**

David Russell

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**The provisions of the local plan**

99.1 Peterhead is defined by a settlement boundary in the proposals maps on Pages 131-136 of the local plan; and is identified as one of the main settlements in the Buchan area of Aberdeenshire. It lies within the rural housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, at Peterhead, land for 120 houses for the period 2000 to 2005, and for 300 houses for the period 2006 to 2010. This is in addition to the established housing land supply at January 2000 which consisted of effective sites, with a capacity of 332 houses, and constrained sites, with a capacity of 471 houses.

99.2 The structure plan also provides that the local plan, where possible, may indicate future housing land reserves for the period 2011-2016 for 2,200 houses in the rural housing market area as a whole. It states that these should be distributed among accessible greenfield locations in the main service centres, in the same broad proportions as the allocations for 2006-2010.

99.3 Policy 2 of the structure plan requires 5 to 20 hectares of land for employment uses to be available in Peterhead, and confirms that this includes the existing marketable supply of industrial and business land at January 2000.

99.4 The proposals map confirms that the majority of both the effective and constrained housing sites are situated on greenfield land, on the north-west side of the town, and within the by-pass. The sites which are allocated for the periods 2000-2005 and 2006-2010 continue that pattern of development southwards; with a further area, adjacent to an existing industrial estate, being identified as a search area for future housing development for the period 2011 to 2015.

99.5 The new allocations of land for employment uses are concentrated on the south-west side of the town, but mainly extend outwith the by-pass, particularly to the west of the A90 road to Aberdeen.

99.6 Peterhead town centre is defined by a boundary, but two large supermarkets are located elsewhere in the town. Each is a modern building with dedicated car parking. One,

about 500 metres north-east of the town centre, is operated by Safeway; the other, about two kilometres west of the town centre on the edge of built up area, is operated by the Co-op.

## The objections

99.7 In relation to housing development:

- **Mrs Thomas & Others** seek that Sites fh1, fh2 and fh3\* should be designated for immediate development, as they believe that Sites eh1 and eh3 are constrained. During discussion at the inquiry, it was suggested that the designations of Site fh1 and fh3\* should be swapped, to enable development to proceed from the south as well as the north, and to avoid a monopoly position being created.
- **Mr & Mrs J Will & Others** object to the designation as a 'Protected Area' of the former Scottish Water site next to the recreation ground on Kinmundy Road. As a brownfield site, it should lie within the settlement boundary and be allocated for housing development in conjunction with the adjacent Site fh2. Otherwise it should remain as white land, inside the settlement boundary, and thus still providing scope for additional housing as an in-fill development.

99.8 In relation to retailing:

- **Safeway Stores plc** seeks flexibility to allow for expansion of its present store into area the adjacent land which is designated as a "Protected Area".
- **CG Property** seeks more recognition for the Co-op supermarket. The plan should allow for expansion of the store, together with the provision of smaller retail units, to create a neighbourhood shopping centre.
- **Hermiston Securities Ltd** seeks, firstly, the designation of a site to the west of the Co-op store for commercial retail use, which would reflect interest from developers; and secondly, the designation for retail use of a site to the west of MacDonald's restaurant at Invernettie roundabout, beside the junction of the bypass and the A90 road to Aberdeen.

99.9 Evidence in support of these objections referred in particular to a 17% leakage of convenience goods expenditure from Peterhead and the absence of large superstores of over 3,000 square metres from the town. This results in convenience expenditure being attracted to larger modern superstores elsewhere, principally in Fraserburgh. It is the role of the local plan to address this need and identify the most suitable location for additional convenience floorspace.

99.10 Policy 15 of the structure plan requires local plans to identify development opportunities, setting criteria that proposals must demonstrate that: a) the sequential approach to choosing sites has been followed; b) there will be no detrimental impact on the vitality and viability of the town centre; c) there will be good access to the public transport network; and d) there is consistency with other structure plan policies.

99.11 Safeway Stores plc and CG Property state that no sites are available in the town centre or adjacent to it, and recognition should be given to the role of the existing stores and their accessibility by providing for the expansion of their stores. This would provide an effective means of reclaiming convenience expenditure currently being lost from Peterhead.

99.12 Hermiston Securities Ltd argues that the land to the west of the Co-op store would provide an appropriate, accessible location for a new food store of around 5,000 square

metres together with complementary retail uses on adjacent land. This would be compatible with new housing development, and the provision of a new roundabout and access from West Road would help lift the constraints currently preventing residential development on the adjacent land. This development would improve the quality of Peterhead's retail offer, without affecting adversely the vitality and viability of its town centre; and the existing off-centre supermarkets would be likely to respond to the competition.

