

**REPORT TO ABERDEENSHIRE COUNCIL**

**LOCAL DEVELOPMENT PLAN EXAMINATION  
ABERDEENSHIRE LOCAL DEVELOPMENT PLAN**

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Issue 1	Process of Plan Development	
<b>Development plan reference:</b>	Development Plan Scheme	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Norman P Lawie Limited on behalf of John Cruickshank (274)  Stephen Shaw (381)  Ruth Taylor (424)  Margaret Tait on behalf of David Grant (524)  Mearns Community Council (994)  B J Kennedy (1102)  Dougie Thomson (1143)  Justeen Peacock (1232)  Gordon Summers on behalf of Luthermuir Annual Motor Bike Rally (1235)  William McKelvey on behalf of Luthermuir Annual Motor Bike Rally (1236)  Helen Kelman on behalf of Luthermuir Annual Motor Bike Rally (1237)  Scott Gray on behalf of Luthermuir Annual Motor Bike Rally (1238)  Lloyd Scott on behalf of Luthermuir Annual Motor Bike Rally (1239)  Elle Porter on behalf of Luthermuir Annual Motor Bike Rally (1240)  Ivan Smith on behalf of Luthermuir Annual Motor Bike Rally (1241)  K Tutchenor on behalf of Luthermuir Annual Motor Bike Rally (1242)  Robert Christie on behalf of Luthermuir Annual Motor Bike Rally (1243)  R Byrne on behalf of Luthermuir Annual Motor Bike Rally (1244)  Jane Pearce on behalf of Luthermuir Annual Motor Bike Rally (1245)  S McShane on behalf of Luthermuir Annual Motor Bike Rally (1246)  Aberdeen &amp; Grampian Chamber of Commerce (1250)  Wallace Planning Ltd on behalf of Barratt East Scotland &amp; Dunecht Estates (1397)</p>	<p>Halliday Fraser Munro on behalf of Mrs S Ironside &amp; C Laurie (1408, 1409)  Halliday Fraser Munro on behalf of Mr McDonald (1429)  Bancon Developments (1435, 1454, 1461)  Halliday Fraser Munro on behalf of CHAP Homes (1480)  Halliday Fraser Munro on behalf of Barratt East Scotland &amp; Drum Development Company (Stonehaven) Ltd (1485)  Halliday Fraser Munro on behalf of Mr &amp; Mrs Dow (1527, 1530, 1535, 1540, 1542)  Halliday Fraser Munro on behalf of Stuart McDonald (1541)  Archial Planning on behalf of Mr &amp; Mrs Lever (1603)  Strutt &amp; Parker LLP on behalf of BMF Group (2104)  Strutt &amp; Parker LLP on behalf of Kincardine Estate (2106)  Strutt &amp; Parker LLP on behalf of Monymusk Estate (2107)  Halliday Fraser Munro on behalf of Deveron Homes Ltd (2159)  Steven Webley (2341, 2343, 2344, 2404, 2405, 2406)  Charles Dickie (2358)  David Murray Associates (2359)  Inverurie Community Council (2598)  Phil Ash (2868)  Archial Planning on behalf of Stewart Milne Homes (2869)  Sylvia Cartwright (2901, 2902)  Kenneth &amp; Laura Gray (2932)  GH Johnston Building Consultants Ltd on behalf of Monument Leisure Ltd (3032)</p>	
<b>Provision of the development plan to which the issue relates:</b>	The processes used in development of the plan.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Support or otherwise for the general process of consultation</u>  <b>2598:</b> The respondent applauds the planning system for changing the process of plan development.  <b>381, 524, 2344:</b> These respondents dismiss the consultation as not everyone affected has been</p>		

specifically included, there is no intention to listen to what is said, and that the proposals in the final plan will be circumvented by the appeals system in any case. As it is the Councils "settled view" the consultation process is redundant.

Neighbour notification

**1102, 1603, 2341, 2343, 2404, 2405, 2406:** These respondents consider that the consultation distance from the boundary of proposals sites was inadequate and that conterminous landowners should have been notified. Landowners within area designations should have specifically been contacted (1102).

**2932:** Criticism of the consultation process for neighbour notifications was not long enough for some households who were notified 5 months after the first set of notifications went out.

Information base used

**2159:** These respondents suggest that additional information should have been used to inform the Proposed Plan, including the 2010 Housing and Employment Land audits and an economic development appraisal.

