

Town and Country Planning (Scotland) Act 1997

**ABERDEENSHIRE COUNCIL
CAIRNGORMS NATIONAL PARK AUTHORITY**

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

Volume 5 – Garioch Area Objections

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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Recommendations are made in respect of all valid objections that have not been unconditionally withdrawn.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 5: GARIOCH AREA OBJECTIONS

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Issue 140: Blackburn

Objectors:

Mr Robert Kennedy
Stewart Milne Group
South Fornet Estate
Scottish Natural Heritage
Barratt Construction Ltd

Reference Numbers:

1030.1.1
47.11.1
448.20.1, 2 & 3
986.24.1
1310.10.1

Procedure:

Written Submissions

Reporter:

David Russell

The provisions of the local plan

140.1 Blackburn is defined by a settlement boundary in the proposals map on Page 193 of the local plan; and is identified as one of the main settlements in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate at Blackburn land for 300 houses for the period 2000 to 2005, but does not require land for any houses to be allocated for the period 2006 to 2010. The new allocations are in addition to existing housing sites which formed part of the established housing land supply at January 2000 which, at Blackburn, comprised effective sites with a total capacity of 143 houses. There were no constrained housing sites at that time.

140.2 For Blackburn, the proposals map identifies the one existing effective site (Site eh1) for housing development, which is on the west side of the settlement. Four sites are allocated for housing development for the period 2000-2005. Sites A and B are beyond the northern edge of the built up area, on either side of the road to Hatton of Fintray, with stated capacities for 130 houses and 124 houses respectively. Sites C and D are on the western edge of the settlement, on the north side of the former A96 road, and their stated capacities are for 10 houses and 36 houses respectively.

140.3 To the south of the former A96, and between it and the dual carriageway of the new trunk road, the land between the western edge of the existing business park and the western junction between the two roads is allocated as Site EmpE for employment uses. In conjunction with Site EmpE, there is a project area (P1) for strategic landscaping at its western end.

The objections

140.4 Scottish Natural Heritage objects to the allocation of Sites A and B. The sites are on rising ground and extend north into a landscape where housing does not currently impinge. Infringement will be considerable unless appropriate landscape planting is undertaken.

140.5 Barratt Construction Ltd objects to the capacity of Site B being restricted to 124 houses, and argues that this should be increased to 190 houses.

140.6 The Stewart Milne Group seeks the allocation of further land for housing development, immediately to the north of Sites A and B.

140.7 Mr Robert Kennedy seeks the allocation of the land to the west of Site D, at Kinellar Estate, for residential development and associated community and retail uses.

140.8 South Fornet Estate argues that project area (P1) is too extensive. It has not been reduced since the draft plan stage, as had been agreed. It objects to the land south of the A96 being designated as green belt under Policy Gen\13.

The case for the council

140.9 Sites A and B were allocated through the previous local plan inquiry, and the capacity of 124 houses for Site B derives from that. These sites now form part of the effective housing land supply. Appropriate strategic landscape planting will minimise impact of development. In the inquiry session relating to the housing land allocation across the whole of Aberdeenshire, the council confirmed that it has now granted planning permission for over 170 houses on Site B, and that the capacity stated in the local plan is an indicative one.

140.10 In response to Mr Kennedy's objection, the council states that this local plan has fulfilled the strategic housing land requirement set out in the structure plan. Blackburn has limited facilities and is already accommodating 300 houses. A capacity study would be required to determine the scale of any further growth or housing allocations.

140.11 While the council confirms that project area P1 has been reduced in size since the draft plan stage, it states that the green belt maintains the identity of the city by establishing a clear physical boundary. It provides countryside for informal recreational purposes and maintains the landscape setting of Aberdeen. Any change to the green belt would be made through a review of the structure plan.

Conclusions

140.12 I agree that the housing requirements of the structure plan for Blackburn are fulfilled by the allocations set out in the local plan. I share the general concern of Scottish Natural Heritage about the landscape impact of the northward expansion of Blackburn. With regard to Site A and Site B, I note that their allocation followed favourable scrutiny at the previous local plan inquiry, and that they now form part of the effective housing land supply. I consider that their impact on the landscape would only be acceptable if mitigated by strategic landscaping. This appears to be the council's intention, and I conclude that this obligation should be specified in the text in relation to each site.

140.13 In these circumstances I do not consider that any extension of Site A or Site B should be supported in the short or longer term. However, I consider that it would be appropriate to indicate an area of search for future housing development beyond 2010, and that this should be identified on the land to the west of Site D, and on the opposite side of the former A96 from Site EmpE. Any requirement for further community and retail facilities would be addressed at a future stage, if the need for further housing is confirmed and the location found to be suitable.

140.14 I will now deal with the extent of project area (P1) for strategic landscaping on the western edge of Site EmpE, in the vicinity of the junction with the trunk road. I consider that the indicative boundary which is shown at present is appropriate, as this will enable it to be finalised following full consideration of a detailed proposal for planning permission for the development of Site EmpE.

140.15 In relation to the green belt to the south of the A96, I find no reason why, in principle, a boundary adjustment could not be proposed through the local plan. However, in the context of the purposes of the green belt as set out in the structure plan, I consider that this land does contribute to the landscape setting and identity both of the city and of Blackburn, and no evidence or arguments have been submitted which would justify such an alteration.

Recommendation

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

- The phrase "subject to strategic landscaping" should be added to the text in relation to both Site A and Site B.
- An area for search for future housing development (fh1*) should be identified to the west of Site D and on the opposite side of the former A96 from Site EmpE.

Issue 141: Chapel of Garioch

Objector:
Mr J Burges-Lumsden

Reference Number:
568.41.3

Procedure:
Informal Hearing

Reporter:
David Russell

The provisions of the local plan

141.1 Chapel of Garioch is defined by a settlement boundary in the settlement proposals maps on Page 216 of the local plan; and is identified as one of the rural service centres in the Garioch 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 Garioch area, land for 20 houses for the period 2000 to 2005, and for 50 houses for the period 2006 to 2010. This is in addition to existing housing sites, all of which were effective, which formed part of the established housing land supply at January 2000.

141.2 The proposals map defines Chapel of Garioch as a settlement in two parts, divided by an agricultural field through which a line of electricity pylons runs. The local plan identifies one effective housing site (Site eh1), with capacity for around 5 houses. No additional land is identified for housing development.

The objection

141.3 Mr Burges-Lumsden seeks the allocation for housing development of land on the north-west edge of the more northerly part of Chapel of Garioch. Its development for five houses would be ideal for rounding off the settlement in a cohesive manner. In discussion it was argued that its approaches are well contained; that there is scope for additional planting; and that its impact would be no greater than the existing houses.

The case for the council

141.4 The site is exposed as it is on the crest of a hill. It would result in skyline development, and would be obtrusive in views from the north. The settlement boundary is rounded off already, and provides a small infill opportunity. The housing allocations have been met at more suitable locations in the Garioch area.

Conclusions

141.5 I agree that the allocation of this site would not be appropriate, as it would result in skyline development. Given the very limited allocations for rural services centres in the Garioch area, the small size of Chapel of Garioch, and the presence of the existing and recently completed effective housing site, I agree that it is appropriate that the further allocations required by the structure plan are identified in other settlements.

Recommendation

141.6 I recommend that no modifications should be made to the plan's provisions in relation to Chapel of Garioch.

Issue 143: Dunecht

Objector:
Dunecht Estates

Reference Number:
1310.1.3 (previously 568.63.3)

Procedure:
Written Submissions

Reporter:
David Russell

The provisions of the local plan

143.1 Dunecht is defined by a settlement boundary in the settlement proposals maps on Page 217 of the local plan; and is identified as one of the rural service centres in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate, among all the rural service centres in the Garioch area, land for 40 houses for the period 2000 to 2005, and for 125 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 comprised effective sites with a total capacity of 463 houses, and constrained sites with a total capacity of 25 houses.

143.2 The proposals map for Dunecht indicates that a conservation area is proposed to cover the whole settlement. It identifies one site (Site fh1) for housing development in the period 2006-2010, with capacity of 14 houses, at the western end of the settlement. A project area (P2), for access improvements, is identified within the site, at its north-eastern end adjoining a residential area.

The objection

143.3 Dunecht Estates argues that Site fh1 should be identified for development in the period 2000 to 2005, given the shortfall in the housing land supply. Its capacity should be increased to 20 houses, as indicated in the consultative draft plan, to maximise the development potential of greenfield resources. The need for access improvements in conjunction with the development is questioned.

The case for the council

143.4 The local plan allocates enough housing land to meet the structure plan allowances contained in Policies 8 and 9. Project area P2 indicates strategic landscaping, the details of which will be decided as part of a planning application.

Conclusions

143.5 Sufficient allocations for housing development in the period 2000 to 2005 have been made in other settlements in the Garioch area, within the Aberdeen housing market area. For that reason, bringing forward Site fh1 for earlier development would not be justified. The stated capacity of all sites is indicative, and the council has confirmed that this would not preclude planning permission being granted for a larger number of houses, subject to detailed assessment of specific proposals.

143.6 The inclusion of the project area P2 (access improvements) appears unnecessary, and should be deleted. Any requirement for additional landscaping, along with access arrangements, can be addressed in the consideration of a planning application.

Recommendation

143.7 I recommend that the plan's provisions in relation to Dunecht should be modified by the deletion of project area P2 (access improvements).

Issue 144: Durno

Objectors:

Norman Lawie Ltd
Mr J Burges-Lumsden

Reference Numbers:

1126.27.1
568.41.2

Procedure:

Informal Hearing

Reporter:

David Russell

The provisions of the local plan

144.1 Durno is identified as one of the rural service centres in the Garioch area of Aberdeenshire, and the settlement proposals map on Page 218 of the local plan defines it as comprising four discrete areas of built development, lying close to each other, but with separate settlement boundaries. Durno 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 Garioch area, land for 20 houses for the period 2000 to 2005, and for 50 houses for the period 2006 to 2010. This is in addition to existing housing sites, all of which were effective, which formed part of the established housing land supply at January 2000.

144.2 The proposals map for Durno confirms that there are no existing sites for housing development, and that none are proposed. Two project areas are shown, the first for access improvements to the two more southerly parts of the settlement; and the second, for safer routes to school, is identified on the road to Whiteford.

The objections

144.3 Norman Lawie Ltd seeks the integration of three of the four parts of Durno to form a cohesive settlement. A submitted plan shows a protected area designation along the burn which runs on the southern side of the mostly northerly part. The area between it and the minor road which provides access to the three other parts would be allocated for housing, as would the area to the south, which extends to the south-eastern part. The development of that area would enable a blind bend to be improved on the access road, and should occur first for that reason.

144.4 There is a need for new development in Durno. As there is a problem in providing a drainage service for new developments, individual sewage plants, rather than septic tanks, should be used. This would reduce the density of development.

144.5 Mr Burges-Lumsden seeks the allocation for housing development of a site to the south-east of the largest, northernmost part of Durno. It would form a natural extension to the settlement as it is bounded by built development on three sides, and a satisfactory access could be formed. While it is not proposed to link it to a waste water treatment works, there is satisfactory porosity on the site, and he is confident that the drainage concerns could be met.

The case for the council

144.6 The council states that further housing sites are not required, as the strategic housing land supply has been fulfilled. However the protected area designation would be appropriate, and consolidation of the settlement would be a benefit. The council had suggested development of the adjacent area in the draft plan, but that would not secure the necessary road improvements. The council referred to a letter from the Scottish Environment Protection Agency stating that it would object to any new development in Durno on private drainage, but would not object if it was required to connect to a new treatment works adopted and maintained by Scottish Water.

Conclusions

144.7 I consider that the drainage constraint on new development precludes the allocation of further land for housing development at Durno, as the scale which would be sufficient to fund a new waste water treatment works would exceed that which is appropriate for a rural service centre.

144.8 However I agree that the fragmentation of the settlement into four discrete parts is undesirable, and that the boundary suggested by Norman Lawie Ltd would consolidate three of its parts. I agree that the protected area designation along the burn would be appropriate. The additional land should not be identified for housing development, but infill development would be appropriate here in future if the drainage constraint is resolved, and if the improvement to the blind bend would be secured. The proposed development to the east would extend the present settlement without securing these benefits.

Recommendation

144.9 I recommend that the plan's provisions in relation to Durno should be modified as follows: the settlement boundary should be amended as shown on the plan attached to the objection by Norman Lawie Ltd; and a protected area designation should be added, also as shown on that plan.

Issue 145: Echt

Objectors:
Dunecht Estates
Stewart Milne Group

Reference Numbers:
1310.1.2
47.29.1

Procedures:
Informal Hearing and Written Submissions

Reporter:
David Russell

The provisions of the local plan

145.1 Echt is defined by a settlement boundary in the settlement proposals maps on Page 218 of the local plan; and is identified as one of the rural service centres in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate, among all the rural service centres in the Garioch area, land for 40 houses for the period 2000 to 2005, and for 125 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 comprised effective sites with a total capacity of 463 houses, and constrained sites with a total capacity of 25 houses.

145.2 In the proposals map for Echt, a broad strip of undeveloped agricultural land on the north side of the B9119 is included within the settlement boundary. It is not the subject of any specific proposal, other than being within the area of a proposed conservation area which includes most of the settlement.

145.3 A large area of public open space on the west side of the B977 is included within the settlement boundary. It is designated as a protected area and is also identified as part of the proposed conservation area. One site (Site fh1) is allocated for housing development for the period 2006-2010, with capacity of 25 houses, in conjunction with a project area (P2) for strategic landscaping on its eastern edge. That site also lies within the proposed conservation area, to the south of the public open space.

The objections

145.4 Dunecht Estates object to the allocation for housing development of Site fh1, as it is detached from the village and suffers from poor access. Instead, the protected area south of school should be identified for housing development between 2000 and 2005, and land to the north of the undeveloped land should be allocated for housing development after 2006. This would support the village school where the roll is under capacity.

145.5 In discussion at the inquiry it was explained that, although Scottish Water has proposals to improve the waste water treatment works at Echt, any proposal for housing development would require an extension of the works. There would be a greater degree of confidence that this could be delivered if a further site for 25 houses is allocated to the north of the settlement. This could be developed in conjunction with the land immediately to the north of the B9119.

145.6 Accordingly, Dunecht Estates seeks the positive allocation for 25 houses in the period 2000 to 2005 of the site immediately north of the B9119, with the area to the north of that, which is enclosed by a field boundary and a ditch, also being allocated for housing development. The western half should be identified as Site fh1 and the eastern half as a search area for future development (fh2*).

145.7 The Stewart Milne Group also objects to the allocation of Site fh1 for 25 houses. Development there would be unrelated to the current character of the settlement, and there is a lack of market demand. If it is retained, it should be identified for 15 houses.

The case for the council

145.8 The council states that the open space is not available for development. In discussion at the inquiry, it confirmed that the land fronting the north side of the B9119 would be available immediately, as an infill development.

145.9 Site fh1 has defensible boundaries and complements the form of the settlement and its landscape setting better than the land to the north of the settlement. Development here would not affect the setting of the manse to the south which is a listed building and surrounded by a tall wall and trees; and acceptable site visibility could be obtained. An allocation for 25 houses is justified by Echt's potential and by the location of the site.

Conclusions

145.10 I agree that, in relation to its size, Echt offers a good range of community facilities and that it is appropriate that a significant housing allocation be identified here to support them. I consider that the land on the north side of the B9119 is the most appropriate location, due to its proximity to the school and its unimpeded road access. I conclude that the undeveloped land within the settlement boundary should be positively allocated for housing development as Site fh1 with an indicative capacity of 25 houses, with the land to the north being identified as a search area (fh2*) for future housing development.

145.11 In the context of the limited allocations for new housing development across all the rural service centres in that part of the Aberdeen housing market area lying within the Garioch area, I do not consider that additional allocations in Echt for the periods between 2000 and 2010 can be justified simply because of the economies of scale in extending the waste water treatment works. Accordingly I also conclude that the existing Site fh1 should be deleted, along with its associated project area (P2).

Recommendation

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

- The existing allocation for housing development of Site fh1, together with project area P2, should be deleted.
- The undeveloped land on the north side of the B9119, and within the settlement boundary, should be allocated, as Site fh1, for housing development between 2006 and 2010, with an indicative capacity of 25 houses.

- The area to the north of the new Site fh1 should be identified as a search area (fh2*) for future housing development.

Issue 146: Glasgoforest

Objectors:

Mrs L Christie
Charles Marshall

Reference Numbers:

560.18.1
568.34.1

Procedures:

Informal Hearing and Written Submissions

Reporter:

David Russell

The provisions of the local plan

146.1 Glasgoforest is defined by a settlement boundary in the settlement proposals maps on Page 219 of the local plan; and is identified as one of the rural service centres in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate, among all the rural service centres in the Garioch area, land for 40 houses for the period 2000 to 2005, and for 125 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 comprised effective sites with a total capacity of 463 houses, and constrained sites with a total capacity of 25 houses.

146.2 The proposals map for Glasgoforest confirms that there are no existing housing sites, and that no new sites are allocated for housing development. A protected area is designated at the north-west edge of the settlement, covering a wooded area lying between the A96 dual carriageway, and the former carriageway of the A96 which now forms a cul-de-sac extending beyond the western edge of Glasgoforest.

The objections

146.3 Mrs Christie seeks an extension of the settlement boundary south-west to incorporate a site for residential development, with strategic community woodland planting to be provided by the developer. As Glasgoforest is on the A96 close to Aberdeen and Dyce, this would provide a limited development opportunity in a sustainable location, and augment the effective housing land supply.

146.4 Mr Marshall seeks the extension of the settlement boundary to the north-west, to incorporate Hawthorn Cottage and allow for infill development. The land was excess to the re-routing of the A96 and has little agricultural value. Its inclusion within the settlement would provide an opportunity for development in a planned and coherent environment, and reduce demand for sporadic and isolated development. It would help to support Glasgoforest's services, in accordance with the structure plan. Landscaping would reduce any visual impact from the trunk road.

146.5 In discussion at the inquiry it was explained that this site is suitable for housing development in terms of drainage and vehicular access. It would accommodate six to ten houses, together with landscaping. The visual impact would not be detrimental, especially if the houses are single storey. The land could simply be included within the settlement boundary, which would allow new housing as infill development. An alternative

approach would be to specifically allocate the site for housing, as Site fh1, for development between 2006 and 2010.

The case for the council

146.6 In response to these objections, the council states that both proposals would further elongate the settlement, making less economic use of scarce resources, contrary to sustainability objectives. The land to the north-west is overlooked from the A96, and would alter the rural character of the area with a ribbon development of contemporary housing.

146.7 In discussion at the inquiry it was stated that the reason for Glasgoforest's identification as a settlement is the presence of a haulage yard towards its south-western edge. However it is not necessary to allocate any land for housing development at Glasgoforest, as sufficient has been allocated in other settlements.

Conclusions

146.8 Although it is not a matter directly before me in these objections, the justification for Glasgoforest's designation as a settlement appears extremely tenuous. It appears to take its name from the farm within it, but the name does not appear on any nearby road sign. The presence of a haulage yard, although of a significant size and a source of employment, provides little in the way of a community function or service. It is difficult to see what benefit would be served by additional housing at this location, either in terms of promoting sustainability or supporting existing facilities or services. The perceived need for the provision of further small sites for housebuilders is not sufficient reason to justify the allocation for development of inappropriate land.

146.9 The settlement boundary provides scope for infill development, but the two suggested development sites would result in undesirable extensions into the countryside. The proposal to develop land to the north-west would breach the clear boundary currently formed by the wooded 'protected area', and would appear as a prominent ridge line development, both from the trunk road and from areas to the south. In neither case would landscaping mitigate significantly the adverse effects of the development.

Recommendation

146.10 I recommend that, in response to these objections, no modifications should be made to the plan's provisions in relation to Glasgoforest.

Issue 147: Hatton of Fintray

Objectors:

Mr and Mrs Johnson
Ms E Fowler
Ms I Fyfe
Scotia Homes Ltd

Reference Numbers:

568.64.1
901.1.1
906.1.1
1237.2.9

Procedure:

Written Submissions

Reporter:

David Russell

The provisions of the local plan

147.1 Hatton of Fintray is defined by a settlement boundary in the proposals map on Page 219 of the local plan; and is identified as one of the rural service centres in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate, among all the rural service centres in the Garioch area, land for 40 houses for the period 2000 to 2005, and for 125 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 comprised effective sites with a total capacity of 463 houses, and constrained sites with a total capacity of 25 houses.

147.2 The proposals map for Hatton of Fintray identifies one existing effective site (Site eh1) for housing development, with capacity for around 23 houses. It is at the eastern end of the settlement within a roughly triangular plot of land which includes two existing houses.

The objections

147.3 Mr and Mrs Johnson object to the settlement boundary being extended east to include Keepers Cottage. There is no justification for this alteration, as the house is separate from the village, with private facilities. The settlement does not have the service provision to support any more housing.

147.4 Ms Fowler states that her house, at Holywell Cottage is separate from the village, and that the extension of the settlement boundary would facilitate further housing development which would affect her privacy.

147.5 Ms Fyfe objects to the extension of the settlement boundary, as it is a mechanism to allow further development. There has already been considerable development here which is more than likely to meet any shortfall. Current infrastructure, amenities and services are insufficient. No affordable housing is offered, and the planning gain from Site eh1 has yet to be completed. She would not object to the sympathetic development of Laird's Park, but is concerned about the manner in which it may be carried out.

The case for the council

147.6 The council agrees that both cottages should be remain outwith the settlement boundary, and be separated from the housing site by strategic landscaping to form an appropriate edge. The plan's policies on affordable housing and developer contributions will apply to any development, and its scale has been reduced to be consistent with the level of services and facilities available, and the pace of recent development.

147.7 Laird's Park will remain within settlement boundary for infill development. This site was safeguarded for future development through the previous local plan.

Conclusions

147.8 From my site inspection I note that houses are already under construction on the area within the extended settlement boundary, which the council stated was available for infill development. It is not at all clear to me why, if the council intended to support infill housing development here, it did not allocate it specifically for housing development and enable local residents to give proper consideration to the proposal.

147.9 I conclude that events have overtaken these objections. Housing development has been approved on the land between the cottages and the edge of Site eh1. In these circumstances, I conclude that the settlement boundary should not be modified, as the development of Site eh1 results in the cottages no longer being separated from the village to any significant degree.