99.13 There is also a need for retail facilities for bulky goods shopping, as the Aberdeenshire Towns Shopping Study of 1999 confirmed that there is leakage of some 72% of this retail expenditure from the Peterhead area. Significant growth in this area of expenditure is anticipated, and limited floorspace is available. There are no sites available in or adjacent to the town centre, and the town has no retail parks.

99.14 The council itself has recently granted a retail consent to a major DIY operator on adjacent land accessed from the Invernettie roundabout. The allocation of further land for bulky goods retailing between it and the Macdonald's restaurant would be appropriate, as it is now a prime retail location and improved public transport will be provided as a condition of the planning permission already granted. Over 50 hectares of employment land would still be available in Peterhead.

99.15 In relation to other employment land:

- **Esson Properties Ltd** argues that the plan does not make it clear that Site EmpC (on the north-east side of the Invernettie roundabout) could accommodate a mixed use development. This designation reflects neither the previous planning permission granted for a car showroom, restaurant or hotel, nor the planning authority's current support for a proposed development comprising a hotel, a public house, a restaurant and a vehicle display area. The proposed designation could result in a strict interpretation of employment uses in future.
- **Hydro Agri (UK) Ltd** wishes to see the land to the north of Site EmpB also being designated for employment or mixed uses. This would form a logical extension to the adjacent site. It could be designated as an "fe/fh" site. Industrial development on this site was previously approved in the 1980s, and there is a shortfall in the housing land supply and qualitative shortage of employment land. No comparative assessment of sites has been undertaken. Other land has either been developed, or is allocated for development, beyond the by-pass, and this site could make an important contribution to meeting the development needs of the area.

### **The case for the council**

99.16 In response to the objections on housing, the council states that:

- Sites eh1 and eh3 are included in the Housing Land Audit as effective and therefore require to be allocated accordingly. The structure plan does not allow for further land to be allocated for this period. It is logical to retain the direction of development from the north, so the designations should not be swapped.
- The site of the former water tower is not a brownfield or infill site. As it is located on top of a ridge, development would be highly visible. Accordingly, it should only be developed in conjunction with Site fh2, which adjoins it to the west.

99.17 In response to the objections on retailing, the council states that:

- The structure plan provides no scope for significant retail developments outwith town centres. National Planning Policy Guideline 8: 'Town Centres and Retailing' requires local plans to safeguard development opportunities within or on the edge of town centres, but only to provide criteria for assessing any other development proposals.
- It does not consider that there is an acute need for additional floorspace. It accepts that there is no potential within the town centre, and proposals for the re-development of the Kirkburn Mills site are still being investigated. It does not consider that the scope for reclaiming expenditure leakage is sufficient to justify a new food superstore. Capacity is likely to be taken up by the approved expansion of other food-stores, or new developments on the edge of the centre.
- It does not accept the need to allow for the expansion of the Safeway store. While the adjacent "Protected Area" designation, which provides for control over existing areas of open space, does allow for exceptions, these would not apply in this case.
- Any further retail development at, or adjacent to, the Co-op store would require to meet the sequential test and accord with Policy Emp\6. Expansion of the existing store does not require an annotation on the proposals map, and this would prevent the council from requiring the developer to demonstrate its justification. The designation of the adjacent land as a constrained housing site would not preclude development for other uses, if there is no prospect of it ever becoming effective for housing development.
- With regard to the suggested retail use beside the Invernettie roundabout, the policies for employment land do not preclude retail development, where the sequential approach is satisfied, infrastructure is satisfactory, and it would not conflict with adjacent land uses. The council confirmed that, in granting planning permission recently for retailing on the adjacent site, it had not imposed any restrictions on the range of goods to preclude the sale of food. However, that consent does not justify re-designating this area for retail uses.

99.18 In response to the objections on other employment land, the council states that:

- The policies relating to employment land do not preclude mixed use development of the site on the north-east side of the Invernettie roundabout.
- The proposed designation of land adjacent to Site EmpB as an "fe/fh" site would conflict with the structure plan in terms of the provision of employment land and housing land.

## **Conclusions**

99.19 I will deal first with the housing objections. The housing land allocations for Peterhead are substantial. However, this is exacerbated by the scale of the housing land supply which was regarded as constrained in January 2000, mainly for programming reasons. The constrained sites provide "additional flexibility" of over 470 houses, which exceeds the new allocations for both five year periods, which total 420 houses. This provides scope for twice the number of houses to be built as are required.