**1397:** The LDP process was unfair, lacked transparency and openness in its treatment of a specific site. An error in the Main Issues Report was never rectified, nor were elected members of the public informed of the error. This prejudiced consideration of the site (See issue 80, Westhill).

**1435, 1461:** Not all local issues were considered at the time of the Main Issues Report.

**1250:** It is significant and laudable that the council attached so much importance to the deliverability of sites, but this may have been overlooked in the decision making process.

The democratic process

**424, 1408, 1409, 1429, 1485, 1480, 1542, 1527, 1530, 1535, 1540, 2358:** These respondents criticised the democratic process and course that has led to the recommendations made. One representation objects to the overturning of their proposal by a small group of councillors (2358).

**1480, 1485, 424, 2901 & 2902:** There is criticism of the Councillors not accepting officers' recommendations (2901 & 2902) and of being selective about from whom they received representations. The process whereby sites' status was changed between the Main Issues Report and the proposed plan was not transparent (424).

**1408, 1409, 1429, 1454 1480, 1485, 1527, 1530, 1535, 1540, 1542, 2359:** Officers are criticised for misleading members on certain issues (such as the application of the Rural Development Policy (1542, 1527, 1530, 1535, 1540, 1542), or not seeking to have their overturned recommendations reinstated by a higher committee. Inadequate minutes of meetings were taken. Sites were not presented to committee appropriately or based on the full facts (1429). Officers did not give advice to Members on the down side of not accepting their advice and gave elected members too much latitude (1485). Officers gave commitments at committee to amend policy to extend policy prescriptions to favour specific sites, but this was not done (1408, 1409). Subsequent recommendations by development management are inconsistent with the advice provided by development plan officers, and the decision making process is making a mockery of the development plan process (1480, 1485). Staff involved in the preparation of the plan may have prejudices which may have prevailed in the scripting of the plan (1480).

**274 , 2104, 2106, 2107, 2868:** The council has ignored or misinterpreted comments made to them , requiring consideration of these issues by an independent reporter, especially the settlement statements (274) and the land allocations (2104, 2106, 2107). An appropriate balance of fairness and consideration is required (2868).

**2901, 2902:** The respondents question whether proper guidelines have been followed by councillors concerning declarations of interest made for particular sites.



Other issues

**994:** Further consultation should take place on contentious sites.

**1541:** Sites that did not appear in the Main Issues Report should not be excluded from the plan, as the plan gives the opportunity for consultation on new proposals.

**3032:** There was scant consideration of the merits of sites in the Main Issues Report and lack of opportunity to respond to the content of that document. Comments made in the Main Issues Report are not substantiated.

**1143, 1232, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246:** Potential alternative sites were removed from the proposed plan, giving the impression that there were no alternatives.

**1480, 1485:** Public engagement on proposals during the consultation is not competent as it could prejudice the outcome of the examination.

**2869:** Object to further changes having been made to the supplementary guidance following the main consultation period to the Proposed Aberdeenshire Local Plan, concerned that these changes will not be scrutinised at examination. Wish these objections to be submitted to the Reporter's Unit as an Appendix.

**Modifications sought by those submitting representations:**

**1397:** Confirm that an error was made in respect of site G62 Kirkton of Skene and allocate the site for 250 houses.

**1429:** Include land at Kintore in the Plan.

**2104, 2106, 2107:** Ensure that any areas where further supplementary guidance is to be prepared is referenced within this plan.

**1541:** Include land at Portlethen in the plan.

**1143, 1232, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246**  
**1480, 1485:** Delete site M1 Luthermuir from the plan.

**Summary of response (including reasons) by planning authority:**

Overview and general comments

Aberdeenshire Council's commitment to consultation and participation is provided on page 12 of the development plan scheme 2010, where specific reference is made to the "standards for community engagement". The participation statement reflects an inclusive process where everyone has had the opportunity to make their voice heard. Every comment we received has been individually considered in a transparent way, as demonstrated by the "schedule 4" documents submitted to the Scottish Ministers. While advice in Circular 1/2009 does not encourage the modification of the proposed plan, as it represents the planning authority's settled view as to what the final adopted content of the plan should be, it does not preclude such an action. Representations made have persuaded Aberdeenshire Council to make minor modifications.