Recommendation

147.10 I recommend that no modifications should be made to the plan's provisions in relation to Hatton of Fintray.

Issue 148: **Insch**

Objectors:

Langstane and Aberdeenshire Housing Association
NHS Grampian
West Garioch Community Council
The Friends of Insch Hospital
Mrs A Summers
Mrs R Taylor
Mr R Benzies
Dr & Mrs D Forrest
Scottish Natural Heritage
Dr C Millar
Chap Construction
Drumrossie Land Development Co.

Reference Numbers:

427.4.1
568.60.9
695.2.1-3, &5
710.1.1
740.1.1
743.1.1-7
820.2.1
896.1.1-4
986.31.1
1136.1.1
1235.1.1
1256.1.1

Procedures:

Informal Hearing and Written Submissions

Reporter:

David Russell

The provisions of the local plan

148.1 Insch is identified as the only main settlement in the Garioch area of Aberdeenshire which lies within the rural housing market area. It is defined by a settlement boundary in the proposals maps on Pages 194-6 of the local plan, and includes a separate detached area to the north, in the vicinity of an industrial estate. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate at Insch land for 150 houses for the period 2000 to 2005, and for a further 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, which comprised effective sites with capacity for 100 houses in total, and constrained sites with capacity for 8 houses.

148.2 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. These are to be distributed among accessible greenfield locations in the main service centres in Aberdeenshire, in the same broad proportions as the allocations for 2006-2010.

148.3 The local plan's proposals maps for Insch confirm the location of the four existing effective housing sites, one of which is an infill site south of the town centre, with the remaining three being on the south-eastern and north-western edges of the town. The constrained site is not identified.

148.4 Five sites are allocated for housing development in the period 2000 to 2005:

- Site A is on the north-west edge of the town, adjoining Site eh1. It is stated to be suitable for 25 houses.
- Site B is on the north-east edge of the town, lying between Whitehall Road and the rear of properties which front Drumrossie Street on the B992. It is stated to be suitable for 70 houses.

- Site C is to the south of part of Site B, on the opposite side of Whitehall Road. It is stated to be suitable for 25 low density houses.
- Sites D and E adjoin each other on the south-east edge of the town, with Site D being immediately south of Site eh3. They are each stated to be suitable for 15 houses.

148.5 Four sites are allocated for housing development in the period 2006 to 2010:

- Site fh1, which adjoins Site A to the west, and has a stated capacity of 25 houses.
- Sites fh2 and fh3, which lie between the B9002 road and Sites D and E respectively. The capacity of these sites is stated to be 20 and 35 houses respectively.
- Site fh4 adjoins Site C to the north-east, and lies on the opposite side of Whitehall Road from the northern part of Site B. Its capacity is stated to be 70 houses.

148.6 Two areas of search (fh5* and fh6*) for future housing development beyond 2010 are identified, to the south-west and south-east of the town respectively.

148.7 The detached part of the settlement to the north comprises land designated as Sites EmpF and fe1. Site EmpF is a partly developed industrial estate, which is stated to be suitable for appropriate employment uses. Site fe2 adjoins it to the south, and is allocated for future employment uses.

148.8 A number of project areas are identified. Some of these relate to the provision of strategic landscaping in conjunction with new housing development. There is also: provision for a cemetery extension (P3) identified within the area of Site fh1; provision for environmental and access improvements (P1) alongside the burn which runs to the south of properties, including the hospital, on Rannes Street; and provision for a town park within a large, tree lined agricultural field immediately to the east of the town.

The objections

148.9 Some of the objections relate generally to the lack of infrastructure, facilities and services in Inch to accommodate the scale of housing development proposed. Particular concerns relate to the capacity of the nursery and primary schools, and of recreation and health facilities; and to the potential increases in traffic congestion in the town centre, and of crime.

148.10 Scottish Natural Heritage raises concerns about securing a reasonable settlement edge on the east side of Inch, relating to the area of search (fh6*) for future housing development.

148.11 The community council and some individuals object to the impact of the proposed developments on Sites B, C and fh4 on access to, and enjoyment of, the Drumrossie Walk. This is well used, and leads from the narrow and attractive Whitehall Road, around the wooded grounds and policies of Drumrossie House. Whitehall Road could not cope with additional residential traffic. These concerns would be alleviated, but not removed, by the council's suggested amendments which would extend Site B and re-locate Site fh4 to the north of it. Vehicular access to these areas would be dangerous, and would also aggravate town centre congestion.

148.12 In discussion at the inquiry, it was explained that development of Sites C and fh4 would bring houses adjacent to the wooded policies of Drumrossie House, and would require Whitehall Road to be used for vehicular access. At present it is a narrow country lane, which is very lightly trafficked, and contributes to the enjoyment of the walk. Even the development of Site B would result in houses being built alongside it.

148.13 The Drumrossie Land Development Company objects to the changes to the proposed allocations of Sites B, C and fh4 which were suggested by the council, and seeks to retain the original proposals. In subsequent submissions, it seeks the retention of Site C, with a capacity of 25 houses; the retention of Site fh4, with a capacity of 35 houses; the extension of Site B, particularly to the north-east, with capacity for 70 houses; and an additional area for future housing, adjoining Site B and fronting the B992 opposite Site fe1, with a capacity of 35 houses. Structure planting would be provided on the outer edges of these sites.

148.14 The community council seeks the separate delineation from Site fh1 of the project area P3, for the cemetery extension.

148.15 Dr and Mrs Forrest raise concerns over the proposed housing development on Site eh3, including the arrangements for vehicular access, and the effects on their own property in relation to safety, access and privacy.

148.16 Both Chap Construction and the housing association seek the allocation for housing development of an area of land on the south-west edge of the town, within the northern part of search area fh5*. It would provide a mix of housing, including affordable housing, and would alleviate the existing flood risk to the adjacent nursing home.

148.17 NHS Grampian asks that Inch Hospital should be covered by a general healthcare policy, to safeguard it from inappropriate development and encourage the re-development of any surplus land. In addition, the field to the south should not be designated as part of project area P1 for environmental and access improvements, as it may be required for future healthcare or related uses. This point is also argued by the Friends of Inch Hospital, while the community council seeks this land's exclusion from the project area in order to facilitate possible future hospital expansion.

148.18 Dr Millar seeks the inclusion within the settlement boundary of a site on the western edge of the golf course to the west of Inch. He explained that it is currently used for unauthorised industrial purposes which are incompatible with the adjacent housing and recreation areas. Inclusion within the settlement boundary, in conjunction with the golf course or even as a detached area, would allow the industrial site to be treated as brownfield land and thus be available for around eight houses. This would benefit the golf course, and views from Dunnydeer Hill and from the Kennethmont road.

The case for the council

148.19 In response to these objections, the council suggests that the plan's provisions be modified by:

- Enlarging Site B, principally by extending it northwards.
- Relocating Site fh4 from the land on the south-east side of Whitehall Road, to land extending north from Site B, on the opposite side of the B992 from Site fe1 and the southern part of Site EmpF.

- Removing the protected area designation from the land immediately south of Inch Hospital, although it would still form part of project area P1.
- The land subject to project area P3 for the cemetery extension being defined, and excluded from Site fh1.

148.20 The provision of new housing relates more to household formation than population changes, and the structure plan requires the new housing developments at Inch. The proposals for strategic landscaping are intended to ensure a suitable edge to the settlement, and design details will be dealt with at the time of any planning application. Issues relating to the need for additional infrastructure and amenities will be addressed through developer contributions, as set out in Appendix 8. Inch Primary School's roll is forecast to decline gradually over the next 10 years, and the additional housing will alleviate the decline.

148.21 Satisfactory road access can be obtained to allow development of Sites B, C and fh4, with new accesses formed from the B992. In discussion at the inquiry it was suggested that a further project area could be added to ensure provision of continued pedestrian access to the Drumrossie Walk along the alignment of Whitehall Road.

148.22 The land to the north of search area fh5* has not been firmly allocated for housing development because of the risk of flooding from the Shevock Burn. In response to Dr and Mrs Forrest's objections, the council confirms that planning permission has been granted for the development of 60 houses on Site eh3. In relation to Dr Millar's objection, housing development here would create ribbon development and would have an adverse effect on the character and appearance of the countryside.

Conclusions

148.23 I agree that the scale of new housing development required by the structure plan to be accommodated in Inch is likely to put pressure on existing infrastructure and public services. As the council points out, this arises from the projected increase in the number of households across Aberdeenshire, within an almost static population total. However, the use of the plan's policies for developer contributions will be important in alleviating the particular difficulties which will be created in Inch, as a result of it having to accommodate such a significant proportion of the additional housing requirement.

148.24 The concerns expressed by Scottish Natural Heritage relate to the area of search fh6*, for future housing development. The ability to secure a suitable settlement edge will be a relevant factor in considering whether this is an appropriate area to accommodate future housing, but does not justify excluding it as a search area at this stage.

148.25 I agree that it would appear to be appropriate to develop housing in the area to the west of the nursing home. However, from the evidence before me, I cannot be satisfied that the threat of flooding from the Shevock Burn would not be avoided. In these circumstances, I agree that this area should remain at this stage as part of the search area (fh5*) for future housing development.

148.26 In relation to the concerns about Sites B, C and fh4, I recognise that there would be a detrimental impact arising from the extension of the town into the countryside; and on the enjoyment of the Drumrossie Walk for those accessing it, or returning, along Whitehall Road. Clearly road improvements and new junction arrangements would be required to provide

satisfactory vehicular access, but this need not be incompatible with continued pedestrian access along Whitehall Road. The addition of a further project area to secure this would be appropriate. I am also satisfied that the development of Site C can be achieved satisfactorily, while still giving protection to the woodland edge.

148.27 However I consider that it would be preferable to relocate Site fh4 to the area east of the B992, broadly opposite Site fe1, as proposed by the Drumrossie Land Company in conjunction with an enlarged and redefined Site B. This would create an integrated settlement boundary for Inch. The environmental impact of development there would be less, and I consider that the original Site fh4 should be identified as a further search area for future housing development, as its development would not be required to meet the housing requirements of the structure plan for the period 2006 to 2010.

148.28 With regard to the other objections:

- I consider that Dr and Mrs Forrest's concern about development on Site eh3 are matters to be addressed in the detailed design and assessment of a planning application.
- I agree that the proposals map should delineate the proposed cemetery extension (project area P3) separately from Site fh1.
- I agree that the land to the south of the hospital which may be required for future expansion should be excluded from the protected area designation; but I do not agree that it should be excluded from project area P1 as environmental and access improvements meantime would not be incompatible with future development aspirations. Protection under a general healthcare policy would not be appropriate (see Issue 36).
- While I see the merit in Dr Millar's pragmatic solution to the problem of an incompatible development and visual eyesore close to the edge of town, the council is empowered to address these either through its enforcement powers, or in giving weight to exceptional circumstances in assessing a planning application. Accordingly I do not consider it appropriate to use the device of incorporating this site within the settlement boundary, either as part of Inch, or detached from it.

Recommendations

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

- Site B should be enlarged and re-defined, in conjunction with the relocation of Site fh4, both as proposed in the plan submitted by the Drumrossie Land Company.
- A further area of search for future housing development (fh*) should be designated in the area of the original Site fh4.
- A further project area should be identified to ensure provision of continued pedestrian access to the Drumrossie Walk along the line of Whitehall Road.
- The proposed cemetery extension (project area P3) should be delineated separately from Site fh1.
- The land to the south of the hospital which may be required for future expansion should be excluded from the protected area designation.

Issue 149: Inverurie and Port Elphinstone

Objectors:

Bon-Accord Commercial Ltd

Mr & Mrs Davidson

Mr P Mitchell

Bancon Developments Ltd

CALA Management & A&E Sorrie

NHS Grampian

George Wimpey East Scotland

Barratt Construction Ltd

Mr B Beattie

Ms E A Beattie

Mrs A S Rigg

Mr S Ritchie

Mr & Mrs T Ritchie

Mr & Mrs Rodger

Ms E Taylor

Norman Lawie Ltd

Mr S Waites

Ms C Zeegers

Mr L Zeegers

Mr & Mrs A Jaffrey

Mr E Thorpe

Mr G Helling

Ms N Laing

Mr & Mrs Lister

Mr D Bowie

Mr V J Cutler

Ms R Duncan

Miss E Marshall

Mr C Milne

Mr G Mitchell

Mr M Evans

Mr K Fletcher

Mr & Mrs C N Geddes

Mrs E R Murray

Mr & Mrs Gray

Ms M Okland

International Paper UK Ltd

Historic Scotland

Scottish Natural Heritage

Mr G Matthews

Covell Matthews Architects Ltd

Inverurie Community Council

Norman Lawie Ltd

Mr J Metcalf

Mr O Vaughan

Garden History Society

L Kennedy

Reference Numbers:

361.24.1

361.27.1

427.5.1&2

448.32.1-7; 448.35.2

568.45.1-3&5&6 ; 568.73.1-3

568.60.10

568.68.6-7

693.5.1&9.1

706.1.1-5

707.1.1

715.1.1

717.1.1-3

718.1.1

721.1.1

742.1.1

746.1.1; 1126.1.1&11.1&12.1&44.10

755.1.1

772.1.1&2

773.1.1&2

787.1.1

750.1.1-4

779.1.1

804.1.1

812.1.1

827.1.1

857.1.1

869.1.1

876.1.1

889.2.1

890.2.1

892.1.1

895.1.1

908.1.1

927.1.1

932.1.1-3 & 5

940.1.1

978.1.1

984.1.1

986.32.2-4

992.1.2

1019.1.1

1075.1.1-5

1126.44.7

1154.1.1

1156.1.1

1242.1.1

1245.1.1

The provisions of the local plan

149.1 Inverurie, together with Port Elphinstone, is defined by a settlement boundary in the proposals maps on Pages 198-204 of the local plan; and is identified as one of the main settlements in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, at Inverurie, land for 450 houses for the period 2000 to 2005, and for 500 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 total capacity of 221 houses, and constrained sites, with a total capacity of 151 houses.

149.2 The structure plan also provides that the local plan, where possible, may indicate future housing land reserves for the period 2011-2016 for 5,700 houses in the Aberdeen housing market area as a whole. It states that these reserves shall allow for an anticipated 3,000 houses on brownfield land in Aberdeen, with the remainder distributed among accessible greenfield locations in the main service centres in Aberdeenshire, in the same broad proportions as the allocations for 2006-2010.

149.3 Policy 2 of the structure plan requires 10 to 30 hectares of land for employment uses to be available in the “Inverurie Corridor”, which includes Inverurie, Port Elphinstone and Kintore, and confirms that this includes the existing marketable supply of industrial and business land at January 2000.

149.4 The local plan proposals maps for Inverurie confirm that most of both the effective and constrained housing sites are situated on greenfield land, on the north-west side of the town, and separated from the main built-up area of the town by the A96 trunk road. The other effective sites lie east of the A96, and on the northern edge of the built up area; while the remaining two constrained sites are in-fill developments to the south of the town centre.

149.5 The sites which are allocated by the local plan for housing development in the period 2000-2005 consist of:

- Site A, for around 160 houses, which further extends the built up area to the north of the town, to the east of the A96;
- Site B, for up to 37 houses, on a gap site remaining between the east side of the A96 and the main part of the town;
- Site C, for around 233 houses, on land to the east of both the railway and the flood plain of the River Urie, and to the south-west of the B9170 road to Oldmeldrum; and
- Site D, for around 20 houses, on land to the west of the A96 at Upper Boat, on the north side of the River Don valley and immediately to the south of the minor road to Burnhervie which leads out past the hospital on the southern edge of Inverurie.

149.6 The sites which are allocated for housing development in the period 2006-2010 consist of:

- Site fh1, with an indicative capacity of 465 houses, on land to the north-east of the B9170 road to Oldmeldrum, opposite Site C; and
- Site fh2, with an indicative capacity of 35 houses, which further extends the built up area to the north of the town, adjoining part of Site A, immediately to the east of the A96.

149.7 The land designated as fh3*, which is identified as a search area for future housing development after 2010, also lies to the east of the River Urie. It is to the south-east of the B9170, and beyond the built-up area of the town where it already extends east of the railway.

149.8 In addition to four areas of employment land allocated at Kintore and Kintore Business Park, to meet the requirements of the structure plan six further sites are allocated at Inverurie and at Port Elphinstone:

- Site EmpE, which lies to the west of the A96, adjacent to the Blackhall roundabout, and immediately south of Sites eh1 and ch3;
- Site EmpF, which lies to the north-west of Site C, beyond the flood plain of the River Urie, and adjoining the B9170 on its western side;
- Site EmpG, which lies immediately to the south of an existing business park on the opposite side of the railway from the main part of the town, and accessed from the B9170 on its south-east side.
- Site EmpH, which adjoins both Site A and Site fh2 on the northern edge of the town;
- Site EmpI, which lies on the south side of Port Elphinstone and immediately to the east of the A96, to the north of the Thainstone roundabout.
- Site EmpJ, which lies immediately to the west of the Thainstone market, and is also accessed from the Thainstone roundabout on the A96.

149.9 Two major transport improvements are also shown indicatively:

- A northern link road, leading along the northern edge of Site EmpF, to connect the B9170 Oldmeldrum road with the B9001 Rothienorman road, the latter also being improved from the railway bridge at the eastern edge of Inverurie to beyond the junction with the proposed new link road. In addition, at the north-eastern edge of the town, a link to the A96 from the existing road network is to be provided along the outer edge of Sites fh2 and EmpH; and
- A relief road and transport interchange in the vicinity of the railway station, including a 'Z' shaped road link from the east side of the railway line on the B9170, around the existing railway land, to the roundabout which gives access into the superstore on Constitution Street.

149.10 Other project areas shown on the proposals map include: environmental and access improvements (P2) within Sites C and EmpF; a site for a primary school (P6) within Site C; and extensive strategic landscaping, tree planting, access improvements and community facilities (P5) in association with development on Sites C and fh1, and the future area of search fh3*. On the southern edge of the residential part of Port Elphinstone, there are project areas (P1 and P2) for environmental and access improvements; and for strategic landscaping (P13 and P14) in association with the development of Sites EmpI and EmpJ.

The objections

149.11 A general objection is made to the failure to allocate any brownfield sites for housing development, despite the structure plan's requirement that such sites should be preferred to greenfield sites. It is argued that the allocations do not take account of the availability of infrastructure or facilities, and would not reduce car dependency, or offer a choice of housing, including affordable housing.

149.12 A large number of the objections, particularly from the community council and local residents, argue against the various developments proposed beyond the River Urie, in an area referred to as Uryside. i.e. housing development on Sites C, fh1 and fh3*, a primary school, employment uses on Site EmpF and the northern link road. These developments are also opposed, either in principle or in relation to their timing, by landowners, house-builders or other developers with an interest in other proposed or potential development sites in and around Inverurie. The following key issues are raised in the objections to the developments proposed at Uryside:

- **Form of expansion:** The proposed developments would create a satellite town, separated from the rest of Inverurie by the flood plain of the river.
- **Traffic implications:** These developments would encourage traffic to come through the town centre, which is already congested. This would be detrimental to road safety, and would increase noise and fumes. There are doubts over funding, timing, provision and likely level of use of the northern link road; the resultant need to upgrade Burghmuir Drive; and the need to upgrade the bridge carrying the B9170 over the railway. One objector suggests a new bypass to the east of the town, leading around the paper mill.
- **Infrastructure:** The existing infrastructure is insufficient to allow the area to be developed. Some facilities are at breaking point. The developers should be obliged to provide the cost of all the infrastructure. The cost of the road improvements would reduce the funds available for other facilities.
- **Flooding:** Placing development near a flood plain is against national planning guidelines. The developer should have to prove that future residents would not be cut off from the rest of the settlement. Parts of Sites C and EmpF lie within the flood plain.
- **Environment:** There would be a significant loss of countryside, with negative impacts on wildlife in and around the River Urie. Site Fh3* and project area P5 would have an adverse impact upon the character and integrity of the designed landscape at Keithhall which is considered to be of national significance in terms of the Inventory of Gardens and Designed Landscapes (1987), and this would be contrary to Policy 20 of the structure plan.
- **Deliverability:** There is serious doubt as to whether the development, for both residential and employment uses, is deliverable. The area west of the A96 is more suitable for development, with residents living closer to supermarkets and sports facilities, and allowing commuters ready access to Aberdeen without the need for the northern link road. Site EmpF would suffer from poor marketability, so it

should be required as a condition in granting planning permission for the residential developments proposed to the east of the River Urie.

149.13 Other objections concerned the following matters:

- The part of the area of search fh3* which lies between the 1 in 200 year flood level of the River Urie, the B9170, and the wooded policies of Keithhall, should be released for immediate housing development. The site will lie at the heart of the eastward expansion of Inverurie, in the most sustainable location close to the town centre, shops and public transport facilities. It is not part of the historic designed landscape, and the site can be developed without adversely affecting its setting, in accordance with Policy Env\20 of the local plan. Subject to a design brief, the site can be developed for low density and high amenity housing in a manner which enhances the landscape setting both of the site and of Inverurie, and would augment the riverside park which is to be provided in conjunction with the housing now approved on Site C. The development of that site will also secure the removal of the existing traffic constraint created by the narrow bridge which carries the B9170 over the railway.
- The development of Site D at Upper Boat would represent ribbon development, and would adversely affect the rural approaches to the town.
- The field between the old cemetery and the railway line should be allocated for housing development. It should also be included within the settlement boundary, along with adjoining land bounded by the River Urie, as it is close to the site of the castle which marks the origins of Inverurie.
- The development of Site EmpG would involve use of part of the flood plain; have an adverse effect on wildlife; generate additional heavy traffic onto an overburdened road; and impact on the residential amenity of those living in the houses between it and the railway line. Two objectors instead suggested extending the site southwards to enable a viable development to be carried out, while avoiding development of the area at risk from flooding. This would protect residents in the same way that they are protected from the existing business park. The only additional house that would be affected is on the opposite side of the railway.
- The suitability for development of Site EmpI was questioned as part of it had been used for tipping waste, and there are concerns over drainage and access. Another objector stated that the southern end of the site is not contaminated and should remain allocated for employment uses, along with the area to the south of Site EmpI which has good access and is screened from the A96 by mature tree planting. There is existing employment use land to the east and west, and it has good access to the Thainstone roundabout.
- Crichtiebank House, at the southern edge of Port Elphinstone, should be designated as land suitable for appropriate employment uses. However another objector stated that, without the area to the south of Site EmpI being allocated, this land should not be designated for development as access would be taken through the residential area to the north of the site, rather than from the Thainstone roundabout.