99.20 In town planning terms, it is appropriate to utilise the land inside the by-pass to accommodate the required housing, and there is no evidence before me that any of the sites identified as effective or constrained should now be considered non-effective for housing in the long term. The scale of this existing housing land supply suggests that there is no

justification for bringing forward for earlier development any of the new sites identified for development beyond 2005.

99.21 I agree that a monopoly which limits the release of land for development would be undesirable, but I am satisfied that the scale and location of the new allocations should prevent that occurring.

99.22 I agree that the site of the former water tower should not be covered by the “protected area” designation, which relates to the adjacent recreational area. As all the land between it and the by-pass is allocated for housing development, I agree it should form part of that designation. The sequence of development on the two areas is not a matter for the local plan.

99.23 In relation to retailing, I consider that it is important for the local plan to seek to address the needs of Peterhead. Stemming the current leakage of convenience expenditure is justified on grounds of sustainability, while local residents should benefit from modern retail facilities. It is clear that there are no suitable town centre, or edge of town centre, sites available at present, but there is scope for expansion at each of the two established off-centre supermarkets.

99.24 I am satisfied that, in these circumstances, it would be appropriate to confirm that the two existing off-centre supermarkets are suitable locations for expansion of convenience retail floorspace. This would be consistent with the recommended approach to the application of the sequential test, outlined at Issue 31. Imposing planning conditions to restrict the goods sold from the expanded floorspace mainly to the convenience sector, would protect the vitality and viability of the town centre.

99.25 The previous identification of land as a constrained housing site is not itself justification for precluding its development in future for retailing or other appropriate uses. The structure plan makes no presumption that any housing will be built on these sites, and they are therefore treated as providing additional flexibility in meeting the forecast housing requirements. Being adjacent to an established retail location (the Co-op foodstore), there could be advantages in further convenience retail floorspace being provided on the site proposed by Hermiston Securities Ltd, and the associated new roads infrastructure would be likely to promote the early development of the remaining housing land.

99.26 However, it has not been demonstrated that the scale of leakage of convenience expenditure is sufficient to justify the provision of a further large food-store, and I conclude that the local plan should not be modified to provide for the development of a 5,000 square metres superstore and associated retail floorspace, with or without restrictions on the goods to be sold, as sought by the objector.

99.27 I turn now to the objection relating to employment land at the Buchan Gateway site, accessed from the Invernettie roundabout. I note that local plan’s glossary indicates that retailing can be an appropriate use on any land identified as suitable for employment uses. The council itself has very recently granted planning permission on adjacent land for retailing, which is intended for the sale of bulky goods. The findings of the recent shopping study demonstrated the very substantial leakage from the Peterhead area of this form of retail expenditure; the low level of current provision and the absence of retail parks in the town; and the lack of appropriate sites within or adjacent to the town centre.

99.28 I am satisfied that this justifies the council taking a positive approach, not just in response to individual planning applications, but through the local plan itself. The consent now granted will establish this as a key location for bulky goods retailing, located on a key transport route and with improved public transport links being provided. I consider that allocating the adjacent objection site, specifically for bulky goods retailing, will provide the framework for a planned, coherent approach to this form of retailing which will stem the current leakage of expenditure from Peterhead, while safeguarding the vitality and viability of the town centre. I consider that such an approach would be consistent with Policy 15 of the structure plan and with the requirements of National Planning Policy Guideline 8: 'Town Centres and Retailing'.

99.29 With regard to the other objections relating to employment land, I am satisfied that the broad definition of employment uses contained within the glossary would not preclude a mixed use development on the land on the north-east side of the Invernettie roundabout. A more detailed specification of potential mixes of uses on a particular site would not be appropriate.

99.30 I do not consider that it would be desirable to allocate the land adjacent to Site EmpB as future employment land and future housing land. The local plan already provides more than sufficient of both to meet the requirements of the structure plan for Peterhead over the period to 2010. I have no evidence that development here would secure a qualitative improvement in provision for employment uses, and I find that it would be undesirable for housing development to expand beyond the by-pass.

## **Recommendations**

99.31 I recommend that the plan's provisions in relation to Peterhead should be modified as follows:

- The 'Protected Area' designation should be removed from the former Scottish Water site next to the recreation ground on Kinmundy Road. It should be allocated for housing development in conjunction with the adjacent Site fh2, with the joint indicative capacity increased by 15 houses.
- The land occupied at present by the off-centre Safeway and Co-op stores should be identified on the proposals map as R1 and R2 respectively, and described in the key as established locations for convenience retailing, where proposals for expansion of the existing store for that purpose will be supported.
- Land to the south-west of the Invernettie roundabout, comprising the site of the recently granted planning permission for bulky goods retailing, and the adjacent site of the objection by Hermiston Securities, should be identified on the proposals map as R3, and described in the key as land suitable for development for bulky goods comparison retailing.