Neighbour notification

Aberdeenshire Council exceeded the prescribed distance for neighbour notification advised by Circular 1/2009, but as advised restricted itself to occupied properties, not occupied land. Conterminous properties (such as Ferniebrae Croft) were notified, once an error in this definition was identified. Areas covered by general policy designations are not specifically proposed for development. Only one neighbour/occupier is known to have been missed in the notification process

due to an error in the Postal Address File used, and once identified this error was rectified. Aberdeenshire Council submits, as detailed within the Statement of conformity with the Participation Statement, that adequate publicity was given to the proposed plan and no further consultation is required.

Information base used

The 2010 Housing and Employment Land Audits were only approved in September 2010 and November 2010 respectively, after publication of the proposed plan. New documents are produced all the time and this is no argument for delaying production of the plan. The economic development appraisals are not prescribed and the use of this technique may not have added value to the proposed plan.

Officers cannot have perfect knowledge of all that is occurring in an area as large and diverse as Aberdeenshire. It is inevitable that local or newly arising issues will be missed when they only arise during the process of plan development. Where these issues are raised in objections, and are material, they can be considered through minor modifications or through the examination.

Democratic Process

Councillors are democratically elected representatives, and the ultimate decision makers within Aberdeenshire Council. It would be inappropriate for planning officers to refer decisions they made to a higher committee, unless there was conflict with another decision by a committee, or it was incompetent, or it resulted in a plan that did not conform to the approved structure plan. On 29 April 2010 five such issues were reported to the Infrastructure Services Committee. In all these cases that committee made decisions that resolved inconsistencies to the satisfaction of both officers and elected members.

In such a large and diverse area elected members are frequently closer to their communities, and have a better understanding of grass roots opinion than planning officers. During the process of plan development those proposing sites were encouraged to engage directly with communities. Consequently planning officers may not always be aware of issues raised locally that could justify the reversal of their recommendations by members. This is neither an inappropriate nor incompetent approach to adopt. All Council meetings on the local development plan were conducted to the satisfaction of the relevant monitoring officers. One formal complaint was received to one of these committees relating to the information presented by officers at a Committee meeting, and the complainant was advised to make submission to the Proposed Local Development Plan consultation on this issue. No such representation was received from the complainant.

Officers presented site assessments to committees based on their professional assessment as to the relevant facts. All information on which these recommendations were made was available for scrutiny by members. If the plan is found to be inappropriate or insufficient the examination process allows that evidence to be re-visited in an assessment of alternatives. Any error or omission does not prejudice that process. Likewise, the recommendations ultimately made reflect the commitments given to reconsider issues; on reconsideration no change was thought necessary. Development management officers apply the current local plan and recommendations may appear from the outside to be inconsistent with proposals in the new Local Development Plan. Management and review processes have ensured that even if personal bias existed it could not have influenced the content of the proposed plan. We do not believe that democratic processes employed have prejudiced any interests, and consequently do not justify the proposal of significant prescribed modification to land allocations at Westhill, Kintore, Portlethen and Luthermuir. Aberdeenshire Council believes the allocations in the plan to be both appropriate and sufficient, and does not believe any modification is required to add the additional sites noted above.

Other Issues

An inclusive and extensive process of consultation has taken place and further consultation would delay the adoption of the plan. Aberdeenshire Council submits, within the Statement of conformity with the Participation Statement, that adequate publicity was given to the proposed plan and no further consultation is required.

Omission of opportunity to respond to comments in the Main Issues Report by those proposing sites is not a failure in the process. Opportunity was taken by over 3000 respondents to react to the content of the Main Issues Report and to engage in a process to win “hearts and minds” of communities to achieve a favourable outcome, and to correct any erroneous assumptions that may have been made. We agree that public engagement on proposals during the consultation could be misleading, re-opening the debate on alternatives that took place on publication of the Main Issues Report, but do not agree that it can prejudice the examination.

Modification of the plan to include sites not included in the Main Issues Report is not proposed, as they have not been subject to wide public consultation and debate. However, the opportunity exists for their consideration as an alternative should the plan allocations be found to be inadequate or inappropriate.

It would be inappropriate for the proposed plan to reflect alternatives as it is the settled view of the council. Alternatives were illustrated and debated through the Main issues Report.

The sites for which further supplementary guidance may be required are unknown at this time. Modification to provide the degree of specificity sought is not possible, and a general statement of intent is most appropriate.

Supplementary guidance will not be scrutinised at examination and is largely independent of the examination process.

**Any further plan changes commended by the planning authority:**

None proposed.