- Site EmpH should be identified for a mixed use development comprising both employment uses and housing. The scale of the site is not justified for employment uses alone, as the average take-up of employment land has only been 0.43 hectares per annum.
- A new site for employment uses was suggested at Crichtie, which lies to the west of the A96 and south of the Port Elphinstone roundabout, and would enjoy good road access to and from the dual carriageway. It represents an ideal opportunity for the future development of a “gateway site”.
- The plan should make clear, in relation to housing Site fh2, that the line shown for the relief road is indicative only.
- NHS Grampian sought the designation of Inverurie Hospital under the proposed ‘general healthcare’ policy; and the provision of a new site for a health clinic to serve the expanding population, preferably located in the town centre within project area P4.
- The land at the southern edge of Port Elphinstone which is covered by project areas P1 and P2 (for environmental and access improvements) contains nationally important scheduled archaeology. The plan makes no provision to enable development to work with and protect these monuments.
- Project area P13, which is related to Site EmpI at the south end of Port Elphinstone, should accommodate a sand-martin colony within the proposed landscaping of this former sand quarry.
- The settlement boundary to the south of Port Elphinstone should include both the paper mill site and the existing employment land to the south-east of area EmpI.

149.14 Following evidence given at the inquiry and in the light of an earlier appeal decision, **CALA Management and A&E Sorrie** argued that land at Blackhall Road, including most of the undeveloped part of Site EmpE, should now be allocated for housing development between 2006 and 2010, and that land further to the west should be identified as a search area for future housing development beyond 2010. This would replace the designations to the east of the River Urie of Site fh1, and both fh3* and fh4*, as now suggested by the council.

149.15 The eastern part of the land at Blackhall Road has no servicing or infrastructure constraints. It is not required for employment uses, as the scale of the land allocated in the Inverurie, Port Elphinstone and Kintore corridor greatly exceeds the requirement of the structure plan, and only a furniture store has been developed there to date. The land would be effective for housing development immediately, and would provide choice of both location and house builders. If necessary, a mixed use development for residential and employment uses would be acceptable.

149.16 In terms of sustainable transport, it is closer to some facilities in Inverurie than the proposed Uryside sites, and would be well served by public transport. Cyclists and pedestrians travelling to and from the town centre would pass frontage development along the whole length of their journey, which would not be the case for Uryside. The electricity lines

currently carried by pylons would be run underground. If contained within the line of the 130 metres contour, rather than the line of the pylons, the landscape impact of the development would be acceptable.

149.17 The site at Blackhall Road is both suitable for housing development, and preferable to Site fh1 at Uryside, which lies above the B9170. Being elevated and prominent, housing development there would be intrusive in landscape terms. The changes suggested by the council do not reflect the landscape appraisals undertaken.

149.18 The effect of the housing proposals would be to concentrate all the remaining allocations (750 houses) for Inverurie up to 2010, in one location and under the control of one developer. In addition, there are doubts over the ability to deliver these houses. The part of Site C for which outline planning permission for 250 houses has been granted, requires the prior provision of an additional pedestrian bridge where the B9170 crosses the railway, and also requires the details of provision and maintenance of the proposed riverside park to be agreed. Little progress on these has been achieved. It is therefore unlikely that any houses will be completed at Uryside before the end of 2005, and it is also unlikely that more than these 250 houses can be completed there before 2010.

149.19 It is no longer certain that the Northern Link Road will be delivered in conjunction with the development of the other housing allocations at Uryside. The evidence given to the inquiry confirms that now this is only to be decided following a transport assessment relating to Site fh1. Little work on the scheme has been carried out by the council; funding has not been identified; and the necessary land may require to be acquired through a compulsory purchase order. It remains unclear, therefore, not only whether this benefit for Inverurie can be secured at all; but also whether the further housing developments at Uryside, including the affordable housing element, can be delivered, if it is required to bear the full cost of the road.

149.20 Given these concerns, the land at Blackhall Road should be allocated for residential development of 500 houses, or for a predominantly residential development together with the retention of an area of employment land. It is not disputed that it could provide an entirely acceptable housing development in townscape terms, and it could be delivered immediately.

149.21 **Bancon Developments Ltd** seeks the replacement of Site fh1 and of areas of search fh3* and fh4* at Uryside with land at Ardtannes on the south-west edge of Inverurie. It is on the west side of the A96, north of the River Don. It is accessed by the minor road which leads past the hospital and crosses the A96 by a bridge. Site D lies on the south side of that road, and the objection site extends westwards, mainly along the north side of that road, from the embankment of the A96, and extending around the southern and south-eastern edges of the golf course. It comprises sloping agricultural land, and extends to within about 300 metres of the southern edge of Site EmpE, as originally delineated, and some 130 metres to the west of the same pylon line which forms its boundary.

149.22 The company concurs with CALA's concerns about the appropriateness and deliverability of the Uryside proposals. Site fh1 would involve skyline development, and areas of search fh3* and fh4* are both restricted by potential flooding, while fh3* is also constrained by the designed landscape at Keith Hall. The potential of fh3* and fh4* falls well short of the anticipated figure of 500 houses beyond 2010.

149.23 The council has failed at any time to assess properly the proposals for Ardtannes. They are a highly deliverable, well-contained and convenient alternative to Uryside, rounding out the western edge of Inverurie between the existing and proposed developments at Blackhall Road (Sites eh1, ch1 and EmpE), and the approved housing development at the Upper Boat site (Site D). It could follow the development on Site D on a phased basis, from east to west.

149.24 Ardtannes would offer a high level of residential amenity, with outlooks across both the golf course and the river valley, which also, together with the Hill of Ardtannes, serve to contain the site. It does not extend above the level of the pylon line, and lies below the 100 metres contour, which accords with the advice of the council's landscape consultant. It is closely related to the existing built up area of Inverurie, and is less remote than Site fh1 at Uryside. It would represent an extension of St James Place, and this would be accentuated when Site D is built. It would not be visible from the A96 when travelling south. When travelling north there would only be limited views, due to screening by trees, by the development of Site D, and by the bend in the river. The designation of an area of landscape significance should not hinder development here, as its boundaries are not consistent and it also includes much of Inverurie's built up area.

149.25 The existing road links would serve the site. There is also potential to provide slip roads to and from the A96, and to provide a new road access to any of the new developments at Blackhall Road. In terms of sustainability, bus services already pass the site and it is close to the town bus service which links it to the town centre. Pedestrians would cross the A96 by the existing bridge. The hospital, primary school and park are easily accessible, and the secondary school is closer to here than to the Uryside sites. The south facing slope, and the proposed mixed use development, would both support sustainability.

149.26 In conclusion it was submitted that development at Uryside should be restricted to the west side of B9170, with the part of the original Site C for which outline planning permission has not been granted being designated as Site fh1 for development between 2006 and 2010. The land at Ardtannes should be designated as Site fh3, for development in the same period, in conjunction with land for future employment uses and a primary school. Failing that, it should be identified as a search area for future housing development after 2010.

149.27 **Barratt Construction Ltd** argued that, in response to the changes to the housing allocations at Uryside suggested by the council, both Site fh1 and area of search fh4* should be brought forward for earlier development. The arguments applied by the council in supporting an early release of land at Portlethen should apply here, as nothing has changed to alter the conclusions reached in the earlier appeal decision which confirmed that Uryside was the preferred direction for Inverurie's expansion. Continuing commitment to the eastwards growth of Inverurie at Uryside represents the best chance for the council to realise its ambition of delivering the Northern Link Road, although the precise relationship between the development of Site fh1 and the construction of the road will depend on the outcome of negotiations. Progress has been made on delivering the development for which outline planning permission has been granted, and the logic of further development here is unaltered.

The case for the council

149.28 In response to the general objection in relation to housing development in Inverurie, the council states that Inverurie has limited brownfield land available for development, but the

development of brownfield sites is supported by the plan. The proposals provide a good mix of house types at various locations, and there are a number of ongoing low cost or affordable housing projects. Account has been taken of the availability of infrastructure services and facilities, and developer contributions will address any shortcomings.

149.29 In response to the various objections to the proposed developments at Uryside, the council states that:

- The allocations for Inverurie concentrate on Uryside to enable delivery of this major new direction for long term development, which offers the best sustainable development solution for the settlement, having particular regard to enhancement of the town centre, proximity to transportation and town centre services and facilities, landscape setting, environmental friendliness and the provision of town scale open space for recreation and nature conservation. Development would not occur within the flood plain.
- The Blackhall Road alternative scores less well on all of these factors and in particular it does not provide for development beyond 2010.
- A requirement to provide Site EmpF as a condition of granting planning permission for housing development east of the River Urie would be excessive in relation to Sites C and Fh1. The council suggests modifying the proposal for employment uses on Site EmpF, to designate it as Site fe1, for development after 2006. This will limit the allocated employment land to within the range specified in the structure plan.
- Compulsory purchase powers will be used, if necessary, to ensure that the proposed northern link road is implemented.
- The primary school would come on stream with the second phase of development at Uryside, after 2006. Accordingly, the council suggests that the indicative location of the school (project area P6) should be within Site fh1.
- The area of search for future housing development (fh3*) at Keithhall is indicative only, but would complement the eastwards direction of growth of Inverurie and the allocations for 2000 to 2010 at Uryside. Every effort will be made to ensure that new development has minimal impact on the historic garden and designed landscape, to accord with Policy Env\20.
- After the publication of the finalised local plan, and following an appeal, outline planning permission has been granted for 250 houses on about 60% of Site C, towards its south-eastern end. The council suggests that the plan should be modified to restrict the extent of Site C accordingly. The remainder, along with that part of Site fh1 which lies immediately opposite it across the B9170 would be designated fh4*, as an area of search for future housing development

149.30 In relation to the other matters raised in objections, the council states that:

- The field between the cemetery and the railway is close to the River Urie and would not be suitable for housing development due to the potential risk of

flooding. The road can be impassable during flooding, which restricts emergency access and renders the site undevelopable. Visibility is poor at the access to the site, which is beside the railway bridge. The railway is an appropriate settlement boundary here.

- The impact of the development of Site D would be mitigated through a requirement for a development brief. The council has now approved a planning application for 16 houses here, subject to the completion of a Section 75 agreement.
- Site EmpG should be deleted, due to the risk of flooding over part of the site, and the environmental impact of its development.
- Site EmpI should also be deleted, due to contamination of the site. As a result, project area P13, which would have involved landscaping of the former sand quarry, will no longer be required. The deletion of Site EmpI would remove the potential of the site to the south to be complementary, and it would be relatively isolated from other development.
- Despite the deletion of employment sites, there will still be sufficient employment land allocated to meet the structure plan requirements for the Inverurie/Port Elphinstone/Kintore corridor, and at this time there is no need for further employment land to be allocated at Crichtie, west of the A96.
- However, part of the site at Crichtiebank House east of the A96 should be allocated for employment uses, in conjunction with protection of archaeological assets in the vicinity. This would provide a site with a good environment for a quality business development, and no road safety issues would arise.
- With the suggested amendments to the allocations of employment land on the south side of Port Elphinstone, it is logical to include the paper mill within the settlement boundary.
- Site EmpH should be designated for future development for employment use (as Site fe2), to tie in to Site fh2, and be subject to a development brief.
- The plan should be amended to designate as a protected area the whole of the scheduled archaeological area on the southern edge of Port Elphinstone. The effects of development proposals on archaeology will be addressed in the consideration of planning applications, and Policy Env/7 would be applied.
- The text of the plan should be amended to clarify that the line shown for the relief road is indicative only.

149.31 Following the evidence given to the inquiry, the council argued, in relation to those objections heard, that the modifications in relation to Inverurie and Port Elphinstone should be limited to those it had already suggested.

149.32 The potential for accommodating development at Ardtannes had not been identified in any of the landscape capacity studies carried out for Inverurie over recent years, and no

landscape assessment has been carried out by the objector. Its development would protrude into the countryside, within an area of landscape significance, and would expand Inverurie to the west, rather than the east. While the site benefits from the bridge over the A96 and existing bus links, it is no more sustainable than the Blackhall Road site. The allocation of Site D does not justify its release. As the practicality of providing the necessary infrastructure has not been confirmed, there is no guarantee that the site would be effective, and its development would not assist in providing the northern link road.

149.33 The Ardtannes proposal does not justify the deletion of Site fh1 at Uryside, which would not result in skyline development. In the context of the eastward expansion of Inverurie, the B9170 Oldmeldrum road would not represent an appropriate settlement boundary, and there is no reason to exclude either fh3* or fh4* as areas of search for future housing development.

149.34 In relation to Blackhall Road, the council accepts that there is land with capacity for development, but considers that housing development there would be less sustainable than at Uryside which has better accessibility to the town centre. The western extent of any development at Blackhall Road should be limited to the line of the electricity pylons, to reflect the existing pattern of development and avoid breaching the skyline.

149.35 While it is accepted that the structure plan requirements in relation to employment land have been met elsewhere, a qualitative argument remains. The Blackhall Road site is the only one now proposed for employment uses in Inverurie itself, and its development has begun.

149.36 Its use for housing is not justified as being preferable to Uryside. Development above the B9170 would not have an unacceptable landscape impact, and would assist in delivering the northern link road. While development at Uryside, on the land granted outline planning permission, has not occurred as soon as anticipated, progress has been made on the critical issues and the site is regarded as effective. There is nothing to suggest that Site fh1 could not be developed within the 2006-2010 period.

149.37 Areas of search fh3* and fh4*, as now proposed by the council, have been identified consistently in the landscape capacity studies carried out for the expansion of Inverurie. The inclusion within fh4* of part of the land below the B9170, relates only to the timing of development. By contrast the potential for development of the western part of the Blackhall Road site, beyond the ridge, has not been considered in any landscape study, and would involve land that is designated as being of landscape significance. Development there would require to be of a greater scale than is envisaged by Policy 10 of the structure plan.

149.38 In response to the objections by **Barratt Construction Ltd**, the council argued that the only basis for bringing sites forward for earlier development would be if it was concluded from the consideration of the overall housing land supply for the whole of Aberdeenshire that further, earlier releases are justified. In that case, these should be found from the sites which have already been identified as suitable for housing development in the local plan, and have therefore been subject to proper scrutiny. The council remains committed to further housing development at Uryside, but it will respect the outcome of the local plan process.

Conclusions

149.39 I will deal first with the issues relating to the allocation of land for housing development in Inverurie. The structure plan requires the local plan to provide for a very significant scale of new housing development in the periods 2000 to 2005, and 2006 to 2010. In addition, it should also identify further areas for housing growth beyond 2010. While it would be preferable for new housing to be developed on brownfield sites within the existing built up area, none have been identified, and it is therefore necessary to identify extensive greenfield sites for release.

149.40 It is clear that this scale of further growth for Inverurie will require the new housing development to “leap” one or both of the significant barriers formed by the railway and the River Urie to the east, and by the A96 which previously bypassed Inverurie to the west. However, some development has already occurred to the east of the railway and to the west of the A96, and planning permission for 250 houses has already been granted to the east of the River Urie’s flood plain. The local plan proposes substantial further development in both locations, with the new allocations to the east of the River Urie focusing principally on housing development; and those to the west of the A96, and to the north-west of the golf course, providing for employment uses.

149.41 The principal issue arising from the objections is whether nearly all the new housing development in the period up to 2010 should be concentrated to the east of the town. Alternatively, a substantial proportion of the land for housing development could be allocated to the west of the A96. This could be either on the land at Blackhall Road to the north-west of the golf course, most of which has been allocated for employment uses; or on the agricultural land adjoining it and/or the land to the south and south-east of the golf course, in the area known as Ardtannes, all of which is proposed to remain as countryside, outwith the settlement boundary.

149.42 Given the scale of development specified by the structure plan now and for the future, I find no over-riding reason in principle for rejecting either option in relation to the likely landscape impact. Significant intrusion into the existing countryside is unavoidable, but the landform in both cases would afford reasonable containment of the expanded town, and the appearance of skyline development can be avoided in both cases, except when the buildings are viewed from close proximity. While new areas of development on either side of the town would experience a significant degree of severance, due to the presence of the railway and the river or of the trunk road, each would still appear and function as part of the town.

149.43 While the local plan is required to secure the numerical requirements of the structure plan, these are not expressed as absolute limits. It is very important to ensure that sufficient new houses are provided to meet the continuing growth in the number of households within Aberdeenshire’s relatively static population total. However local planning is not simply “planning by numbers”, and there is clearly a need to reconcile this responsibility with that of securing good town planning. In Inverurie, this entails also delivering the infrastructure and services which, along with attractive residential environments, will ensure that the town expansion areas become good places in which to live, work and play, and would contribute positively to the town as a whole. Increased distance of new houses from the town centre is, however, an expected consequence of town expansion; and the issues to be addressed are wider than those which were resolved through the previous appeal decisions.

149.44 The approved development on part of Site C at Uryside will secure the provision of the riverside park for the town. It will also remove the roads constraint on the B9170 at the bridge over the railway line. This will benefit the residents and businesses of Inverurie, as well as other communities which use that road. The delay which has occurred in implementing the approved scheme will be worthwhile if those benefits are secured. However, the consequence has been that much of the new housing required by the structure plan in Inverurie for the period 2000 to 2005 will not be built until later. In these circumstances, I consider that it is important that the local plan ensures that the housing land intended for development between 2006 to 2010 is allocated on land where construction can be expected to proceed without significant delay.

149.45 The development of the remaining housing land identified at Uryside is still further constrained by the need for the construction of the northern link road. This will secure an effective link between the B9170 Oldmeldrum road and the B9001 Rothienorman road, together with associated improvements to the B9001. It would certainly secure better access to and from the new developments at Uryside, but would benefit the whole town by enabling traffic which currently uses the town centre to avoid it. Those travelling to and from both Oldmeldrum and Rothienorman, and the various communities beyond, would also benefit from improved access and a choice of routes.

149.46 Unfortunately, from the evidence before me I cannot conclude with confidence that concentrating all the further housing land at Uryside will result in either the road link or the housing being secured within the timescale envisaged by the structure plan. While negotiations are being progressed within one house-builder, it is apparent that the road scheme has not been designed in detail, or costed; that the necessary land has not yet been acquired; that the council has not programmed any necessary funds; and that the developer, while willing to contribute, does not know whether this will be sufficient to ensure its construction, and cannot yet assess the impact of these unquantified costs on the viability of the housing development.

149.47 In relation to the land designated as fh3* to the east of the River Urie, I find that it has significant advantages due to its proximity to the town centre, which will be enhanced with the removal of the constraint at the railway bridge. However the provision of the northern link road is also relevant to it, while the extent of development which could be permitted without affecting the setting of the designed landscape at Keithhall has not yet been fully investigated.

149.48 In relation to Site C, the council has suggested altering its boundaries to reflect the area for which outline planning permission has now been granted for 250 houses, as well as the calculated level of a 1 in 200 years flood on the river. However, the council has confirmed that it does not use the indicative capacity of a site, as stated in the local plan, as a limit on the scale of development which is approved through a planning application. This provides a significant degree of flexibility which, here, will contribute to the housing land supply; may assist in securing the provision of necessary infrastructure and services; and would encourage the completion of development below the line of the B9170, before the release of more prominent land above it.

149.49 For the same reasons, I find that the designation of Site EmpF should remain unaltered, except that its boundaries should also reflect the line now intended for the Northern Link Road.

149.50 I therefore conclude that the following modifications should be made in relation to land for housing east of the River Urie:

- The boundaries of Site C should remain unchanged, except to reflect the line of the 1 in 200 years flood to the east of the River Urie.
- The boundaries of Site EmpF should be modified to reflect the line now intended for the Northern Link Road.
- The land to the north-east of the B9170, originally identified as fh1, should be designated as fh4* as an area of search for future housing development after 2010.
- The text relating to area of search fh3* should state that it does not include the designed landscape at Keithhall.

149.51 Turning to the land to the west of Inverurie, the impending completion of Site eh1/ch1, together with the recent development of the retail furniture showroom and the extent of the proposed land for employment uses (Site EmpE), combine to represent a large scale expansion of the town over to the west of the A96, all of which is accessed from the Blackhall roundabout and its associated underpass.

149.52 On the eastern part of the Blackhall Road site, the objections by CALA Management Ltd and A&E Sorrie seek to change, from employment use to housing, the designation of most of the land identified as Site EmpE, with the exception of the land in separate ownership and including the area on which the retail showroom has been built.

149.53 The designation of this land for employment uses is not justified by any shortfall in the amount of land required by the structure plan to be allocated for employment uses in the Inverurie, Port Elphinstone, Kintore corridor. While the council states that it is justified in qualitative terms, it has granted planning permission for a retail furniture showroom and a leisure use. Retail is included in the local plan's definition of employment uses, and I am satisfied that both retail and leisure would be compatible with the existing residential area to the north and, subject to adequate separation and landscaping, they would also be compatible with further housing on the objection site. While Class 4 'Business' uses should also be compatible, industrial uses are unlikely to be compatible with nearby houses and would be more appropriately located on other sites allocated for employment uses to the south, particularly where the A96 is a dual carriageway.

149.54 I consider that the eastern part of the Blackhall Road site would be suitable for housing development, and the council agrees that an acceptable development in townscape terms can be achieved. The main point of disagreement is whether built development should be allowed to extend above and beyond the line formed by the existing electricity pylons to the west. As the developer proposes to bury the electricity cables underground, I agree that this would appear an arbitrary boundary.

149.55 On the basis of my site inspection, I am satisfied that the key issue is to avoid built development breaching the skyline when viewed from the B9170. This will require to be assessed separately in relation to specific site layouts and building designs, in conjunction with particular landscaping proposals, but I agree that the 130 metres contour would generally represent an appropriate western boundary here.

149.56 The council accepts that this site would be effective and would be capable of delivering, along with Site fh2, all 500 houses required within the period 2006-2010. While

no significant infrastructure constraints require to be removed which might benefit the rest of the town, the immediate access to and from the A96 would minimise car journeys through the congested town centre. In terms of sustainability, this site is more distant from the town centre than some of the land at Uryside, but some of the town's retail and leisure facilities are closer, and there is closer access to more frequent bus services.