**Issue 101: St Fergus**

**Objector:**  
Mr N Buchan & Others

**Reference Number:**  
838.1.1

**Procedure:**  
Written Submissions

**Reporter:**  
David Russell

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**The provisions of the local plan**

101.1 St Fergus is defined by a settlement boundary in the settlement proposals maps on Page 152 of the local plan; and is identified as one of the rural service centres in the Buchan area of Aberdeenshire. It lies within the rural housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, among all the rural service centres in the Buchan area, land for 50 houses for the period 2000 to 2005, and for 100 houses for the period 2006 to 2010. This is in addition to existing housing sites, either effective or constrained, which formed part of the established housing land supply at January 2000.

101.2 The local plan identifies two existing, effective housing sites, with a total capacity of 40 houses; and one existing constrained site, also with a capacity of around 40 houses. One site on the south side of the village, Site fh1 with a capacity of 10 houses, has been allocated for development in the period 2006-2010; and an area of search for future housing development (fh2\*) has been identified immediately to the south of it.

101.3 Extending to the south of the village, bounded by Sites fh1 and fh2\* to the west, is a protected area incorporating the public park.

**The objection**

101.4 Mr Buchan and four other residents of Newton Road seek the extension north-eastwards of the protected area designation, so that it includes an area to the rear of properties on the south side of Newton Road, bounded by Ranouard Court and the right of way footpath to the public park. An amenity area has been created on this land, with tree planting and landscaping. It is a popular area for elderly local residents and a safe area for children to play. It warrants protection from development.

**The case for the council**

101.5 The council agrees with the objectors and the suggested modification.

**Conclusions**

101.6 I agree that the extension of the protected area designation, as suggested, would be desirable.

## **Recommendation**

101.7 I recommend that the plan's provisions in relation to St Fergus should be modified as outlined by the objectors at paragraph 101.4 above.

## **Issue 103: Strichen**

### **Objectors:**

Burshangie Developments Ltd  
Mrs E M Taylor

### **Reference Numbers:**

1004.1.1  
1240.1.1

### **Procedures:**

Informal Hearing and Written Submissions

### **Reporter:**

David Russell

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## **The provisions of the local plan**

103.1 Strichen is defined by a settlement boundary in the settlement proposals maps on Page 153 of the local plan; and is identified as one of the rural service centres in the Buchan area of Aberdeenshire. It lies within the rural housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, among all the rural service centres in the Buchan area, land for 50 houses for the period 2000 to 2005, and for 100 houses for the period 2006 to 2010. This is in addition to existing housing sites, either effective or constrained, which formed part of the established housing land supply at January 2000.

103.2 The local plan identifies two existing, effective housing sites in Strichen: Sites eh1 and eh2, for around 20 and 12 houses respectively, on the south-east side, across the North Ugie Water from the main part of the village; and Site eh3, suitable for around 20 houses, at the eastern edge of the village, on the north side of the B9093 road. No additional housing sites are allocated for the period 2000 to 2005; but an area at the north-east edge of the village, designated as Site fh1, is allocated for 15 houses for the period 2006-20010; and an area of search (fh2\*) for housing development in the period beyond 2010 is identified to the west.

## **The objections**

103.3 Burshangie Developments Ltd and Mrs Taylor seek the re-designation of Site fh1 to enable its immediate development; and suggest that its designation should be swapped with Site eh3. The company states in submissions that it owns both sites, and the infrastructure costs render it unviable. Site eh1 has now been purchased by the Strichen Community Park Company to form a recreational area, and the 20 houses proposed there will not be built. The early development of Site fh1 would compensate for that shortfall.

103.4 In discussion at the inquiry, it was stated on behalf of Mrs Taylor that Site fh1 would be easier to develop than Site eh3, which has problems with flooding, ownership and access. It would be a difficult site to develop and to incorporate Sustainable Urban Drainage Systems (SUDS).

## **The case for the council**

103.5 The council states that the designations reflect the Housing Land Audit for 2000, and indicates that Site eh3 was allocated following the inquiry into the previous local plan. There is currently a constraint in relation to split ownership of the site, but this is expected to be

resolved, allowing the site to contribute to meeting the housing requirements. The scope for bringing forward the development of Site fh1 is limited, as the structure plan provides for land for only 50 houses, across all the rural services centres in Buchan, to be released for development during the period 2006-2010.