149.57 This area also offers the potential to link in future to development of the Ardtannes site. This would appear as a more prominent intrusion into the countryside when viewed northbound on the A96, but the council has now granted planning permission for a significant residential development at Site D. This will form a significant breach of the visual boundary between town and countryside which is formed by the A96. It has the important benefit of an existing bridge carrying both the road and the footway over the A96, which offers the potential benefit of providing vehicular access between the main part of the town and both the Ardtannes site and, potentially, the Blackhall Road site to the north, without adding to traffic on the trunk road.

149.58 However, only a preliminary assessment appears to have been undertaken of the problems and opportunities offered by the Ardtannes site, and I consider that it would not be appropriate to identify it for development prior to 2011. However I conclude that it would be appropriate to identify this as a search area for future housing development.

149.59 By contrast, development of the western part of the Blackhall Road site would extend Inverurie over the ridge which contains it to the west, and constitute a very significant intrusion into open countryside. I find nothing in the structure plan which requires expansion of Inverurie on such a scale that might justify this being contemplated in the foreseeable future.

149.60 I do not consider that the settlement boundary at the south-east edge of Inverurie should follow the river rather than the railway. There is no evidence that the area proposed for housing development functions as part of the town at present. While the nearby castle remains may mark the origins of Inverurie, the land forms part of the flood plain and should not be developed for housing. The position is exacerbated by the likelihood that emergency vehicles would not be able to access this area during flooding conditions.

149.61 I accept the evidence that there is a shortage of land for business uses within Inverurie itself, and that the rapid completion of the small existing business park at Souterford Road demonstrates the demand for this type of employment use. It is in close proximity to existing houses, and I consider that an extension to the business park, as envisaged in the allocation of Site EmpG in the deposit version of the plan, could also be accommodated without serious detriment to residential amenity. However, part of the area is now confirmed to lie within the 1 in 200 years return flood plain along the River Urie. In these circumstances I agree that the area of Site EmpG should be re-defined, with a southerly extension, as shown in the plan submitted on behalf of Bon-Accord Commercial Ltd, and that the text should indicate that the detailed design and layout should take full account of a flood appraisal of the site.

149.62 The area on the south side of Port Elphinstone clearly provides a focal point for existing and proposed employment uses, contributing significantly to meeting the requirements of the structure plan. I consider that the plan fails to provide clarity by separating Port Elphinstone into four discrete parts, each with its own separate boundary, none of which contains the paper mill. While the council has suggested some rationalisation,

I consider that a single boundary should incorporate the four original parts, together with the paper mill and its associated buildings and works, as well as the intervening land, and including the land south of the original Site EmpI, which connects across the A96 to Thainstone.

149.63 Within that framework, I consider that the boundaries of Site EmpI should be re-drawn to exclude that area which has been contaminated, but to include the land to the south, which is adjacent to the Thainstone roundabout and enjoys effective screening. The presence within the settlement boundary of an area of contaminated land does not create a presumption that any form of development would be appropriate there. However the extension of the protected area designation over the archaeological sites and nearby wooded policies would be appropriate.

149.64 I also agree that a further area should be identified for employment use at Crichtiebank House, as delineated by the council. I accept that the farm land at Crichtie offers significant potential for future development for employment use, given its ready access to the A96 dual carriageway from the Port Elphinstone roundabout. However, this would be a very significant and prominent intrusion westwards into the countryside. The scale of development which could be accommodated is not envisaged by the structure plan and there is no other evidence to justify its allocation at present.

149.65 There is also no evidence before me to suggest that a new eastern by-pass of the whole of Inverurie and Port Elphinstone would be a practical, or financially viable, proposition. With the relative shortage of employment land in Inverurie itself, I do not consider that any modification or delay to the phasing of Site EmpH would be justified. In relation to health-care facilities, I have found that a specific policy under which the hospital would be designated is not justified (see Issue 36); and while I agree that the town centre would be an appropriate location for a new health clinic, no site has been brought to my attention.

Recommendations

149.66 I recommend that the plan's provisions in relation to Inverurie and Port Elphinstone should be modified as follows:

- At Uryside, the boundaries of Sites C and EmpF should be modified only to remove the land which would be affected by a 1 in 200 years return flood, and to reflect more accurately the proposed line of the northern link road; and Site fh1 should be re-designated as a search area for future housing development after 2010, and be identified with the appropriate symbol and with its outer boundary removed.
- The boundary of Site EmpG should be re-drawn with a southerly extension, as shown in the drawing submitted by Bon-Accord Commercial Ltd, to avoid development in the flood plain. The text should be amended to state that the detailed layout will be subject to the findings of a flood appraisal, and that the specific uses, layout and buildings will also be controlled to protect the amenity of nearby residents.
- At Blackhall Road, the extent of Site EmpE should be restricted to the area for which planning permission has been granted. The eastern area which was the

subject of objection by CALA Management Ltd and A & E Sorrie should be delineated to reflect the boundaries shown on the “indicative masterplan” submitted as a document (CAL5) to the inquiry. It should be identified as an “fh” site for housing development in the period 2006 to 2010, with an indicative capacity of 465 houses, and should include project areas for a primary school and for strategic landscaping. The associated text should state that the development of this site shall be the subject of a masterplan, approved by the planning authority, which shall ensure that the western extent of built development will be restricted to avoid the appearance of skyline development when viewed from the B9170; that the potential for journeys to be made by foot, cycle and public transport is maximised; and that the potential for providing a future distributor road connection through the land to the south is safeguarded.

- The land at Ardtannes, on the north side of the minor public road and to the south and south-west of the golf course, should be identified with an fh* designation, as a search area for future housing development.
- The boundaries of Sites fh2 and EmpH should be re-defined to ensure that they do not extend beyond the line of the first part of the proposed northern link road leading directly from the A96.
- At Port Elphinstone, the four separate parts should be combined within a single settlement boundary, which should include the buildings and land associated with the paper mill. Boundary of Site EmpI should be re-defined to exclude the area which has been contaminated, but extended to include the land immediately to the south. In addition, as suggested by the council, the protected area to the south of the residential area should be extended; and land at Crichtiebank House should be identified as a site for employment uses.

Issue 151: Kemnay

Objectors:

Malcolm Allan House Builders Ltd
Kemnay Community Council
Barratt Construction Ltd
Mrs F Piggins
Deveron Homes
Mr & Mrs Bayfield
Mrs M Renton
Mr S Ross
Mr N Skinner
Mr A Walker
Mr S Wilson
Mr & Mrs A Hinton
Mr R Jones
Mr T Atkinson
The Cat Calvin
Mr Culley
Mr A D Murray
Norman Lawie Ltd
Ms A Ferries
Babycare Direct Ltd

Reference Numbers:

47.22.1
56.3.1, 3
252.25.1; 448.51.1
554.2.1
568.65.1
705.1.1
714.1.1
722.1.1
731.1.1
756.1.1
765.1.1
781.1.1-3
791.1.1-3
802.1.1
841.1.1
856.1.1
925.1.1
1126.28.1&29.1
1261.1.1 & 2.1
1135.1.1

Procedures:

Informal Hearing and Written Submissions

Reporter:

David Russell

The provisions of the local plan

151.1 Kemnay is defined by a settlement boundary in the proposals maps on Pages 221 and 222 of the local plan; and is identified as one of the rural service centres in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate, among all the rural service centres in the Garioch area within this housing market area, land for 40 houses for the period 2000 to 2005, and for 125 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, comprising effective sites with a total capacity of 463 houses and constrained sites with a total capacity of 25 houses.

151.2 The proposals maps for Kemnay identify four effective housing sites, with a total capacity of 58 houses. Two of these lie within the built up area, and the others on its south-east and south-west edges. The constrained site has a capacity of 15 houses and lies within the town centre. Two further sites are allocated for housing development: Site A extends south from Site eh3, has a stated capacity of around 60 houses, and is allocated for development between 2000 and 2005; and Site fh1 is on the eastern edge of Kemnay, has a stated capacity of 20 houses, and is allocated for development between 2006 and 2010.

151.3 At the northern edge of the settlement, land (Site EmpC) is allocated for employment uses. A site (fe1) for future development for employment uses is allocated on land adjoining Site fh1, on the north side of the B994 road.

The objections

151.4 Most of the objections relate to proposed housing developments. Malcolm Allan House Builders Ltd seeks the allocation for residential development of land between Milton Farm and phase 2 of the Milton Meadows development. This site should be allocated instead of, or in addition to, Site A; or part of the site should be allocated instead of Site fh1, with the remainder, or the whole site, reserved for future housing under Policy Hou\2. It has previously been considered to be suitable for development, with any potential flooding issues capable of being addressed. The adjoining housing site has been built so as to allow its continuation onto this site. The converted farm buildings to the south would provide an appropriate settlement edge. The recently proposed changes to Site A indicate that it is a sensitive site, and there are doubts about whether it can accommodate 60 houses, while Site fh1 is relatively exposed.

151.5 Norman Lawie Ltd also argues that this area would form a natural extension to the settlement and would allow for completion of the distributor road partly formed by the previous housing development. In addition, another area on the south-east edge of the settlement, between the Glebe and the B994, would form a natural extension to the village. It should be included as the area of future housing in place of Site fh1, which is an encroachment into the countryside alongside the Aberdeen road. Development here was also supported by Mr Ross.

151.6 Norman Lawie Ltd separately suggests that another area on the south-east edge of the settlement, lying between the Glebe and the B994, would form a natural extension to the village. It should be included as the area of future housing in place of Site fh1, which is an encroachment into the countryside along the Aberdeen road.

151.7 Deveron Homes Ltd seeks an increase in the stated capacity of Site fh1 to 40-50 houses. This would still allow the provision of open space and strategic landscaping, and would help to maintain the five year housing land supply. This area could be readily serviced and integrated with the rest of the settlement. Kemnay is a town with a wide range of services and facilities, and can readily accommodate additional housing. The proposed housing development here would contribute to the local community by cross-subsidising the servicing of the adjacent employment land (Site fe1). Earlier release would ensure the timely development of the employment land, and alleviate the shortfall in the effective housing land supply. Following discussion at the inquiry, it was confirmed that a modification to Site fe1 would be acceptable, which would restrict the employment uses on the site to Class 4 Business uses.

151.8 Barratt Construction Ltd objects to the council's suggested change, which is to reduce the size of Site A. The site as a whole represents a suitable and sustainable location for housing. It is an effective site, and not affected by any statutory conservation or landscape designations. Its allocation was supported in the report of the previous local plan inquiry. The whole site can accommodate more than 60 houses. This is consistent with government policy to maximise the potential of development sites, and would contribute to alleviating any shortfall in the effective housing land supply. There is no significant difference between the

eastern and western parts of the site in terms of their landscape or visual impact, although development could be phased, with the eastern part being allocated for the period between 2006 and 2010. It is less conspicuous than Site fh1, which is on the main approach into Kemnay, and would concentrate development in an area which is already serviced.

151.9 Following discussion at the inquiry, it was argued that the council's suggested modification was "playing the numbers game". The structure plan places no embargo on additional housing in rural service centres, and the whole site has been supported and promoted by the council. It is the best location for housing development. The designated open space nearby would be protected, while the eastern part of the site doesn't merit protection in landscape terms.

151.10 Ms Ferries also objects to the suggested reduction in the size of Site A. The whole area was allocated following the previous local plan inquiry. The site is close to the village and is ideal for much needed housing. There is no need for a further area of open space, other than the normal allowance within a housing development, or for the designation of a protected area.

151.11 The community council and several local residents object to the development of Site A, either as a whole or in a reduced form; and also to the project area for strategic landscaping which is associated with it. Kemnay has inadequate facilities, and further development would put pressure on the school. It has poor public transport links, and few employment opportunities, so the development would result in additional car commuting to Aberdeen, with more right turn manoeuvres across the main road in the morning. There has already been extensive development in Kemnay and further development would be detrimental to village life. Sixty houses is too many for a rural service centre, and these would be better directed to the main settlements.

151.12 Access to Site A from Bogbeth Road would exacerbate problems of congestion; raise road safety issues; and render it unsuitable for pursuits such as walking, cycling, horse riding and generally enjoying the countryside. Particular concern was expressed about the impact on the adjacent park, in terms of safety, parking, potential flooding, and loss of amenity which is derived from the outlook towards open countryside. Development of Site A would result in a loss of countryside, and the setting of the "De'il's Stane" which is within it, and it would be visible in long-distance views from surrounding hills. The suggested reduction in size of Site A would reduce its visual impact, but would still occur on the lower part, blocking both the outlook from the park and views towards the De'il's Stane.

151.13 Following discussion at the inquiry, it was argued that allocating a site for 60 houses in this rural service centre would be anomalous, as the structure plan requires only 40 houses among all the rural service centres.

151.14 Mr Jones objects to the development on Site eh3, due to loss of countryside and the impact on road safety.

151.15 The community council recognises the need for more employment in Kemnay, but objects to the allocation of Site fe1. Development here would be highly visible from certain directions and spoil the approach to Kemnay, and it may not be possible to exclude industrial uses or ensure that the buildings are low-rise.

151.16 Babycare Direct Ltd objects to the total lack of provision in Kemnay for small and medium sized enterprises. Provision is needed for medium sized businesses, as the owners of existing zoned areas are only interested in selling to large businesses.

151.17 The community council suggests that the reference to “primary school provision at Auchleven” in Appendix 8 on Page 385, in relation to possible developer contributions, should be changed to “primary school provision at Kemnay”.

The case for the council

151.18 The council states that Site A was allocated through the previous local plan inquiry, and therefore no alternative allocation can be contemplated. Site fh1 is the next best direction for expansion, and is intended to enable implementation of the future employment land at Site fe1. The normal limit to new housing development in rural service centres is 15 houses, and the remaining housing land allocations of the structure plan have been met on more appropriate sites elsewhere. The site near Milton Farm was not included due to potential flooding.

151.19 Following consideration of the objections, the council has suggested reducing the extent of Site A. It had been allocated for 60 houses through the previous local plan inquiry. However, as these can be accommodated within a smaller area together with parking provision for the adjacent park, the extent of the site should be reduced accordingly. This better reflects Kemnay’s new status as a rural service centre. The balance of Site A is on higher ground, and should be designated as a protected area, complementing the wooded character of the area to the east and north-east, and the ‘Great Stone’ feature.

151.20 Site fh1 should be restricted to the development of only around 20 houses, as this too is a suitable amount for a rural service centre in the period 2006 to 2010.

151.21 In relation to accommodation for small or medium sized businesses, the council agrees that a range of employment sites is desirable. The development of Site fe1 would take account of its gateway location, and the brief for the site could include provision for smaller and medium sized business premises. Following discussion at the inquiry, the council indicated that a modification to restrict the range of uses on Site fe1 would be appropriate.

151.22 The council accepts that the reference on Page 385, in relation to developer contributions, should be to primary school provision at Kemnay.

Conclusions

151.23 Given its size, the structure plan’s inclusion of Kemnay among the rural service centres appears anomalous. The consequence is that it is not required to accommodate any of the large scale allocations of housing development which apply to the designated main settlements in this local plan area. Indeed, the obligation arising from the structure plan is a modest one: in Kemnay, together with the other rural service centres in the Garioch part of the Aberdeen housing market area, land for a total of only 40 houses is required to be allocated for the period 2000 to 2005, and for a total of only 125 houses for the period 2006 to 2010.

151.24 In this context, the allocation of a site with an indicative capacity for 60 houses for the first period, and another site with capacity for 20 houses for the second period, could appear excessive, especially when the developers consider that their practical capacity is significantly greater in both cases.

151.25 In the wider context, however, of a significant growth in the number of households despite Aberdeenshire's largely static population size, I consider that it is not unreasonable that one site for housing development should be allocated in Kemnay for each of the two periods.

151.26 Site A emerged as the most suitable at the previous local plan inquiry, and no evidence has been led which would lead me to disagree with that conclusion. The development of any greenfield site would lead to some loss of outlook and amenity for neighbouring residents, together with additional vehicles on the local road network. The development is on rising land, but would be adjacent to existing houses and enjoy a backcloth of mature trees above. Suitable access can be obtained, and improved parking provided for the park. The road would continue to give access out to the countryside, and although the park would lose its immediate outlook over open fields, this is not unusual for an essentially urban park. Detailed design proposals could ensure the retention and an appropriate setting for the De'il's Stane.

151.27 I find that the modification suggested by the council secures little or no benefit, and simply reflects an artificial adherence to the originally indicated capacity of the site. It has confirmed it would not enforce this elsewhere, with the appropriate density of development on a site being addressed in detail when a planning application is submitted. As no maximum upper limit is established by the structure plan, I therefore conclude that Site A, as originally proposed, should remain unmodified.

151.28 In identifying a suitable location for housing development in the second period, I find that each of the suggested sites could be suitable to accommodate some growth, although the scale of this may be limited at Milton Farm by the precise extent of the potential flooding risk. However I am persuaded that Site fh1 would be the most appropriate, as it offers the opportunity to secure additional provision for employment in Kemnay through the servicing of Site fe1 in conjunction with the housing development. Given the limited job opportunities locally in a place of Kemnay's size, and the prevalence of commuting, principally to Aberdeen, I find that this would be a significant benefit to the local community.

151.29 However, I agree with the community council that this is a prominent site on the approach to Kemnay. It will be important that the council exercises careful control over the design of the buildings, and it would be appropriate for the local plan to specify that the uses allowed on the site will be restricted to Class 4 Business use. Similarly, the local plan should place a requirement on Site fh1, to ensure that its development is undertaken in conjunction with the servicing of Site fe1. I see no reason why the flexible approach which the council has confirmed it will apply to the eventual density of development should not apply here also, particularly as any artificial restriction could result in the creation of a gap site between it and Site fe1; or it could threaten the viability of the development and the provision of servicing for the employment land.

151.30 On other matters, I note that the houses on Site eh3, to which objection is made, have now been built; and I agree that Appendix 8 should be amended to contain the correct

reference to Kemnay primary school. The development of Sites EmpC and fe1 are likely to improve the provision for both small and medium sized enterprises, but I do not consider that it would be appropriate for the local plan to specify the size of premises or scale of accommodation to be provided on each.

Recommendations

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

- The text relating to Site fh1 should state that the servicing of Site fe1 should be undertaken in conjunction with the development of this site.
- The text relating to Site fe1 should state the employment uses permitted on this site will be restricted to those in Class 4 'Business' use.
- The reference to "primary school provision at Auchleven" in Appendix 8 on Page 385, in relation to possible developer contributions in Kemnay, should be changed to "primary school provision at Kemnay".

Issue 152: Kingseat

Objector:
NHS Grampian

Reference Numbers:
568.60.13; 568.94.1

Procedure:
Written Submissions

Reporter:
David Russell

The provisions of the local plan

152.1 Kingseat is a vacant former hospital complex lying in the countryside about one kilometre east of Newmachar. It is not defined by a settlement boundary; but it is identified on the proposals maps on Page 219 of the local plan as one of the rural service centres in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate, among all the rural service centres in the Garioch area, land for 40 houses for the period 2000 to 2005, and for 125 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 comprised effective sites with a total capacity of 463 houses, and constrained sites with a total capacity of 25 houses.

152.2 The proposals map designates Kingseat as an “opportunity for enabling development”, and indicates that the whole area of the complex lies within a conservation area. Within it, a project area P is identified for community facilities.

The objections

152.3 NHS Grampian seeks the designation of a settlement boundary covering all the land in its ownership, which extends beyond the edge of the built up area. This would enable the agricultural tenancies to be terminated. Reference should be made to the number of houses, and that there is now a planning permission for 352 houses. This scale of development is necessary to secure the project’s viability. Areas of land should also be identified for future development, to make best use of existing resources

The case for the council

152.4 The council suggests changing the text to state that: “In Kingseat there is an opportunity for enabling development comprising housing units on brownfield land and greenfield land (including affordable housing) and appropriate employment use(s). The Housing Land Audit 2000 identifies Kingseat for 240 effective units and 10 constrained.”

152.5 The existing planning permission is on record and this modification is appropriate to the circumstances of the development opportunity. The modification does not rule out development of a higher number of houses.

Conclusions

152.6 The provisions in relation to Kingseat are anomalous in several respects. The vacant complex does not at present meet the definition of a settlement, and therefore should not be identified as a rural service centre at present, or have a settlement boundary. The main proposals map for Garioch does not identify it as a rural service centre. It does identify it with the “star” symbol which elsewhere indicates that it is an “opportunity for enabling development”, but this is not explained in the key to that map.

152.7 However Kingseat is specifically included in Chapter 8 as one of rural service centres among the settlements within Garioch, although the detailed map of Kingseat identifies neither the effective nor the constrained housing sites which are referred to in the Housing Land Audit 2000 and listed in Appendix 10. While the text states that at Kingseat there is an opportunity for enabling development, it does not specify the objective for which any development might be approved, or what it might enable.

152.8 At present it is a vacant institution in the countryside. I consider that implementation of the approved housing development, either as identified in the housing land audit or as specified in the planning permission, provided that it incorporates a community function, would result in Kingseat meeting the definition of a settlement.

152.9 I am satisfied that the local plan provides sufficient flexibility to meet the council’s objectives. However, “opportunities for enabling developments” should be defined within Chapter 8 as a separate category, with an explanation that, once implemented, these would become settlements, and be defined as rural service centres. Detailed maps of each should be included as a separate category in each area, after the “main settlements” and the “rural service centres”.

152.10 The map of Kingseat should show the areas to which the effective and constrained housing sites relate, and the text should explain the purpose behind the identification of an opportunity for enabling development, and what form of development, if any, might be permitted in addition to housing. The council has confirmed that planning applications for identified sites will not necessarily be restricted to the capacities indicated in the local plan, if this is justified by the circumstances of the site or of the particular proposal.

Recommendation

152.11 I recommend that the plan’s provisions in relation to Kingseat should be modified as follows:

- Chapter 8 “The Settlements” of the local plan should identify “opportunities for enabling developments” as a separate category from main settlements or rural service centres. The text should explain that, once implemented, these places would become settlements, and be defined as rural service centres. Detailed maps of Kingseat should be included as a separate category, i.e. an “opportunity for enabling development”, after the “main settlements” and the “rural service centres”.
- The map for Kingseat should delineate the areas to which the effective and constrained housing sites relate.

- The associated text should explain the purpose behind the identification of the opportunity for enabling development, and what form of development, if any, might be permitted in addition to housing.

Issue 153: Kinmuck

Objectors:

Tor Ecosse Ltd
William Lippe Architects
Mr & Mrs J Bain
Mr J Benton

Reference Numbers:

47.17.1
361.29.1
568.70.1
619.15.1

Procedures:

Informal Hearing and Written Submissions

Reporter:

David Russell

The provisions of the local plan

153.1 Kinmuck is defined by a settlement boundary in the proposals map on Page 223 of the local plan; and is identified as one of the rural service centres in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate, among all the rural service centres in the Garioch area, land for 40 houses for the period 2000 to 2005, and for 125 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 comprised effective sites with a total capacity of 463 houses, and constrained sites with a total capacity of 25 houses.

153.2 The proposals map for Kinmuck identifies one site (Site A) for housing development in the period 2000-2005, with capacity for around 6 houses. It lies on the south side of the main road through the village, to the rear of a belt of mature deciduous trees which lines the road and extends eastwards out of the village. A further site (Site fh1) is identified for housing development in the period 2006-2010, also with an indicative capacity of 6 houses, and adjoins Site A to the east. The tree belt is designated as a protected area where it borders Sites A and fh1; and a project area (P) for strategic landscaping is shown on the southern boundary of Site fh1.

The objections

153.3 Tor Ecosse Ltd and William Lippe Architects seek the earlier development of Site Fh1, in the period 2000 to 2005. It would make a small but useful contribution to alleviating the shortfall in the effective housing land supply, and early provision of the strategic landscaping would also benefit the development on Site A and prevent it appearing uncompleted.

153.4 Mr and Mrs J Bain object to the allocation of Site fh1, as housing development here would be visually obtrusive on approach to the settlement. It may result in the removal of the mature trees, which would be detrimental to the amenity of the area. They suggest instead the allocation of a site which lies to the rear of the properties which front onto the north side of the main road. Affordable housing with a variety of designs and sizes would be provided, together with community facilities. The owner would offer land for a village green to allow for ball games away from the main road.

153.5 Mr Benton objects to the omission of a previously proposed site at the west end of Kinmuck. Housing here would contribute towards the required 5 year minimum supply of housing land and form a logical extension to the settlement.

The case for the council

153.6 The local plan allocates enough housing land to meet the housing land requirements set out in Policies 8 and 9 of the structure plan, and Site fh1 is the most appropriate for development following the completion of Site A. The line of mature trees would be retained.

153.7 The site suggested by Mr and Mrs Bain would not form a logical extension to the settlement at this time or round it off in a balanced form. It too would be visible on approach from the east. The site suggested by Mr Benton would not complement the existing form or the landscape setting of Kinmuck.

Conclusions

153.8 I agree that Site fh1 represents the most logical area for new housing to follow development on Site A. The line of trees fronting the main road would be retained, offering valuable screening and maintaining part of the character of the settlement. The policies of the local plan in relation to the provision of affordable housing and community facilities would apply to any site Kinmuck. While the suggested alternatives may offer scope for further extensions to this settlement, neither would bring particular benefits which would outweigh the advantages of Site fh1. On the other hand, I also find no general or specific reasons which would justify identifying Site fh1 for earlier development.

Recommendation

153.9 I recommend that the plan's provisions in relation to Kinmuck should not be modified.

Issue 154: Kintore

Objectors:

Tor Ecosse
Landowners at Gauchhill
Stewart Milne Homes
Mr J A Brownie
Mr B Geals
Norman Lawie Ltd

Keppie Planning
Ms L Findlay
Mr J Craig

Reference Numbers:

11.2.4
361.28.1
445.2.8
833.1.1
907.1.1
1126.3.1, 5.1, 15.1, 16.1,
17.1, 37.1, 38.1
958.2.1 & 7.1
1152.1.1
1286.1.1

Procedures:

Informal Hearing and Written Submissions

Reporter:

David Russell

The provisions of the local plan

154.1 Kintore is identified as one of the main settlements in the Garioch area of Aberdeenshire; and is defined as comprising two parts by the settlement boundaries identified in the proposals maps on Pages 206-208 of the local plan. Kintore business park, which lies on the east side of the A96 with access directly off it, lies about 600 metres to the north of the main part of the settlement. Kintore lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, at Kintore, land for 150 houses for the period 2000 to 2005, but does not require land for any houses to be allocated 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 329 houses, and constrained sites, with a capacity of 350 houses.

154.2 The structure plan also provides that the local plan, where possible, may indicate future housing land reserves for the period 2011-2016 for 5,700 houses in the Aberdeen housing market area as a whole. It states that these reserves shall allow for an anticipated 3,000 houses on brownfield land in Aberdeen, with the remainder distributed among accessible greenfield locations in the main service centres in Aberdeenshire, in the same broad proportions as the allocations for 2006-2010.

154.3 Policy 2 of the structure plan requires 10 to 30 hectares of land for employment uses to be available in the “Inverurie Corridor”, which includes Inverurie, Port Elphinstone and Kintore, and confirms that this includes the existing marketable supply of industrial and business land at 1 January 2000.

154.4 The local plan proposals map confirms that four of the effective housing sites, with a combined capacity of around 130 houses, are at either the northern or southern ends of the settlement. However an extensive area between the western edge of the existing built up area and the A96 trunk road contains the majority of the housing land. This includes an effective site (Site eh1) with capacity for around 200 houses; constrained land (Site ch1) with capacity for around 350 houses; and Site A, with capacity for around 150 houses for development

between 2000 and 2005. The boundaries between these three sites are not delineated on the plan, but the whole area is now clearly under construction with a very substantial number of houses built.

154.5 The local plan identifies four extensive areas for employment uses. Site EmpB lies at the northern edge of the main part of the settlement, on either side of the main road leading to and from the grade separated junction with the A96, and adjoining the railway line. Sites EmpC and EmpD are on the southern edge of the settlement, fronting the east side of the former A96, which now leads to and from the roundabout junction on the trunk road to the south. Site EmpE comprises the Kintore Business Park, including additional land on its south-east and north-west sides.

154.6 A search area (fh1*) for future housing development beyond 2010 is indicated to the south-east of the town's existing built up area and to the east of Sites EmpC and EmpD.

154.7 Among the seven project areas, there is a transport interchange (P1) at Site EmpB, and a town park (P2) on land on the southern edge of the town, to the west of the former A96. The extent of a proposed conservation area is shown in the centre of the town.

The objections

154.8 Several objectors seek an allocation of land for housing development in conjunction with the provision of the proposed town park (project area P2). It was suggested that the park should be within the settlement boundary, which should be extended southwards to the existing houses at Midmill. The housing development would enable the town park to be implemented.

154.9 In discussion at the inquiry it was suggested that the settlement boundary be extended to the Tuach Burn, to the south of the existing houses at Midmill; and that the text referring to the project area P2, the proposed town park, should refer to it in conjunction with an enabling development. It would be logical for the town park and any associated enabling development to be within the settlement boundary. It could assist in augmenting any shortfall in the housing land supply, but the council would retain control over the scale and timing of any development.

154.10 Other objections raised the following matters:

- The settlement boundary should be re-drawn to include the residential sites west of Site EmpC; the built up area at Midmill on the Kemnay Road; and the existing houses at Gauchhill adjoining Site eh3.
- The 15 houses and the existing business at Gauchhill crossroads should be included within the settlement boundary for Kintore, or should be designated as a settlement in its own right. The bridge which carries the road over the A96 provides good links with Kintore, and that area would provide low density sites.
- Existing development at Upper Townhead should also be included within the settlement boundary, or defined as a separate settlement.
- The boundary line between project area P6 and Site A is in the wrong place.

- The extent of the project area P5 (access improvements along the Torryburn corridor) should be reduced, allowing for further housing in future. It is not directly related to Torryburn.
- There are no suitable sites in the centre of the village to provide any sort of communal centrepiece or focal point for the intended expansion of the village.
- The proposed conservation area includes a site recently approved for a new house. This should not be included in the conservation area.
- The area south-east of Tuach Hill which is identified as a search area (fh1*) for future housing development is totally divorced from the existing settlement. Vehicular access from Kingsfield Road would create congestion at the Square. The search area for future housing should be to the east of Tuach Hill.
- The boundary of Kintore Business Park should be extended to the south east. The proposal would require reducing the ground level to form a visual barrier from the A96 public road.
- The search areas for future housing development and employment uses (fh1* and fe*) should have specifically defined boundaries.

The case for the council

154.11 The council states that there is no need for further housing allocations at Kintore, as the strategic housing land allocation required by the structure plan has been fulfilled. Search area fh1* offers more scope for the long term future growth of the settlement than the area at Gauchhill which has been identified as a project area (P2) for a town park. The aim is to protect this area from housing development. If included within the settlement boundary, the area would be liable to infill development, which is not the intention of the plan.

154.12 Following discussion at the inquiry, the council confirmed that it would accept a change in relation to the proposed town park, to refer to it being implemented in conjunction with an enabling development. However, it was reluctant to agree to amend the settlement boundary, due to the scale of the extension which would be involved.

154.13 With regard to the other matters raised in objections:

- The council accepts that the boundary line between project area P6 and Site A is in the wrong place.
- Gauchhill crossroads and Upper Townhead are divorced from Kintore by the bypass, which forms a clearly defined edge to the settlement. Their inclusion would go against the preferred direction of growth for Kintore. Issues of density are considered separately in relation to each allocated site.
- The south end of project area P5 is likely to be complemented in any long term future expansion in the area of fh1*. Meantime the boundary gives a clear edge to the settlement.

- The search area fh1* is indicative of the possible direction for future expansion and will be fully explored either before or during the next local plan. An fe* designation will be added, for the same direction, to allow for a possible future forestry cluster site. Following discussion at the inquiry, it was agreed that adding a second fh1* designation to the north of Tuach Hill would clarify the council's intention.
- Conservation area designations do not simply relate to historic or listed buildings, but can include factors such as street layout. The designation process is dealt with under separate planning legislation.
- Regarding a focal point in the centre of Kintore, the council accepts there is a need to provide suitable sites to cope with the expansion of the settlement. This will be addressed in considering Kintore's longer term future.
- With regard to the expansion of Kintore business park, there is no requirement for further employment land in the Inverurie/Port Elphinstone/Kintore corridor at this time. In discussion at the inquiry it was stated that if more employment land is required, this area would be a candidate this area, but it would require effective screening.
- As indicative areas of search, fh1* and fe* have no boundaries or housing numbers attached to them.

Conclusions

154.14 The housing land allocations in Kintore are not in contention, due to the progress made within the area on the west side of the town. Indeed it appears that the very substantial constrained site for 350 house will also be completed by 2010, augmenting the housing land supply significantly. In strict terms, the structure plan does not require areas of search to be identified at Kintore for future housing development, due to the nil allocation for 2006-2010. However I consider that it is prudent to do so, reflecting Kintore's designation as a main settlement, and the benefits arising from the construction of the A96 dual carriageway which by-passes the town. To avoid confusion, I agree that the fh1* designation should be shown both to the north-west and south-east of Tuach Hill. The details of access to it are not relevant at this stage.

154.15 In relation to the project area (P2) for a town park, I agree from the evidence before me that the only prospect for its delivery is through an enabling development. Accordingly the plan should confirm this. I also consider that it is logical that a town park should lie within the settlement boundary, and here the extension of the boundary to the Tuach Burn would not only be consistent with the boundary at Site EmpC on the opposite side of the former A96, but it would also include existing groups of houses currently outwith the settlement boundary, including those at Midmill.

154.16 It would not be consistent with the housing requirements of the structure plan for some or all of this land to be specifically allocated for housing development in the period 2006-2010. The plan does provide general support for infill development, but the council would retain control over the nature, scale and phasing of any development, in addition to ensuring

that the proposed town park is provided, while avoiding excess pressure on facilities or services.

154.17 I agree that the new line of the A96 does appear to create a logical boundary to contain future expansion of Kintore. However the reality is that it divided the small existing areas of built development at Gauchhill crossroads and at Upper Townhead from the rest of the town. I consider that in these circumstances the settlement boundary should extend across the A96 at these two locations to incorporate the existing built development, and should not be drawn so tightly as to exclude unreasonably any possible minor infill development opportunities.

154.18 With regard to the other matters of objection, I consider that:

- The boundary between project area P6 (strategic landscaping) and Site A should be removed, as it should apply generally to the whole site.
- The relationship between the access improvements along the Torryburn corridor (project area P5) and any future housing development proposals to the east can be re-assessed at that time.
- Kintore does lack a focal point to reflect the scale of its growth. No specific suggestions have been made on which I can reach a conclusion, but I note that the designation of a conservation area could provide the catalyst for a significant scheme of enhancement. When the designation process is undertaken, the appropriate boundaries will re-assessed. I consider that process to be the appropriate one in which to determine whether the site on which a proposal for a new house has received planning permission should be included within the conservation area.
- Kintore business park is a strategic location for employment uses, and the plan should provide for its expansion south-eastwards (as identified in objection 1126.38.1), with the addition of a further project area (P6 strategic landscaping) to ensure effective screening from the A96.
- It would not be consistent with the approach adopted throughout this plan for search areas for future development of housing or employment uses to be delineated with a boundary.

Recommendations

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

- On the proposals map, the fh1* designation should be shown both to the north-west and south-east of Tuach Hill.
- The text relating to project area P2 should refer to "town park, in conjunction with an enabling development".

- At the south end of Kintore, the settlement boundary should be extended to include the area between the former A96 and the new dual carriageway, and extend to the Tuach Burn, to align with the southern boundary of Site EmpC.
- The settlement boundary should be extended across the A96 to incorporate the existing houses and businesses at Gauchhill crossroads and Upper Townhead. The boundaries should be drawn to incorporate existing properties, without extending the built up area, but also not excluding unreasonably any minor infill development opportunities.

Issue 155: Kirkton of Skene (see Issue 164: Westhill)

Issue 156: Lyne of Skene

Objectors:

Chap Construction
Mr I Fraser
Stewart Milne Homes
Mr J W Fraser

Reference Numbers:

252.22.1
361.30.1
445.2.7
902.2.1

Procedures:

Informal Hearing and Written Submissions

Reporter:

David Russell

The provisions of the local plan

156.1 Lyne of Skene is defined by a settlement boundary in the settlement proposals map on Page 224 of the local plan; and is identified as one of the rural service centres in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate, among all the rural service centres in the Garioch area, land for 40 houses for the period 2000 to 2005, and for 125 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 comprised effective sites with a total capacity of 463 houses, and constrained sites with a total capacity of 25 houses.

156.2 The proposals map for Lyne of Skene identifies no land for housing development, but designates the playing fields at the western end of the settlement as a protected area.

The objections

156.3 Chap Construction Ltd seeks the allocation of land on the north side of the settlement as Site A for 36 houses. In discussion at the inquiry it was stated that Lyne of Skene appears to be in decline. It has an ageing population, and appears to have lost its heart with the closure of the school, the shop and the café. The site was identified in the draft plan and should be reinstated. Part of it is currently allocated for development in the adopted Gordon District Local Plan.

156.4 While the site covers a large area, new housing would encourage new or re-instated facilities, and there are options for phasing the development. It would allow affordable housing to be secured, along with the upgrading of the community hall. There are two options for providing drainage services for the site: either a pumping main to Kintore; or an upgrading of the existing works with the provision of secondary treatment. The minimum scale of development required to be viable would be about 20 houses, and these could be phased for the period 2006-10.

156.5 Mr I Fraser and Mr J W Fraser also argue that the settlement boundary should revert to that shown in the draft plan, with the site on the north side of the settlement being allocated for housing, along with open space and strategic landscaping. The site is immediately capable of development, close to the existing road network, and would not result in isolated building. This would benefit the existing community and allow for population growth.

156.6 Stewart Milne Homes objects to the failure to identify future housing land at Lyne of Skene, and seeks the identification of a site on its southern side for future growth.

The case for the council

156.7 In response to the objections, the council accepts that there are options for alleviating the drainage constraint, but that the scale of development required to achieve this would be too great, and contrary to the sustainable development objectives of the structure plan.

156.8 In response to the objection by the Stewart Milne Group, the council states that the strategic housing land allocation has been fulfilled at more suitable settlements and on more appropriate sites.

Conclusions

156.9 I agree that it is desirable that some housing land be allocated for development at Lyne of Skene, to help reverse recent signs of decline and to support its role as a rural service centre. The site identified in the draft plan is large in relation to the existing size of the development, but I accept that this scale is justified in order to fund the drainage improvements which would be required if any development is to be allowed to proceed. Part of it is already allocated for housing development in the existing adopted local plan.

156.10 The site identified in the draft plan would enjoy good road access and footpath links could be provided to the playing fields. Planting along its northern boundary could provide effective screening, and I am satisfied that it would provide a more appropriate extension than the land to the south. However, given its relatively large scale in relation to the existing settlement, I consider that its development should be phased, with the eastern half allocated as Site A for development in the period 2000 to 2005; and the western half allocated as Site fh1 for development in the period 2006 to 2010. Each should have an indicative capacity of 18 houses, with a project area (P) for strategic landscaping along their northern boundaries.

Recommendation

156.11 I recommend that the plan's provisions in relation to Lyne of Skene should be modified as follows:

- The site shown in the objection by Chap Construction Ltd should be allocated for housing development, with the eastern half allocated as Site A for development in the period 2000 to 2005; and the western half allocated as Site fh1 for development in the period 2006 to 2010. Each should have an indicative capacity of 18 houses, with a project area (P) for strategic landscaping along their northern boundaries.

Issue 158: Midmar

Objector:
Stewart Milne Group

Reference Number:
47.28.1

Procedure:
Written Submissions

Reporter:
David Russell

The provisions of the local plan

157.1 Midmar is defined by a settlement boundary in the settlement proposals maps on Page 225 of the local plan; and is identified as one of the rural service centres in the Garioch 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 Garioch area, land for 20 houses for the period 2000 to 2005, and for 50 houses for the period 2006 to 2010. This is in addition to existing housing sites, all of which were effective, which formed part of the established housing land supply at January 2000.

157.2 The proposals map identifies one site (Site fh1) for housing development for the period 2006-2010, with capacity for around 10 houses, at the northern end of the settlement. It would “wrap around” existing houses which are detached from the main part of the settlement. At the northern end of the site, a broad strip is identified as a project area (P) for strategic landscaping, extending to the hall which is otherwise detached from the settlement.

The objection

158.3 Stewart Milne Group objects to the allocation of Site fh1. It was identified for seven units, both in the previous local plan and in the draft version of this plan, but the site has not been taken up. There is no market demand for housing in this settlement. Both the Scottish Environment Protection Agency and the North of Scotland Water Authority objected to development on basis of lack of sewerage provision.

The case for the council

158.4 This allocation is needed to fulfil the housing land requirement of the structure plan. Whilst there may not be a market demand at present, the site is designated for development after 2005. Planning permission was granted recently for 6 units on part of the site, and the boundary will be adjusted accordingly. The Scottish Environment Protection Agency has stated that development must connect to a new Scottish Water waste water treatment plant.

Conclusions

158.5 I agree that the size of this site is excessive in relation to the scale of the existing settlement. Accordingly its boundary should be restricted to that of the site recently granted planning permission, and the indicative allocation should be altered to six houses. This reduction is balanced by the increased allocations in other settlements which will ensure that

the requirements of the structure plan for the Garioch area's part of the rural housing market area are met.

Recommendation

158.6 I recommend that the plan's provisions in relation to Midmar should be modified by the reduction in the extent of Site fh1 as suggested by the council, and with a reduced indicative capacity of six houses.

Issue 159: Millbank

Objectors:

W Nicol & Sons
Cluny Estates
Cluny, Midmar & Monymusk Community Council

Reference Numbers:

448.44.1
847.1.1
1053.1.1

Procedures:

Written Submissions

Reporter:

David Russell

The provisions of the local plan

159.1 Millbank is defined by a settlement boundary in the settlement proposals maps on Page 226 of the local plan; and is identified as one of the rural service centres in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate, among all the rural service centres in the Garioch area, land for 40 houses for the period 2000 to 2005, and for 125 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 comprised effective sites with a total capacity of 463 houses, and constrained sites with a total capacity of 25 houses.

159.2 The proposals map for Millbank allocates almost the whole of the settlement to the south of the A944, together with adjacent agricultural land, for employment uses as Site EmpA. The plan states that there is one main opportunity for development, Site EmpA, and this area may accommodate mixed uses, including community facilities and housing of up to 15 units, subject to a development brief. One site (designated as fe1/fh1) on the north side of the A944 is allocated for development both for housing and employment uses between 2006 and 2010, with capacity for around 15 houses. A project area P1 (strategic landscaping) is identified around the periphery of each area.

The objections

159.3 W Nicol & Sons objects to the modification suggested by the council, which has the effect of moving, from a footnote to the main text, the reference to the requirement for a development brief for Site EmpA. It should refer to "a development brief as agreed between the landowners and subject to public consultation with the local community". This would further emphasise the importance of the brief being a community led document.

159.4 Cluny Estates argues that, until a development brief is approved, it would be prudent to allow flexibility in the boundaries of the site, to permit it to be used to its full potential. A draft development brief had been prepared, and a revised boundary agreed with council officials.

159.5 The community council argues that the house known as Dunscaith should be identified on the proposals map within the settlement boundary; and that the boundaries of both Site EmpA and project area P1 should be defined. This would avoid development overlooking existing houses.

The case for the council

159.6 Standard development brief procedure allows for the appropriate consultation, which in this case would include the landowners and the local community. Appropriate minor adjustments to the settlement boundary can be accommodated following detailed consideration, via a development brief or a planning application. This will allow flexibility in design and layout, and details of landscaping will be dealt with at time of the development brief. In the meantime, the boundaries should remain. Dunscaith should be identified on the map.

Conclusions

159.7 The house known as Dunscaith should be identified on the proposals map for the avoidance of doubt; and the inner boundary of Site EmpA should be re-drawn to exclude both it and the other existing buildings within the settlement. Details regarding the use of landscaping to protect privacy can be addressed in the context of a specific planning application.

159.8 I consider that the reference to the requirement for a development brief is more appropriately stated in the main text than in a footnote; but a requirement for the brief to be agreed by parties other than the planning authority would provide them with a potential veto. I am satisfied that the provisions in relation to Millbank provide sufficient flexibility, and that any consequential implications for the settlement boundary can be addressed in the context of a specific proposal.