### **Conclusions**

103.6 I agree that Site fh1 is readily developable, while Site eh3 is low lying and will have to incorporate measures to avoid flooding. While the evidence suggests that current constraints make early development unlikely, the council expects completions before 2010. In these circumstances, and as it is included within the base supply of the structure plan, I consider that it would not be appropriate for the local plan now alter its present status.

103.7 With regard to bringing forward Site fh1 for immediate development, however, I consider that this would be justified. This is due to the current constraints on Site eh3 and the changed ownership and aspirations for Site eh1 which indicates that it should now be regarded as non-effective. I note that the site is omitted from the latest housing land audit. Given the size of Strichen, I conclude that it would be appropriate to ensure some continuity in the provision of additional housing, and I agree that Site fh1 should be re-designated as Site A, and identified for development in the period 2000-2005.

### **Recommendation**

103.8 I recommend that the plan's provisions in relation to Strichen should be modified by the re-designation of Site fh1 as Site A, and identified for development in the period 2000-2005.

**Issue 104: Stuartfield**

**Objectors:**

Crichie Farms  
Deer Community Council  
Mr & Mrs G Grant

**Reference Numbers:**

332.2.1  
583.2.2  
1269.2.1; 1274.1.1

**Procedure:**

Written Submissions

**Reporter:**

David Russell

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**The provisions of the local plan**

104.1 Stuartfield is defined by a settlement boundary in the proposals map on Page 154 of the local plan; and is identified as one of the rural service centres in the Buchan area of Aberdeenshire. It lies within the rural housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, among all the rural service centres in the Buchan area, land for 50 houses for the period 2000 to 2005, and for 100 houses for the period 2006 to 2010. This is in addition to existing housing sites, either effective or constrained, which formed part of the established housing land supply at January 2000.

104.2 The local plan identifies one existing, effective housing site (Site eh1) at the south-west edge of the village, with capacity for around 16 houses. One site (Site A) has been allocated for development in the period 2000-2005, with an indicative capacity of 15 houses, on the north-east edge of the village. Two sites have been allocated for development between 2006 and 2010: Site fh1, with a capacity of around 10 houses, is on the east side of the village, immediately to the south of the road to Longside; and Site fh2, with a capacity of around 5 houses, is on the western edge of the village, mainly to the rear of existing houses on the north side of the road to Maud. An area of search for future housing development (fh3\*) for the period beyond 2010 has been identified immediately to the north of Site A.

**The objections**

104.3 Crichie Farms objects to the designation of Sites fh1 and fh2 for development after 2005 only. This is restrictive to buyers and offers little or no choice within Stuartfield, as both Site eh1 and Site A are available only through the same developer.

104.4 Mr & Mrs Grant object to the reduction in the number of houses on Site fh2 to five. More are required in Stuartfield to maintain the community spirit and increase the local school roll. Regarding the suggested modification to Site A, a more equitable split would allow 7 houses in the first period and 8 houses in the second.

104.5 Deer Community Council states that part of the development planned for Stuartfield will be above the sewer.

## **The case for the council**

104.6 In response to the objection by Crichton Farms, the council accepts that there is a need to provide better choice. It suggests modifying the plan, to bringing forward the original Site fh1 for development in the period 2000 to 2005, and therefore designating it as Site B, still with an indicative capacity of 10 houses. Site 'A' should be restricted to its western third, with an indicative capacity of 5 houses; and the remainder should be designated as Site fh1, with an indicative capacity of 10 houses, for development between 2006 and 2010.

104.7 In response to Mr & Mrs Grant's objections, it argues that the suggested modifications would offer better choice within the settlement, while still providing for 15 houses on Sites A and fh1, as a phased development. The overall reduction in houses for the period 2000-2005 follows a reduction in the structure plan allocation from the draft plan.

104.8 The council confirms that it received no adverse comment from Scottish Water about the impact of any of the development proposals on the sewers in the village.

## **Conclusions**

104.9 I agree that the modifications suggested by the council will provide better choice for purchasers at an early stage, without affecting the overall scale of development proposed in the period up to 2010. I have no evidence that suggests that the presence of existing sewers within the village would be likely to preclude the successful implementation of any the developments proposed in the local plan.

## **Recommendation**

104.10 I recommend that the plan's provisions in relation to Stuartfield should be modified as suggested by the council at paragraph 104.6 above.