Recommendation

159.9 I recommend that the provisions in relation to Millbank should be modified as follows:

- The position of the existing house known as Dunscaith should be indicated on the proposals map.
- The inner boundaries of Site EmpA should exclude Dunscaith and the other existing buildings within the settlement.
- The footnote should be deleted and the text relating to Site EmpA should state: “Site EmpA is suitable for appropriate employment use(s), and may include mixed uses, including community facilities and housing (up to 15 units), subject to a development brief.”

Issue 160: Newmachar

Objectors:

Mr A F Buchan
Mr J Barclay
Newmachar Parish Church

Reference Numbers:

47.13.1
810.1.1
938.1.1; 1267.1.1

Procedures:

Informal Hearing and Written Submissions

Reporter:

David Russell

The provisions of the local plan

160.1 Newmachar is defined by a settlement boundary in the settlement proposals map on Page 227 of the local plan; and is identified as one of the rural service centres in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area, although the proposals map wrongly refers to the rural housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate, among all the rural service centres in the Garioch area, land for 40 houses for the period 2000 to 2005, and for 125 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 comprised effective sites with a total capacity of 463 houses, and constrained sites with a total capacity of 25 houses.

160.2 The proposals map for Newmachar showed that there were three effective housing sites at January 2000, with a combined capacity of 135 houses. No additional sites are allocated for housing development.

The objections

160.3 Mr Buchan seeks the identification of land to the east of the settlement and of Site eh1 as a search area for future housing development after 2011, or to be allocated for development prior to that if a review should indicate that further housing land is required. It is likely that fewer houses and facilities will be provided at Kingseat than was envisaged. This site is suitable for residential development and is close to the local facilities.

160.4 The church seeks the allocation for low density housing development of an area of land south-east of Corseduck Road, next to the war memorial. The recently constructed Corseduck Road forms an arbitrary settlement boundary, as it excludes both the memorial and three houses to the west, on the opposite side of the minor road which bounds the site. These are regarded as part of the community. The site is enclosed and is too small to be of much use for agriculture. Development here would still maintain a defensible boundary.

160.5 Mr Barclay seeks the allocation for housing development of an elongated field which runs south from the rear of the existing house at Ramshill Croft, on the east side of the A947 road to Aberdeen. The house stands on the south-east side of Hillbrae Way. The settlement boundary mainly follows this road, but further north it incorporates some existing built development on this side of the road. The site could accommodate a range of residential or

other uses. It is an open site, and its development would not adversely affect existing properties. It is accessible on foot to the various facilities and services in the village.

160.6 The development of around 33 houses here would help to sustain the local community. It is an ideal site. It is on the bus route and, being on the Aberdeen side of Newmachar, car commuters would not add to traffic congestion in the centre of the village. There is a need for additional housing land, and this site meets all the criteria for an effective housing site. Its development would not represent a major intrusion into the countryside, and it would be preferable to the proposed development at Kingseat, which is two kilometres out of Newmachar.

The case for the council

160.7 The council states that the local plan allocates enough housing land to meet the requirements of the structure plan until 2010. The approach of the local plan, which does not identify new allocations in Newmachar, is supported by the community council.

160.8 Corseduck Road forms the logical boundary to the settlement, but it does not mean that the existing three houses are not part of the community. There are no other known constraints to development, and the site would have a capacity of five to ten houses.

160.9 The council would have no objection to an amendment to the settlement boundary to incorporate the existing house at Ramshill Croft. The council accepts that development here would be on the “right side” of Newmachar, but it would elongate the settlement unnecessarily. It is not needed at this time, but could be appropriate for future expansion.

Conclusions

160.10 The capacity of the objection sites to the east and south of the settlement exceeds the scale of development which is appropriate for Newmachar’s role as a rural service centre. I see no fundamental reason why they would not be suitable to accommodate some of the development needs of the settlement in future, although the elongated shape of the site to the south would result in an incongruous form of expansion, unless it is part of a more comprehensive development of land to the south-east of Hillbrae Way.

160.11 I do not consider that it would be appropriate to identify either as an area of search for future housing development beyond 2010, due to the scale of potential development. However I agree with the council that a minor amendment to the settlement boundary to incorporate the house at Ramshill Croft would correct an anomaly.

160.12 I do not agree that the three existing houses and the war memorial to the south of Corseduck Road should be excluded from the settlement boundary. I consider that the development of the small field between them would make a small but useful contribution to the housing land supply for Newmachar, given the absence of any new sites for the period until 2010. I consider that it should be identified as Site fh1, with a stated capacity of around five houses, and for development between 2006 and 2010.

Recommendations

160.13 I recommend that the provisions in relation to Newmachar should be modified as follows:

- The small field to the south of Corsesduick Road which lies between it, the three existing houses to the west and the war memorial, should be identified as Site fh1 and allocated for development between 2006 and 2010, with a stated capacity of around five houses. The settlement boundary should be modified to incorporate each of these elements.
- The settlement boundary should be amended to include the house at Ramshill Croft.

Issue 161: Old Rayne

Objectors:

AG Stuart Holdings Ltd
West Garioch Community Council

Reference Numbers:

504.2.1
1120.1.1

Procedures:

Informal Hearing and Written Submissions

Reporter:

David Russell

The provisions of the local plan

161.1 Old Rayne is defined by a settlement boundary in the settlement proposals maps on Page 228 of the local plan; and is identified as one of the rural service centres in the Garioch 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 Garioch area, land for 20 houses for the period 2000 to 2005, and for 50 houses for the period 2006 to 2010. This is in addition to existing housing sites, all of which were effective, which formed part of the established housing land supply at January 2000.

161.2 The proposals map identifies the main part of the settlement as lying to the east of the River Urie, but it also includes an area known as Pitmachie to the west of the river, comprising a ribbon of development that fronts the east side of the A96 trunk road. It allocates two sites for housing development for the period between 2000 and 2005. Site A, with a capacity for around five houses, lies behind the existing houses which front the road leading through the main part of the village. Site B, with a stated capacity of around eight houses, lies immediately to the south of a large area of protected open space, and fronts onto a minor public road.

161.3 The plan also allocates two sites for housing development in the period between 2006 and 2010. Site fh1, with a stated capacity of 10 houses, is on the east side of the village, fronting onto the minor public road to Durno, opposite the protected open space. A project area (P) for strategic landscaping is identified at the north-east corner of the site. Site fh2, with a stated capacity of 5 houses, is a northerly extension of Site A, and partially fronts onto the road leading through the village.

The objections

161.4 The community council objects to the proposed housing development on Site fh1, due to its impact on the existing house on Lawrence Road. The proposal should be transferred to the land east of the playing field adjacent to site B. This would be suitable for up to 12 houses.

161.5 AG Stuart Holdings Ltd argues that there is inadequate provision for new housing in the settlement, with none whatsoever in Pitmachie. Old Rayne primary school is under threat of closure due to falling roll projections based on the current plan proposals. There is ample capacity in the village's sewage treatment plant. Accordingly, there is no good reason for not allowing further expansion.

161.6 The settlement is well placed for public transport with buses on the A96, the railway station three miles away at Inch, and Aberdeen Airport 20 miles away. The social viability of the settlement will be threatened if further additional housing is not allowed for. It is proposed that ground to the north-west of Pitmachie, between farm buildings and the burn should be incorporated into the settlement boundary for new housing.

161.7 In discussion at the inquiry it was argued that the company's premises at Pitmachie, together with an area of land to the east, should be identified in the proposals map for housing development. The visibility at the access from this site onto the A96 is better than at the road junction leading to and from the main part of Old Rayne, although at present articulated lorries cause a hazard when entering and leaving the site. This would also enable the company to relocate to a better industrial site at Inch. There is no evidence to suggest that flooding from the burn would affect any development on the adjoining land, and housing would be compatible with the adjoining uses.

The case for the council

161.8 In response to the community council's suggestion, the council states that housing development on Site fh1 would complement more the existing form of the settlement.

161.9 In response to the objection by AG Stuart Holdings Ltd, the council states that Old Rayne has been allocated its share of the structure plan's housing allocations. More appropriate sites for housing have been allocated elsewhere within the settlement. They are not on the A96, and would complement the existing settlement form. The school has been saved from closure.

161.10 In discussion at the inquiry, the council stated that, while re-development of brownfield sites is supported by the plan, the council did not favour an extension of the settlement boundary to enable the adjoining greenfield site to be developed. It is not required to secure an acceptable housing layout, and there is uncertainty over potential flooding risk.

Conclusions

161.11 I consider that it is appropriate for the local plan to give priority to the re-development of brownfield sites, where this is practical. Here, I consider that significant planning gains would be secured by the allocation for housing development of the land at Pitmachie, as sought by AG Stuart Holdings Ltd. It would facilitate the relocation of the company's present operations on this site to a better location at Inch, thus removing the road safety hazard associated with the movement of articulated lorries into and out of the site.

161.12 In addition, the use of this site for housing is likely to be preferable on road safety grounds than sites within the main part of the settlement, as the visibility is better here than at the road junction. The small extension onto adjoining greenfield land would not have any significant environmental or visual effects, and would serve to facilitate the overall re-development. Any evidence which is obtained in relation to potential flooding risk can be addressed at the planning application stage in terms of layout and design. I consider that it would be appropriate to allocate this as Site fh3, with capacity for around 10 houses, for development in the period 2006-10.

161.13 In relation to the community council's objection to the allocation of Site fh1, I consider that development here would form a more logical extension to the settlement than the alternative proposed, and with relatively good vehicular access to the site.

Recommendation

161.14 I recommend that the plan's provisions in relation to Old Rayne should be modified as follows: the land at Pitmachie referred to in the objection by AG Stuart Holdings Ltd should be identified for housing development in the period 2006 to 2010, with the settlement boundary adjusted to incorporate the minor greenfield extension. It should be designated as Site fh3, with a stated capacity of around ten houses.

Issue 162: Oyne

Objectors:	Reference Numbers:
Tor Ecosse	11.1.1
Ms A Robertson	719.1.1
Mrs J Marchant	851.1.1
Mr P Marchant	852.1.1
Mr & Mrs S Mardon	853.1.1
W Duncan	870.1.1
Mr A Marr	873.1.1
Mr R D Martin	877.1.1
Ryehill Garden Centre and Village Shop	888.1.1
Ms D Moore	917.1.1
Mr R P Moore	918.1.1
The Scottish Environment Protection Agency	969.6.25
Oyne Community Association	1100.1.1 & 2
Norman Lawie Ltd	1126.30.1

Procedures:	Reporter:
Informal Hearing and Written Submissions	David Russell

The provisions of the local plan

162.1 Oyne is defined by a settlement boundary in the settlement proposals map on Page 228 of the local plan; and is identified as one of the rural service centres in the Garioch 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 Garioch area, land for 20 houses for the period 2000 to 2005, and for 50 houses for the period 2006 to 2010. This is in addition to existing housing sites, all of which were effective, which formed part of the established housing land supply at January 2000.

162.2 The proposals map identifies two existing effective housing sites. Site eh1 lies on the south side of the B9002 which forms the main road through the village, and adjacent to the Archaeolink visitor centre which lies at its western end. It is stated to be suitable for around seven houses. Site eh2 lies on the opposite side of the B9002 from Archaeolink, with a capacity of around seven house which, the map states, have been built.

162.3 The plan also designates a protected area covering the land on either bank of the burn to the north of Site eh2, and extending west to the settlement boundary.

The objections

162.4 Most of the objectors argue that the settlement boundary should be extended to include the Ryedale shop, which lies on the south side of the B9002 to the west of Archaeolink. The shop is an integral part of the community, and is connected by a footway. There are no other commercial outlets in Oyne, and its inclusion would give greater flexibility with respect to future development and the services that could be provided.

162.5 Oyne Community Association and Dr Millar state that the boundary line in relation to the primary school should be correctly identified on the proposals map.

162.6 The Scottish Environment Protection Agency objects to the allocation of land for housing development in Oyne. There is no existing Scottish Water sewerage system serving Oyne, and no potential for a new system. No foul effluent discharges would be permitted due to the sensitivity of the receiving watercourse. It is considered that individual private drainage systems would impact adversely on the environment, including controlled waters.

162.7 Norman Lawie Ltd argues that part of area P1 should be re-defined as an area for housing, in order to allow the habitat enhancement, protection and access improvements to the remainder of P1 to be implemented.

162.8 In discussion at the inquiry, it was stated that the purpose of the habitat enhancement was unclear, but it could improve the gateway to the village and the only way to secure this would be through an enabling development. In view of the Scottish Environment Protection Agency's objection to further private drainage schemes in Oyne, it was suggested that the settlement boundary should be amended to exclude the protected area, and to add a search area (fh1*) for future housing development within the area currently covered by project area P1, stating that this is intended to allow an improved gateway to the village to be secured.

The case for the council

162.9 In response to the request to extend the settlement boundary to include the Ryehill shop, the council states that, as no further development can be contemplated for drainage reasons and with that limitation, extension of the settlement to Ryehill is not logical.

162.10 In response to the Scottish Environment Protection Agency's objection, the council states that houses have already been built on both sites allocated for housing development.

162.11 The council confirms that the boundary in relation to the primary school has been incorrectly drawn.

162.12 Regarding the suggested allocation of part of project area P1 for housing, the council states that the Scottish Environment Protection Agency has strongly objected to any new development taking place at Oyne; and the strategic housing allocations have been fulfilled elsewhere. In discussion at the inquiry, the council was unable to explain the reason for proposing project area P1, but stated that it would complement Archaeolink.

Conclusions

162.13 I agree that it would be logical to extend the settlement boundary to include the Ryedale shop and associated built development, as it is regarded and has functioned as part of the adjoining community of Oyne. The constraint in relation to sewage treatment is not relevant to a boundary alteration, as the council would be able to deal appropriately with any application for further development at this location.

162.14 In view of the council's inability to justify the inclusion of the protected area and project area (P1) to the north and west of Site eh2, I consider that the settlement boundary should be re-drawn to exclude these areas and that these designations should be deleted. Sufficient protection will be afforded by the plan's policies which are relevant to development proposals in the countryside outwith settlements.

162.15 Planning permission has already been granted on the two effective housing sites, but I agree that no further land housing development should be allocated, or search area for future housing development identified, given the concerns regarding the pollution of watercourses expressed by the Scottish Environment Protection Agency, and in the absence of any solution to this problem being identified and agreed.

Recommendations

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

- The settlement boundary should be extended westwards, on the south side of the B9002 road, to include the Ryehill shop and associated built development.
- On the north side of the B9002, the settlement boundary should be re-drawn to exclude the area to the north and west of Site eh2 which is covered by the protected area designation and by project area P1.
- The boundary line in relation to the primary school should be re-drawn accurately, as agreed by the council.

Issue 163: Sauchen

Objectors:

Norman Lawie Ltd
Stewart Milne Group

Reference Numbers:

1126.35.1
47.31.1&3; 47.44.1

Procedures:

Informal Hearing and Written Submissions

Reporter:

David Russell

The provisions of the local plan

163.1 Sauchen is defined by a settlement boundary in the settlement proposals maps on Page 229 of the local plan; and is identified as one of the rural service centres in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate, among all the rural service centres in the Garioch area, land for 40 houses for the period 2000 to 2005, and for 125 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 comprised effective sites with a total capacity of 463 houses, and constrained sites with a total capacity of 25 houses.

163.2 The proposals map for Sauchen allocates two sites for housing development. Site A is on the north-west edge of the main part of the existing settlement. Its stated capacity is for around 25 houses, and is for development in the period 2000 to 2005. Site fh1 adjoins it to the north-west, with an indicative capacity of 15 houses, for development in the period 2006 to 2010. It has a project area (P1) for strategic landscaping associated with it.

The objections

163.3 Norman Lawie Ltd seeks the allocation for housing of land to the west of the village, for development in the period 2006-2010. This would allow the provision of a distributor road between the village and the A944 Aberdeen-Alford road. A major band of landscaping could be incorporated on the western boundary to provide both public access and strategic planting.

163.4 The objections by the Stewart Milne Group argue that Site fh1 should be brought forward to the period 2000 to 2005; and that an additional site to the east of the settlement should be added for housing development in the periods 2006-10 and 2011-2015, together with community facilities and a community woodland along the Cluny Burn. This could be achieved by switching to Sauchen some of the housing land allocations identified in other settlements in the Garioch area, such as Echt and Midmar. Land to the north of the settlement should be allocated for commercial uses, to incorporate the use of the existing redundant farm buildings. A master plan was submitted in support of the development proposals.

163.5 In further written submissions, the Stewart Milne Group referred to a proposal to convert the farm buildings to residential use, and therefore sought their exclusion from the proposed site for employment uses. The report of the previous local plan inquiry had

supported development of the land to the east, without specifying the timescale for development. In view of the overall housing land supply position, its development in the period 2006 to 2010 would be justified, and it was understood that the council would not oppose its identification as an area of search for future development.

The case for the council

163.6 The council argues that the local plan allocates enough housing land to meet the structure plan's requirements, and more suitable sites for housing development have been allocated elsewhere. The capacity of each of the sites proposed by the objectors is around 130 houses, either of which would double the size of the village. Apart from the bus service and nearby Cluny School, the local shop has closed and there are no other community services or facilities.

163.7 It agrees with the suggestion regarding commercial use of the farm buildings, and suggests a modification which would extend the settlement boundary to incorporate land to the north of the farm buildings. Together, these would be identified as Site EmpB and be allocated for employment uses, in conjunction with a project area (P5) for strategic landscaping on its outer boundary.

Conclusions

163.8 The effect of the proposed housing developments on Sites A and fh1 will be to increase significantly the size of Sauchen in the period to 2010. I consider that any further increase in that time would not be consistent with its designation as a rural service centre, or be justified by the requirements of the structure plan.

163.9 Its location adjacent to the A944 makes this settlement relatively convenient for commuting to Aberdeen, either by bus or car. However it lacks the community facilities which would provide an element of sustainability, and this has been exacerbated by the recent closure of the local shop. While the master plan submitted by the Stewart Milne Group indicates that land would be provided for employment uses and a shop, there is no evidence that there is demand for these from operators. In the absence of this, there is clearly a danger that only additional housing would be provided. This is highlighted by the company's suggestion that the redundant farm buildings be removed from its suggested site for employment uses, following the submission of a planning application for their conversion to housing.

163.10 I agree that, if there is to be further significant growth of Sauchen, this should be to the north-east rather than to the south-west, where any development would be exposed and less likely to contribute to an integrated village form. The suggested provision of a new distributor road to the west of the settlement offers no significant benefit, given the satisfactory nature of the current access to and from the A944.

163.11 I also consider that there could be scope to accommodate small scale business use as well as community facilities within the land to the north-east. I am satisfied that it would be appropriate to identify this as a search area for future housing development. In these circumstances, and in the absence of specific proposals or evidence of demand, it would be premature to allocate as land for employment uses, the significant extension to the built up area to the north of the redundant farm buildings.

Recommendation

163.12 I recommend that the provisions in relation to Sauchen should be modified as follows: an area of search (fh*) for future housing development should be identified on the north-east side of the settlement.

Issues 164 and 155: Westhill and Kirkton of Skene

Objectors:	Reference Numbers:
A. Relating to Kirkton of Skene:	
Barratt Construction Ltd	1251.1.1 & 4.1
Dunecht Estate	1310.1.1
B. Relating to Westhill:	
Mr and Mrs G Duncan	47.24.1
Bett Homes	47.40.1-3; 47.41.1
Carlton Rock	186.2.1-3
Stewart Milne Homes	445.2.1-3
Mr C Marshall	568.44.1
Westhill Development Company	568.50.1
Mr M Hinton	632.2.1
Mr D and Mrs E Smith	733.1.1
Mrs E Tierney	751.1.1
Ms I Walker	757.1.1
Mr J Whyte	763.1.1
Mr & Mrs C Wilson	764.1.1
Mrs S Hunter	783.1.1
Mr K Anderson	795.1.1
Mr C Kipling	797.1.2
Mr Kubala	801.1.1
Mr P Leat	808.1.1
Mr J K Main	835.1.1
Ms L Maitland	849.1.1
Mr George Bruce	872.1.1 & 2
Mr Marc Edwards	880.1.1
Mr R Meghezzi	881.1.1
Ms Julie Elrick	891.1.1
Westdyke Leisure Centre	904.1.1
Mr Kenny Neaves	931.1.1
Mr D Melvin	962.1.1
Mr and Mrs Hay	963.1.1
Ms E Grant	964.1.1
Mr M Stuart	965.1.1
Mr B P Champion	966.1.1
Mr G Thomson	967.1.1
Mr and Mrs H Williamson	968.1.1
Ms L Aulert	970.1.1
Mr C Aulert	971.1.1
Ms P Doig	972.1.1
Mr and Mrs Gollifer	973.1.1
Mr and Mrs W Gerrie	975.1.1
Mrs N Fyfe	976.1.1
Mr G Fyfe	977.1.1
Mr A Elrick	979.1.1
Mr A Craig	983.1.1

Mr G Burnett	985.1.1
Scottish Natural Heritage	986.41.1 & 2
Mr G T Brown	988.1.1
Mr A Bews	990.1.1
Mr D Hart	993.1.1
Mr D Moir	994.1.1
Mr D Bain	997.1.1
Mr R L Bain	999.1.1
Mr K Lackie	1000.1.1
Mr W Mitchell	1003.1.1
Mr D P Skinner	1005.1.1
Unknown objectors	1006.1.1; 1047.1.1; 1060.1.1; 1074.1.1; 1144.1.1; 1148.1.1; 1157.1.1; & 1170.1.1
Mr A Spence	1007.1.1
Mr B McEwan	1008.1.1
Mr G Moir	1009.1.1
Mr S Burns	1010.1.1
Mrs S Crowther	1011.1.1
Mr E P Crowther	1013.1.1
Ms J Troson	1014.1.1
Mr J Lines	1018.1.1
Mr Willie Lines	1020.1.1
Mrs Smith	1021.1.1
Ms H Duncan	1023.1.1
Mr S Mann	1025.1.1
Mr C Duncan	1026.1.1
Mrs M Mann	1027.1.1
Mr D Smith	1028.1.1
Mrs D Mitchell	1031.1.1
Mr N Mackenzie	1035.1.1
Ms D Walker	1036.1.1
Mr Alex Gordon	1039.1.1
Ms A Gordon	1041.1.1
Ms I Wright	1042.1.1
Mr S Dalgarno	1043.1.1
Mr P Rossendale	1048.1.1
Ms A Greig	1049.1.1
Mr L McWilliam	1050.1.1
Mr B McWilliam	1051.1.1
Ms L Street	1052.1.1
Ms E Meghezzi	1054.1.1
Mr Y Clayton	1056.1.1 & 2
Mr R Urquhart	1062.1.1
Urquhart	1063.1.1
Mr A Bain	1064.1.1
Ms S Menzies	1069.1.1
Mr P Menzies	1071.1.1
Mr A Petrie	1072.1.1
Mr J Robertson	1076.1.1

Mr L W Green	1077.1.1
Mr J and Mrs K Robertson	1079.1.1
Mr J Smith	1081.2.1
Mr L Smith	1082.1.1
Taylor Design Services	1085.15.1
Mr N Wilson	1087.1.1
Mr J Wilson	1088.1.1
Mr S Flemming	1089.1.1
Mr K Flemming	1090.1.1
Mr A McLean	1091.1.1
Mr R Murray	1092.1.1
Mr J A Murray	1094.1.1
Mr M Mclean	1096.1.1
Mrs L Michie	1098.1.1
Mr C Michie	1099.1.1
Mr G J Christie	1104.1.1
Mr C Christie	1106.1.1
Mr B Masson	1111.1.1
Mr F Masson	1112.1.1
Mr Moir	1113.1.1
Mr Fraser	1114.1.1
Mr L Moir	1115.1.1
Ms D Stevenson	1116.1.1
Mr Colin Stevenson	1117.1.1
Mr J Edwards	1124.1.2
Mr G Donald	1130.1.1
Mr J Gilbert	1131.1.1
Ms Frances Poar	1141.1.1
Mr N Will	1143.1.1
Mr K Calder	1145.1.1
Mr V Calder	1146.1.1
Ms I Macaulay	1147.1.1
Mr M Pennig	1149.1.1
Mr A Henderson	1151.1.1
Mr C Henderson	1153.1.1
Mr P Mcleod	1155.1.1
Mr W Gordon	1158.1.1
Mr J Studry	1160.1.1
Miss G L Russell	1163.1.1
Mr Studry	1164.1.1
Mr Wate	1166.1.1
Ms J Watt	1167.1.1
Ms D Widden	1168.1.1
Mr M Widdon	1169.1.1
Ms S Livingston	1172.1.1
Mr J Barrie	1173.1.1
Mr C Barrie	1174.1.1
Mrs Mcleod	1175.1.1
Mr B Russell	1176.1.1
Mrs S Crowther	1177.1.1

Mr A Crowther	1178.1.1
Mr D Crowther	1179.1.1
Mrs A Crowther	1180.1.1
Mr G Gray	1184.1.1
Mrs H Gray	1187.1.1
Ms L Gray	1188.1.1
Mr F Gray	1190.1.1
Mrs L Forbes	1192.1.1
Mr K J Seward	1203.1.1
Barratt Construction Ltd	1251.2.1&4.2-3&6.1
Cllr John A McGregor	1287.1.1

Procedures:
Public Inquiry and Written Submissions

Reporter:
David Russell

The provisions of the local plan

164.1 Westhill is defined by a settlement boundary in the settlement proposals maps on Pages 211-214 of the local plan; and is identified as one of the main settlements in the Garioch area of Aberdeenshire. It lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4b, requires the local plan to allocate, at Westhill, land for 400 houses for the period 2000 to 2005, and for 500 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 combined capacity of 254 houses. There were no constrained sites at that date.

164.2 The structure plan also provides that the local plan, where possible, may indicate future housing land reserves for the period 2011-2016 for 5,700 houses in the Aberdeen housing market area as a whole. It states that these reserves shall allow for an anticipated 3,000 houses on brownfield land in Aberdeen, with the remainder distributed among accessible greenfield locations adjacent to the urban area of the city and in the main service centres in Aberdeenshire, in the same broad proportions as the allocations for 2006-2010.

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

164.4 The local plan proposals map confirms that the effective housing land supply comprises three sites which were all under construction on the north-west edge of Westhill's built up area.

164.5 The sites which are allocated by the local plan for housing development in the period 2000-2005 consist of:

- Site A, suitable for around 70 houses, which is at the northern edge of the settlement, in an elevated position adjoining the golf course and existing areas of residential development;
- Site B, suitable for around 330 houses, at the south-western edge of the settlement and on the south side of the A944.

164.6 The sites which are allocated for housing development in the period 2006-2010 consist of:

- Site fh1, with an indicative capacity of 430 houses, on land extending west from the edge of the built up area of Westhill, on the north side of the Old Skene Road; and
- Site fh2, with an indicative capacity of 70 houses, which is a triangular area extending west from Site B.

164.7 One search area (fh3*) for future housing development after 2010 is identified beyond the western edge of Site fh1.

164.8 Two areas are allocated for employment uses. Site EmpC is at the north-west corner of Site B, fronting onto the A944, and is stated to be suitable for a local centre, including small shops and community facilities. Site EmpD is on the southern edge of Westhill, and comprises the land lying between the southern boundaries of the existing industrial and business parks and the B9119.

164.9 Twelve project areas are shown on the proposals maps for Westhill, including: strategic landscaping on the outer edge of most of the areas proposed for development (P1-P4); and extensive open space and landscaping provision (P11) within the proposed developments on the western side of the settlement. Project area P8 is for the relocation of the golf course beyond the northern boundary of the settlement. Project area P9 is for “biomass energy/heating” within Site EmpD. Project area P12 relates to a proposal for a medical centre and associated relocation of a sports ground at Westdyke leisure centre. The sports ground is designated as a protected area.

164.10 Kirkton of Skene is identified separately from Westhill, and defined with its own settlement boundary on the proposals map on page 224 of the local plan. It is included as one of the rural service centres in the Garioch area, and lies within the Aberdeen housing market area. The structure plan, through Policies 8 and 9 and Table 4a, requires the local plan to allocate, among all the rural service centres in the Garioch area, land for 40 houses for the period 2000 to 2005, and for 125 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 comprised effective sites with a total capacity of 463 houses, and constrained sites with a total capacity of 25 houses.

164.11 The proposals map for Kirkton of Skene identifies one effective housing site (Site eh1) at the north-west edge of the settlement, with capacity of around 10 houses. One site (fh1) with capacity for around ten houses is allocated for development between 2006 and 2010, and is on the south-east edge of the built up area. Project areas on the outer edge of that site show part of a line for a possible relief road (P4), and strategic landscaping (P1). A cemetery extension (P3) is indicated on the southern edge of the settlement.

The objections

164.12 Most of the objections relating to Westhill concern the proposal to allocate one of the outdoor football pitches at the Westdyke leisure centre for the development of a new medical centre. They argue that: it would be contrary to government guidelines which require sports pitches to be protected from development; the remaining pitch would be unable to meet

demand; the centre would be unable to support new community sports initiatives; the local community would lose a pleasant amenity area; no assessment of needs has been carried out; the benefits of the new medical centre would not outweigh the loss to the amenity, health and well-being of the local community; and the additional local traffic would increase congestion and safety risks. An alternative site adjacent to the police station was suggested.

164.13 Carlton Rock seeks the identification of a site for a superstore within the Arnhall industrial estate, as there is no appropriate site within the town centre. The proposed masterplan for the town centre (project area P10) should address the relocation of the health centre.

164.14 Mr and Mrs Duncan object to the inclusion of land to the rear of properties on Lawsondale Avenue being included within an area of open space covered by a “protected area” designation. Planning permission for the erection of a house has been granted, and it is built and occupied. The council had previously agreed to exclude it from the protected area.

164.15 Mr C Marshall seeks the allocation for housing development of land to the north of Sites A and eh3, which have now breached the skyline. This would round off the settlement form once the development of a golf course to the north has been implemented. Careful landscaping would provide a defensible settlement boundary. Westhill has limited other expansion options due to the pipeline safeguarding zones.

164.16 Taylor Design Services seeks a modification to the settlement boundary on the western edge of Westhill to include an existing group of houses.

164.17 Councillor McGregor objects to the modification suggested by the council which confirms that the area of search (fh3*) for future housing development would extend west from Site fh1 at Broadshade Farm towards Kirkton of Skene, putting the identity of this historic village at risk.

164.18 Many objections concerned the proposed housing development at Broadshade Farm (Site fh1). A large proportion of these are in largely identical terms, raising concerns about the impact of additional population on inadequate local facilities, increased traffic congestion, and road safety risks; the loss of natural landscape and the impact on wildlife; the closure of the existing livery stables; the loss of identity of previously separate villages such as Kirkton of Skene and Elrick; and the difficulties in developing the site due to the presence of a gas pipeline and natural springs.

164.19 However, the Stewart Milne Group states that there is an opportunity to extend Site fh1 at its north-west corner to allow a more comprehensive development which would follow the local topography. Planting along a ridge which runs through this extension area would allow low density housing to be contained below ridge-line planting. The landowner, Mr Bruce, seeks the inclusion within Site fh1 of the golf practice area and of an amended line to indicate the position of the gas pipeline accurately.

164.20 The Stewart Milne Group also seeks the extension of Site fh1 to include the temporary golf practice area to the east, as it relates well to the recent housing development at Dawson Drive and will not be used for its current purpose after the course is re-designed. In addition, the plan should confirm that the notation of project areas P2 and P11 for landscaping and open space are indicative only, and to be determined through the preparation and agreement

of a master plan. In this regard there is no need to retain on the proposals map the broken line which runs through Site fh1.

164.21 The Stewart Milne Group objects to the allocation for housing development of Site A, which is prominent in views from the north, and is dependent on the relocation of the golf course. No progress on that has been made, and the site should be deleted. The stated capacity of 70 houses could be accommodated within Site fh1. Similarly, Site fh2 should be deleted and its capacity re-directed to Site fh1. Development there would breach the defensible boundary formed by the electricity pylon and proposed landscaping on the western boundary of Sites B and EmpC. Any additional housing development should be to the north of the A944, where all Westhill's community facilities are located.

164.22 The Westhill Development Company seeks the deletion from within Site EmpD of the project area (P9) for a biomass energy/heating plant. There are no proposals for this. It would probably require to be subject to environmental impact assessment, as it could blight the adjacent land.

164.23 Scottish Natural Heritage objects to the allocation of Site fh1 for housing development, and of search area fh3* to the west, pending completion and application of a landscape capacity study. It would breach the western boundary and could result in unsympathetic expansion of the settlement. There are no landform features to create a boundary between Kirkton of Skene and Westhill. Development here would be in an area that is open to view, and considerable visual impacts would result.

164.24 Dunecht Estates argues that development at Kirkton of Skene would be preferable to the development of Site fh1 at Westhill, as it cannot accommodate 500 houses and has safety constraints. The allocation of Site Fh1 at Kirkton of Skene for 10 houses falls short of the Estates' aspirations, which are for wider expansion, together with the provision of additional community facilities. The development would incorporate a re-alignment of the B979 to remove through traffic from the centre of the village, but on a different line from that shown in the proposals map.

164.25 In relation to the same land, Barratt Construction Ltd seeks the allocation of some 13 hectares at Kirkton of Skene for housing and ancillary purposes, in conjunction with the new relief road and extensive landscaping. The area has capacity for 245 houses, for a phased development.

164.26 Following evidence given at the inquiry, the company argued that the two issues identified in the local plan in relation to Westhill are the continuing high demand for new housing, and the protection and enhancement of its landscape setting. The development of the Dunecht Estates site at Kirkton of Skene offers a more sustainable option than Broadshade Farm (Site fh1), and is the best means of reconciling these competing issues.

164.27 The local plan should include Kirkton of Skene within the settlement boundary of Westhill in the proposals map. Nothing in the structure plan requires Kirkton of Skene to be identified separately from Westhill as a rural service centre, or as one of the "other settlements" in the Garioch area. Elsewhere, the council has shown flexibility in its definition of both main settlements and rural service centres.

164.28 The company seeks the deletion of the housing allocation for Westhill at Site fh1, and of the search area (fh3*) to the west. Broadshade Farm should be designated as a “protected area”, with the extent of the safety zones on either side of the pipeline and pylon line shown. The allocation of 430 houses at Broadshade Farm should be moved and split, with 245 being allocated on Dunecht Estates’ site at Kirkton of Skene, and the remaining 185 being allocated at an expanded Site fh2 at Elrick.

164.29 Alternatively if that is not acceptable, then the Kirkton of Skene site should be identified as a search area for future housing development.

164.30 Development of the Kirkton of Skene site is preferable, because it would prevent coalescence with Westhill; it has a better landscape capacity to absorb the development; it would secure infrastructure benefits, particularly the relief road; it is a more sustainable location than Broadshade, as defined by Policy Gen\1; and it would be an effective site. It is open to the council to include Kirkton of Skene as part of the Westhill “edge of city community”, as referred to in the structure plan. The council has confirmed the potential for development of all the land between Kirkton of Skene and Westhill in the long term, and it was stated in evidence that the fh3* designation would extend all the way from Site fh2 at Broadshade Farm to Kirkton of Skene, including this site.

164.31 A landscape capacity study carried out by the council had confirmed that the development of the Site fh1 at Broadshade Farm and search area fh3* would extend development over the visual horizon from the rest of Westhill. Further development there was not recommended, due to local topography and the presence of the gas pipeline. The landscape would be unable to absorb the scale of housing development proposed without a significant adverse impact. With the pipeline safety corridor running through the whole site, there are practical and financial difficulties in developing this site, and the houses would be separated from the rest of Westhill.

164.32 If, as the council’s own approach confirms, Kirkton of Skene will have to be regarded as part of the same settlement as Westhill by 2011, development should first be directed to the site where the landscape has the capacity to absorb it. Residents of Kirkton of Skene already use most of Westhill’s services and facilities. They would benefit from the construction of the relief road, and this would give better access than from Broadshade to the areas of employment on the south side of Westhill. Additional planting and the provision of a community woodland would ensure visual containment of the development, and separation from the existing built up areas of Westhill. Additional community facilities, affordable housing and any necessary additional primary school accommodation would be provided as part of the planning gain package.

164.33 Bett Homes Ltd argued firstly, that Site fh1 and area of search fh3* should be deleted. Failing that, the plan should clarify the extent of the pipeline safeguarding corridor, and the development that may be permitted within it. Secondly, the whole area of Sites EmpC and fh2, together with the land extending west to the B979 should be allocated for around 250 houses, for development between 2006 and 2010, together with a local centre (as shown on Document BHL8). Failing this, Site EmpC should be identified as a site for small local shops only, together with around 60 houses; and the stated capacity of Site fh2 should be increased to 120 houses. In addition, the project area (P12) for the relocation of the sports ground to an area in the south of Site fh2, in association with the relocated medical centre, should be deleted.

164.34 The firm's land here at Broadstraik Farm has been recommended for development in three reports, including that of the previous local plan inquiry and the council's own subsequent landscape capacity study. Due to the low lying topography, its enclosure by Carnie Woods to the south, and the defensible boundary formed by the B979 to the west, it was concluded that this would be an acceptable extension to Westhill, as it could be absorbed by the landscape. It accords with the council's preferred direction of growth for Westhill.

164.35 The town centre facilities would be reasonably accessible, and the site is served by buses on the A944, and footpath and cycle links would be provided. The council does not oppose the development on traffic grounds, or on the capacity of the local road network. Improvements may be required at the junction of the A944 and the B979, but the council has no plans to construct a new link road along the boundary of Site fh2. Given the development of 330 houses on Site B, and the proposed developments on Sites fh2 and EmpC, the argument of containing residential development to land north of the A944 is no longer valid.

164.36 The scale of Site EmpC at 2.5 hectares is excessive, if only local shops and community facilities are required. It is almost as large as the town centre, and the need for a new medical centre has been met elsewhere. The council's witness had agreed both that project area P12 should now be deleted, and that housing could be provided within Site EmpC.

164.37 The proposals for housing development at Broadshade Farm are directly contrary to the recommendations of the council's own landscape capacity study, the report of the previous local plan inquiry, and its own officers' recommendations. The two constraints are that the housing would be on a hillside, and the pipeline safeguarding zone would cause the separation of most, if not all, of the new housing from the rest of the settlement.

The case for the council

164.38 In relation to project area (p12) for the use of one of the sports pitches at the Westdyke leisure centre for the provision of a new medical centre, the council confirms that planning permission for the medical centre has been granted on another site, and that its development had started.

164.39 In response to the objections by Carlton Rock, the council argues that a superstore within the industrial estate would be unlikely to meet the sequential approach or accord with Policies Emp\5 & 6; and that the masterplan for the town centre would address the relocation of the health centre. In later evidence at the inquiry on another topic, the council confirm that planning permission had been granted for a superstore within the industrial estate.

164.40 The council agrees that the plan should be modified to exclude from the protected area designation the site of the house which has now been erected to the rear of Lawsondale Avenue.

164.41 In relation to the area of search fh3*, the suggested modification does not alter the preferred direction of growth, but clarifies that this includes land immediately to the north of the A944.

164.42 With regard to the group of houses on the western edge of the settlement, the council argues that the site is too close to the gas pipeline, and that the strategic housing land supply has been fulfilled. However, it lies within area of search fh3*, which is a possible location for housing expansion after 2010.

164.43 The council argues that housing development on the land to the north of Westhill, as sought by Mr Marshall, would be obtrusive. However, Site A cannot be deleted, as it was allocated in the previous local plan and is now part of the housing land supply.

164.44 In relation to project area P9 for a biomass energy/heating plant, the council considers that this would be compatible with the industrial park.

164.45 In response to the objections to the allocation of land at Broadshade Farm for housing development between 2006 and 2010 (Site fh1), the council states that Westhill is required to expand to meet the structure plan requirements for additional housing land. Development here is the best solution for the main direction of expansion of the settlement. It takes account of landscape capacity and a desire to maintain the form of the settlement which focuses residential development to the north of the A944. Any deficiencies in infrastructure and services will be addressed by the development. The houses will be built outwith the safety zone of the gas pipeline, and the livery stables are outwith the area of development. Investigations will be made into the natural springs.

164.46 In response to the objections from Dunecht Estates and Barratt Construction Ltd, the council states that the strategic housing land allocations for Westhill have been fulfilled. In the meantime, Kirkton of Skene is a separate settlement and cannot take allocations from Westhill.

164.47 **Following evidence given at the inquiry**, it was submitted on behalf of the council that Barratt Construction Ltd's argument to include Kirkton of Skene within the settlement boundary of Westhill is contrary to the terms of the original objections, which argued that the designation of the objection site for housing development would be an extension of the village. No objection had been made to Kirkton of Skene's identification as a rural service centre. Indeed the objection by Dunecht Estates sought to avoid coalescence and to enable Kirkton of Skene to remain as a settlement in its own right.

164.48 On that basis, there is no valid objection relating to any of the following:

- The re-designation of Kirkton of Skene as something other than a rural service centre.
- The re-drawing of the settlement boundaries of Westhill and Kirkton of Skene.
- The re-designation of any land between Kirkton of Skene and Westhill as protected land.

164.49 The re-designation of Kirkton of Skene would be an artificial exercise simply to allow part of Westhill's allocation to be transferred there, thus circumventing the structure plan. This would change its function from providing for small scale local development needs and housing opportunities, to accommodating the strategic growth of the city and providing a suburban population and service centre. The designation of the land between Westhill and Kirkton of Skene as a search area for future housing development does not pre-determine what might happen. Therefore, if it remains as a rural service centre, it would not be appropriate to identify a site for 245 houses at Kirkton of Skene.

164.50 Other settlements in Aberdeenshire do not provide a justification for re-designating Kirkton of Skene. Port Elphinstone adjoins Inverurie, and has been treated as part of it in previous plans. No proper evidence has been brought forward to justify including Kirkton of Skene as part of Westhill.

164.51 In sustainability terms, Kirkton of Skene is further from Westhill's services and facilities than Broadshade Farm, and there is no evidence that sustainable transport options have been assessed. The 245 houses proposed would represent an inappropriate increase of 250% in the size of the settlement, and there is no evidence as to how the character and landscape setting of Kirkton of Skene would be respected. The deletion of Site fh1 and of fh3* would leave Westhill with no areas of search for future housing development beyond 2010, whereas the structure plan indicates a likely requirement for a further 500 houses for 2011 to 2016.

164.52 The council accepts that there are issues relating to landscape impact and the pipeline safeguarding zone which affect the land at Broadshade Farm, and only a token number of houses could be provided to the east of the pipeline. There is a requirement to allocate land at Westhill for 500 houses for development between 2006 and 2010. Only about 250 houses could be provided at the Bett Homes Ltd's site and development at Kirkton of Skene cannot be justified in policy terms and would be premature. In these circumstances, the only other option is Broadshade. Allowing substantial development there would enable significant landscaping and open space to be provided, together with the safeguarding requirements for the pipeline, while still contributing towards affordable housing and developer contributions. The extent of development within the visible slope would be restricted, and links to Westhill would be provided.

164.53 The council accepts that development at Broadstraik Farm would not result in adverse landscape impacts or unsustainable development. It accepts that project area P12 is no longer required, but the scale of Site EmpC should not be reduced, as it is not related only to the housing development here.

164.54 The boundary of Site fh2 should remain unmodified, as the necessary road improvements associated with the A944/B979 junction have not been finalised. Also, the scale of development at Broadstraik Farm should remain subordinate to the proposed development at Broadshade Farm, to ensure that potential landscape damage there can be avoided.

164.55 The capacity of Site fh2 should be increased to 120 houses, to take account only of the deletion of project area P12. Its boundary should remain unaltered, but an area of search for future housing development should be identified to the west of it.

Conclusions

164.56 I will deal first with the issues relating to the allocation of land for housing development at Westhill. The structure plan requires the local plan to provide for a very significant scale of new housing development in the periods 2000 to 2005, and 2006 to 2010. In addition, it should also identify further areas for housing growth beyond 2010. Given the nature and recent growth of Westhill, there is limited scope for new development to be

located on brownfield sites, and it is necessary to identify extensive greenfield sites for release.

164.57 The nature of the local topography is clearly reflected in Westhill's name. Existing built development has spread up the hillside, almost to the very top of the hill in the vicinity of the golf course, and just over the ridge which otherwise contains it. I consider that no further northwards extension of the built up area of Westhill should be countenanced in the foreseeable future, as that ridge marks the clear division separating the town from the open rural agricultural landscape beyond. The fact that a breach has occurred does not justify compounding the error.

164.58 To the south, expansion on land towards the B9119 would only have a local landscape impact. To the east and west there are other significant constraints. There is a major pipeline on either side, each with a significant linear safeguarding zone which severely restricts the scope for settlement expansion without 'leaping' these barriers. In addition, to the east the green belt abuts the edge of the settlement, and the proximity of the boundary with Aberdeen City also places a finite limit on the capacity to accommodate additional housing within Aberdeenshire. As there has been no change in the justification for the green belt in this area, I agree that there is no scope for allowing Westhill to expand over the pipeline corridor to the east.

164.59 It is clear from the various landscape capacity assessments that the scale of new housing development which the structure plan requires to be allocated or identified at Westhill, in three successive phases, will inevitably have a significant adverse impact on the surrounding landscape. It is the role of the local plan to identify which sites or areas should be identified for development in each phase, to best accommodate the new houses, while having least impact on the landscape.

164.60 In this regard, I consider that the development of housing on Site A, and the adjacent land, on the north side of Westhill would be obtrusive and undesirable. The conclusions of the previous local plan inquiry were not that the development of Site A should be supported, but that the scope for development there should be assessed in relation to its landscape impact. I have seen no evidence that a very significant adverse effect could be avoided, as it would extend Westhill into the neighbouring rural landscape beyond the ridge. I do not consider that its impact would be sufficiently mitigated by strategic landscaping which the local plan indicates is to be provided in conjunction with it; or by the suggested relocation of the golf course to the north, which the local plan does not indicate would be a prior requirement. In these circumstances, I conclude that the allocation of Site A for 70 houses should be deleted, with a consequential adjustment to the settlement boundary, while retaining the project area for strategic landscaping along it.

164.61 To the south of Westhill, I regard the Broadstraik Farm area to be the most appropriate to accommodate significant further growth, due to its low lying topography and scope for visual containment. Following the development of Site B, I consider that Site fh2 should extend to the line of the B979 which, in conjunction with strategic landscaping, would form a defensible boundary, while still enabling any necessary junction or road improvements to be carried out. I agree that project area P12 should be deleted, as an alternative approach to the relocation of the medical centre has already been secured.

164.62 I also agree that provision should be made for local shops and community facilities, as part of the overall development. This should be stated as a requirement for Site fh2. The designation of Site EmpC to secure these facilities is misleading and unnecessary, as it conveys the impression that the site would be suitable for a range of industrial and business uses. Site EmpD more than satisfies the requirement of the structure plan in relation to allocating land in Westhill for employment uses.

164.63 The area of Site EmpC should be identified instead for housing development in the period 2000 to 2005 and, as this is likely to be the most appropriate location within the Broadstraik Farm area for the provision of affordable housing, I consider that an indicative capacity of around 70 house would be appropriate. The capacity for the expanded area of Site fh2 should be stated to be around 250 houses, which is broadly consistent with the density of development which has occurred on Site B, where outline planning permission was granted by the council for 400 houses, rather than the 330 indicated in the local plan.

164.64 The difficulties involved in expanding Westhill onto the area of Broadshade Farm have been identified consistently over recent years. The rising land to the north of Old Skene Road lacks visual or physical containment. Any major housing development here would appear as a large-scale obtrusive development in short, medium and long distance views from the south and west. This would be exacerbated by the impact of the pipeline safeguarding corridor, which could result in the development appearing incongruous; and the benefits of the provision of open space, planting and strategic landscaping would only ameliorate the visual impact, and only in the long term.

164.65 I sympathise with the concerns of local residents over the loss of adjacent agricultural land, and accept that there would be associated impacts on wildlife, amenity, and recreation. However, similar effects would result in the alternative locations around Westhill, and appear to be unavoidable if the requirements of the structure plan, and the identified need to accommodate the growing number of households even within a largely static population in Aberdeenshire, are to be met. I consider it more important for the protection of countryside resources that Westhill should not expand northwards, than that it should not expand westwards.

164.66 However the land to the east of Kirkton of Skene, as proposed for development by Dunecht Estates and Barratt Construction Ltd, offers a preferable alternative in landscape terms. Housing development there would be on relatively level ground. Existing mature trees would provide significant screening, and this could be augmented. The provision of a relief road, bypassing the centre of the village, and securing more effective links to the A944, the B979, and the southern and western parts of Westhill, would be a significant benefit for both existing and new residents.

164.67 Existing community facilities in Kirkton of Skene would benefit from increased usage, while additional facilities and affordable housing would be provided in conjunction with the development. I agree that residents would use many of Westhill's facilities, but they would not have to travel significantly further than potential residents at Broadshade.

164.68 However the scale of development is clearly well in excess of what is appropriate for a rural service centre. It could only be countenanced if Kirkton of Skene is able to be considered part of the Westhill settlement. This approach has been adopted at Port

Elphinstone which, although it has its own settlement boundary, is not regarded as a separate rural service centre, but as part of Inverurie, which is a main settlement like Westhill.

164.69 Although no party explicitly sought such an approach in the terms of their objection, I do not consider that I am precluded from considering such an approach now, if that could be the effect of agreeing to the substance of the objections. It would be perverse to exclude from consideration a potential solution which might be preferable in planning terms, simply because the implications for the classification of Kirkton of Skene had not been fully addressed in the objections. This would be particularly the case here, as the land which the objectors seek to be allocated, as part of Westhill, for housing development for the period 2006 to 2010, is the same land which the council now seeks to identify as a search area for housing development as part of Westhill in the period 2011 to 2015: potentially, only one day later.

164.70 Essentially, this is an issue of phasing. I accept that, theoretically, the forthcoming review of the structure plan could effect a halt to development. However, while stating that planning permission should not be granted pending the review, the current structure plan requires this local plan to allocate land for development in the period 2006 to 2010 and, where possible, to indicate where new housing should be accommodated in the period 2011 to 2015. This does indicate differing degrees of certainty, although the latest household growth projections suggest little lessening in the requirement for additional houses across Aberdeenshire during these periods.

164.71 In these circumstances, I accept the ultimate logic of the council's current position, which is that, by the period 2011 to 2015, the westward expansion of Westhill will effectively result in it coalescing with Kirkton of Skene. I see no reason why much of the current identity and character of Kirkton of Skene should not be retained, and some sense of continued separation may be secured by the creation of community woodlands, protected open space and the practical effects of the pipeline safeguarding corridor.

164.72 However, given the decreasing degrees of certainty over successive phases, I consider that development in the period 2006 to 2010 should be directed to the Dunecht Estates land on the east side of Kirkton of Skene; and that the area of search for future housing development in the period 2011 to 2015 should be identified on the intervening land both to the north and the south of Old Skene Road. This approach would provide a greater possibility that the more visually obtrusive development at Broadshade Farm could still be avoided or, if that is not possible, that its early impact could be better ameliorated by advanced planting.

164.73 The approach in the local plan is not to define the boundaries of areas of search. I am satisfied that here, this should include the two additional areas to the east and north-west of Broadshade Farm which are sought by the Stewart Milne Group. To facilitate this, the protected area designation should be removed from the temporary golf practice area to the east of Broadshade Farm, and the settlement boundary amended to exclude it.

164.74 I therefore conclude that:

- The proposals maps should indicate that the main settlement at Westhill includes Kirkton of Skene, albeit identified with a separate settlement boundary.
- That the land on the east side of Kirkton of Skene, as proposed by Barratt Construction Ltd (see Objection Ref: 1251.1.1) should be allocated for housing development in the period 2006 to 2010, with a stated capacity of around 250

houses, and subject to the prior approval of a master plan which includes provision for a relief road to remove traffic from the centre of Kirkton of Skene.

- That the land between the above site and the existing western edge of Westhill's built up area, both to the north and the south of Old Skene Road, should be identified as a search area for future housing development in the period 2011 to 2015.

164.75 Although the precise number of houses built on each site may vary from the indicative capacities stated, I am satisfied that these allocations for housing development in the local plan will fulfil the requirements of the structure plan for Westhill for each period.

164.76 Turning to the other objections:

- I agree that the settlement boundary should be adjusted to incorporate the existing group of houses contiguous to the western boundary, as sought by Taylor Design Service, but the boundary should not be extended beyond the existing properties.
- While noting that this has been overtaken by events, I agree with the many objectors that the sports pitches at the Westdyke leisure centre should be protected from development, and should not be the site used for the re-location of the local medical centre.
- I agree that the area on which a house has been built, to the rear of Lawsondale Avenue, should be removed from the protected area designation.
- I do not consider that the project area (P9) for a biomass energy/heating plant is inconsistent with its location within Site EmpD. However this would not bind the council to grant planning permission for a particular proposal, if an assessment indicated that there would be adverse effects on the environment or on adjoining uses. Similarly, its inclusion in the local plan would not require an unwilling landowner to promote such a scheme.
- I note that the Arnhall industrial estate is designated as an "industrial and retail warehouse park" on the proposals, which appears to recognise the lack of sites for retail expansion at the town centre. I also note that the council has recently granted planning permission for a superstore within it. In these circumstances, I consider that the stated designation should be modified to "industrial and retail park", with an associated addition to the text stating that controls will be imposed over the goods sold from retail premises to protect the function, and the vitality and viability, of the town centre.

Recommendations

164.77 I recommend that the plan's provisions in relation to Westhill and Kirkton of Skene should be modified as follows:

- Kirkton of Skene should be included as part of the Westhill main settlement, with a separate settlement boundary at this stage, rather than as a rural service centre.
- The allocation of Site A for 70 houses for development between 2000 and 2005 should be deleted, with a consequential adjustment to the settlement boundary, while retaining the project area (P1) for strategic landscaping along it.
- Site EmpC should be re-designated as Site A, and allocated for housing development in the period 2000 to 2005, with an indicative capacity of around 70 houses.

- Site fh2 should be extended west to the line of the B979, with an indicative capacity of 250 houses.
- Project area P12 should be deleted.
- Site fh1 at Broadshade Farm should be deleted, together with the associated project areas (P2 and P11).
- Land on the east side of Kirkton of Skene (delineated in Objection Ref: 1251.1.1) should be allocated for housing development in the period 2006 to 2010, with a stated capacity of around 250 houses, and stated in the associated text to be subject to the prior approval of a master plan which includes provision for a relief road to remove traffic from the centre of Kirkton of Skene. This would supersede Site fh1 in the original proposals map for Kirkton of Skene.
- The land between the above site and the existing western edge of Westhill's built up area, both to the north and the south of Old Skene Road, should be identified as a search area for future housing development in the period 2011 to 2015.
- The protected area designation should be removed from the temporary golf practice area to the east of Broadshade Farm, and the settlement boundary should be amended to exclude it.
- The settlement boundary should be adjusted to incorporate the existing group of houses contiguous to the western boundary (see Objection Ref: 1085.15.1), but the boundary should not be extended beyond the existing properties.
- The stated designation of Arnhall industrial estate should be modified to "industrial and retail park", with an associated addition to the text stating that controls will be imposed over the goods sold to protect the function, and the vitality and viability, of the town centre

Issue 165: Whiteford

Objectors:	Reference Numbers:
Mr C Hepburn	31.2.1
Mr D W McGregor	103.2.1
Alan Grant (Grampian) Ltd	361.18.3
Mr P Grigor	440.2.1
Mr I J Fidom	462.2.1
Mr WG McKay	501.2.1
Mr J Burges-Lumsden	568.44.1&5; 568.72.1
Mr L Padmos	941.1.1 & 2
Scottish Environment Protection Agency	969.6.12
Dr C Millar	1136.1.21
Ms I Fairclough	1171.1.1

Procedures:	Reporter:
Informal Hearing and Written Submissions	David Russell

The provisions of the local plan

165.1 Whiteford is defined by a settlement boundary in the settlement proposals maps on Page 229 of the local plan; and is identified as one of the rural service centres in the Garioch 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 Garioch area, land for 20 houses for the period 2000 to 2005, and for 50 houses for the period 2006 to 2010. This is in addition to existing housing sites, all of which were effective, which formed part of the established housing land supply at January 2000.

165.2 The proposals map identifies the main part of the settlement as lying to the north of the River Urie, on the west side of the minor road leading to Durno from its junction with the A96 trunk road, about 300 metres to the south. The settlement boundary extends north to incorporate the primary school which is separated from the houses by a belt of agricultural land about 200 metres wide. The boundary also incorporates another large agricultural field to the west of that land.

165.3 One existing housing site (Site eh1) is identified. It has a stated capacity of 74 houses. It extends north from the existing houses, and comprises about 60% of the agricultural land between them and the school, with the remainder being designated as a protected area. The agricultural land to the west is identified as a project area (P1) for a new primary school, together with strategic landscaping (P2). The existing school fronts onto a minor public road leading west from the road to Durno, and a further site (Site fh1) is allocated on agricultural land to the west of the school. It is stated to have capacity for 15 houses, for development in the period 2006 to 2010. A further 'protected area' is designated along part of the north bank of the River Urie, to the west of the road to Durno, and it extends north in a narrow belt between the existing houses, to another minor road which provides access to most of the houses.

The objections

165.4 Five of the objections from individual members of the public seek the re-drawing of the settlement boundary to exclude an area to the north of the River Urie which is known to flood.

165.5 The Scottish Environment Protection Agency states that Site eh1 should connect to a first time sewerage system adopted by Scottish Water.

165.6 Mr Padmos objects to the allocation of Sites eh1 and fh1, as these would more than double the size of this rural village and destroy its character. Ms Fairclough re-iterates these concerns in relation to Site eh1. Mr Padmos also argues that there would be no demand for these houses. Development of Site fh1 would increase substantially the traffic in front of the school, endangering child safety. Only five houses should be built on Site eh1, and none on Site fh1.

165.7 Dr C Millar argues that the allocation of Site fh1 for housing development, together with the associated strategic landscaping (P3) is premature, in advance of any decision on the extension or replacement of the school, and could limit the options for future settlement development.

165.8 Alan Grant (Grampian) Ltd seeks the allocation for housing development of the remainder of land within project area P1 which is not required for the new school, together with land to the south. The settlement boundary should be amended to incorporate all of this area.

165.9 In discussion at the inquiry, it was argued that new housing in this area would integrate with the existing settlement. It was previously proposed by the council for the development of 87 houses, and is only constrained, along with Site eh1, by the lack of sewage treatment infrastructure for the settlement. A new treatment plant requires to be provided, or sewage would require to be pumped to the treatment works at Inverurie.

165.10 The council had suggested amending the original proposals, to reduce the westward extent of the project area (P1) for the new school; to delete Site fh1 to the west of the existing school; and to allocate a new site (a new Site fh1) for the development of 15 houses between 2006 to 2010, on the north-west edge of the existing houses, and adjoining project area P1 to the south, and Site eh1 to the west. Given the cost of funding the necessary infrastructure works, which are also required for the new school, either an area of search for future housing development should be identified to the west of the restricted Site fh1; or it should be extended to allow the full development to take place, and enable joint vehicular access to be planned in conjunction with Site eh1.

165.11 Mr Burges-Lumsden seeks the replacement of Sites eh1 and fh1, as these are associated with land ownership, infrastructure and environmental issues. Instead, land to the south of the River Urie outwith the current settlement boundary should be allocated for a mixed development, with the provision of a waste water treatment works on the south side of the River Urie. In discussion at the inquiry, it was explained that this would include tourist and community facilities, including the new school, as well as housing. Some 8-10 hectares would be available for the development of between 80 and 100 houses, although an initial allocation for 15 houses would be acceptable.

165.12 Development here would be adjacent to bus services on the A96, and could be linked to the railway at Pitcaple. While there is a problem with visibility at the junction of the minor road with the A96 trunk road, it applies to the local plan's allocations as well as to the objection site. There are a number of options being examined to remove this constraint, and he owns the land involved. This would benefit all local traffic.

The case for the council

165.13 The council agrees that the settlement boundary should be re-drawn to exclude the flood plain of the River Urie.

165.14 Site eh1 has approval for 74 houses, and is an effective site within the housing land supply. As such it is likely to come forward for development within 5 years. However it now confirms that a smaller area would be required for a possible new school and that Site fh1 should be relocated to land adjoining the north-west edge of the existing houses.

165.15 In response to the objection by Alan Grant (Grampian) Ltd, the council stated, following discussion at the inquiry, that the suggested relocation of Site fh1, together with the reduced extent of the area (P1) for the new school should be pursued. The scale of development appropriate to rural service centres is 15 houses, but this would maintain flexibility to explore options for further development later, and enable Site eh1 and fh1 to be considered together. The identification of areas of search for housing development beyond 2010 is not considered appropriate for rural service centres.

165.16 In response to the objection by Mr Burges-Lumsden, the council argues that housing development on Sites eh1 and fh1, as now proposed, would serve to round off the settlement, whereas development to the south, while creating benefits for tourism, would create a fragmented settlement on either side of the river.

Conclusions

165.17 I agree with the council and the objectors that it would be appropriate to amend the settlement boundary of Whiteford to exclude the land to the south that forms part of the flood plain of the River Urie.

165.18 I also agree with the council that the extent of project area P1 should be restricted to the area which may be required for a replacement school. I consider that the deletion of the original Site fh1 is also justified, as this would extend the settlement unnecessarily, and the house built there would be unrelated to the existing houses.

165.19 I agree that the scale of new housing development is large in relation to the existing size of Whiteford. However, Site eh1 already has approval for 74 houses and development on that scale may be necessary to fund the additional infrastructure likely to be required in relation to the provision of appropriate drainage facilities and an improvement to the junction with the A96. I am also satisfied that the allocation of the replacement Site fh1 for 15 houses, as now suggested by the council, would be an appropriate addition to round off the settlement and allow integration and joint pedestrian and/or road access in conjunction with the development both of a new school and of Site eh1.

165.20 The mixed use development proposed to the south of the River Urie has some significant merit. However the scale of housing development proposed would not accord with the broad approach to the limited role of rural service centres, particularly as Site eh1 is an existing commitment which cannot be relocated through the local plan. The development may bring wider benefits in relation to the necessary improvements to the junction with the trunk road, and to the provision of drainage infrastructure. However, neither the details of the development nor the solutions to the infrastructure constraints have yet been finalised.

165.21 In these circumstances, I consider that it would not be appropriate for the local plan to allocate the land to the south of the River Urie for development. I am satisfied that the policies set out in the local plan would provide an appropriate basis for assessing the specific merits of any detailed proposal which is brought forward as a planning application.

Recommendations

165.22 I recommend that the plan's provisions in relation to Whiteford should be modified, as suggested by the council, in relation to:

- The amendment of the settlement boundary at the south end of Whiteford to exclude the area of the River Urie's flood plain.
- The reduction of the westward extent of project area P1, which is the site for a new school.
- The deletion of the original Site fh1 and its associated project area for strategic landscaping; and their relocation to the north-west edge of the existing houses, adjacent to both Site eh1 and project area P1.

Issue 166: Areas Outwith Settlements in the Garioch Area: Corsehill View, Parkhill; Craigearn; Drum of Wartle; England, Pitcaple; Leylodge; and Kirkton of Rayne

Objectors:

Tor Ecosse
Mrs S Johnston
R B Ross
Mr J Burges-Lumsden
Mr J Benton
Mr & Mrs Clark
John R Craig
Ms F R Sawdon
Mr S Leslie
Norman Lawie Ltd

Reference Numbers:

11.2.3
361.17.1
568.39.1
568.41.4; 568.72.2
619.17.1
846.1.1
855.2.3
981.3.1
982.1.1
1126.4.1

Procedures:

Informal Hearing and Written Submissions

Reporter:

David Russell

The provisions of the local plan

166.1 Within the Garioch area of Aberdeenshire, the local plan defines 27 places as “settlements”, of which five are “main settlements” and the remainder are “rural service centres”. However, Annexe 1 to Appendix Two of the local plan specifies eight other places, which had been identified as “settlements” in the previous plans, and which are to be treated as “cohesive groups” in this plan.

The objections

166.2 The objections seek the inclusion of the following places amongst those defined as settlements: Corsehill View, Parkhill; Craigearn; Drum of Wartle; England, Pitcaple; Leylodge; and Kirkton of Rayne. In the case of Leylodge and Corsehill View, Parkhill, the allocation of a site for housing development is sought in association with their designation as settlements; at Drum of Wartle, the allocation of land for eight houses, sports pitches and open space is sought; at England, Pitcaple the allocation for development of the site discussed above in relation to Whiteford (see Issue 165), along with two additional housing sites, is sought; and at Kirkton of Rayne, the allocation of land for individual or self-build houses is sought.

166.3 In discussion at the inquiry it was argued that Craigearn is centuries old, pre-dating Kemnay, with 22 houses and four businesses operating there. Designation as a settlement would enable the future development of houses to bring new life to Craigearn and would support these existing businesses. A slight detour in the existing bus route would enable Craigearn to be served by public transport.

166.4 Leylodge was included in the previous local plan and has a garage just beyond it to the north. Other places with fewer houses or no businesses have been designated as settlements. A site on its northern edge should be allocated for housing development.

166.5 With the developments proposed at England, Pitcaple, separation from Whiteford would still be maintained, and there is scope for about 15 houses together with landscaping on the two additional sites. There would be no adverse visual impact. Development here could help to fund the junction improvements required on the A96 trunk road.

The case for the council

166.6 In response to these objections, the council states that, while it now agrees that Pitcaple should be designated as a rural service centre, none of the other places satisfy the criteria set out in Chapter 8 of the plan. In these circumstances, neither their designation as settlements nor the allocation of land for housing or other development would be justified. In the case of Pitcaple, sufficient housing land has been identified already in the other settlements in the Garioch area.

Conclusions

166.7 Having carefully considered the definition and role of settlements, set out in Chapter 8, I have concluded that, in principle, it would not be appropriate to designate as settlements those places where there is simply a small group of houses, together with one, or even a few businesses. Clearly, the particular circumstances require to be assessed in each case, but inclusion of businesses such as road-side garages, or farms, would not be appropriate. The plan's stated intention is that the designated settlements will enable new development to be directed to locations which bring together housing, services and facilities, as well as work-places.

166.8 Having visited each, I have concluded that none, including Craigearn, England, or Pitcaple, are locations with sufficient houses, services, facilities and/or work-places to justify their designation as settlements. I agree that other places that also lack this justification have been designated as settlements, but there are no objections before me which seek an alteration to their status.

Recommendations

166.9 I recommend that no modification of the plan's provisions should be made in response to these objections.