**Reporter’s conclusions:**

**Conformity with the participation statement**

1. Section 19(4) of the Town and Country Planning (Scotland) Act 1997 (as amended) requires the appointed person: “to examine...the extent to which the planning authority’s actions with regard to consultation and the involvement of the public at large as respects the proposed plan have conformed with (or have been beyond the requirements of) the participation statement of the authority which was current when the proposed plan was published under section 18(1)(a).”

2. The council’s participation statement is found in section 5 of the Aberdeenshire Council Development Plan Scheme January 2010, which identified 6 actions that council would undertake to support the engagement on the proposed plan:

- (1) publication of statutory notices in the Press & Journal newspaper and other local papers, allowing at least 12 weeks for comments;
- (2) placing a copy of plan (and a response proforma) on the council’s website and at area offices and all libraries;
- (3) writing to all community councils with a copy of statutory notice, proposed plan and proforma for representations;
- (4) writing to all who engaged with the council on the Main Issues Report (MIR), with a copy of the statutory notice, the proposed plan, proforma for representations, and a report on how representations to the MIR were taken into account;
- (5) writing to all landowners (that the council could identify) of sites directly affected by the plan, to advise them of the inclusion of their land within the proposed plan, and to occupiers and neighbours to advise them of the proposal of land for development in the plan;
- (6) writing to all statutory undertakers and adjoining local authorities, with a copy of the statutory notice, proposed plan and proforma.

3. As Scottish Ministers expect the proposed local development plan (LDP) to be the council’s

“settled view as to what the final adopted content of the plan should be” (Circular 1/2009, paragraph 55), the council directed the majority of the consultation effort towards preparation of the options in the MIR, and assessment of those options. Over 3000 individual responses were received to the MIR, generating over 28,000 issues each of which was considered and responded to. The plan was formally published on 9 July 2010 with a 12 week representation period.

4. The council considers that it has complied with all its obligations as set out in the participation statement of the Development Plan Scheme 2010 except: the council did not send physical copies of the plan to all 3098 respondents to the MIR; and did not write directly and independently to owners of sites put forward for development.

5. The council advises that MIR correspondents were made aware of the publication of the plan, and where it could be obtained, and contends that they therefore suffered no disadvantage from not receiving a copy.

6. Where an issue arose on the completeness of neighbour notification procedures, the council states that “action was taken swiftly and decisively to resolve any disadvantage”. The council confirms that all properties within 40 metres of site boundaries were notified. 8402 neighbour notification letters were sent out in June 2010, and a further 830 in November 2010 (with 6 weeks for representation).

7. As LDP proposals were based on a ‘bid’ for inclusion in the plan, the council considers it very unlikely that site owners would submit anything other than supportive comments. Those would not be classed as ‘unresolved objections’, and thus would have little impact on the content of the proposed plan.

8. None of the representations to the plan raised concerns about non-compliance with the participation statement, except in relation to the neighbour notification process where it was suggested that a larger area should have been notified around proposals with a very wide impact, or that specific properties should have been notified. The council investigated those concerns and notified additional neighbours to avoid the risk of legal challenge.

9. One representation which drew attention to an apparent discrepancy between the advice in Circular 1/2009 and the terms of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 resulted in a review of the process and the notification of additional neighbours in November 2010.

10. The council states that Scottish Government’s Directorate for the Built Environment was content with the neighbour notification methodology proposed by the council, which went beyond the statutory requirements insofar as properties affected by new area wide designations (e.g. green belt modifications) were also notified.

11. In May 2010 the council reviewed the data on site ownership collected from the bids, and discovered that the information was far from complete, and in some cases appeared to be in error. The council considered that it would be a time consuming and expensive process to verify land owners, which was not required in law and was unlikely to achieve more than the consultation already undertaken. It concluded that the further delay to the publication of the proposed plan which would have occurred if the council had taken steps to notify landowners was not justifiable in those circumstances.

12. The council is confident that it has complied with Regulation 14(1) of the 2008 Regulations, based on its understanding of the regulations which it says “was reinforced in terms of guidance sought from the Scottish Government”.

13. Of the six actions which were identified in the Development Plan Scheme (see paragraph 2 above) the council has undertaken four in full – i.e. (1), (2), (3) and (5).

14. The council did not send a copy of the proposed plan to everyone who made representations on the MIR, which was one of the requirements of action (4). However, this is not a legal requirement, and respondents were advised where a copy could be seen or obtained. I consider that this was a reasonable solution, and that no party will have been prejudiced by this minor change in consultation arrangements.

15. In relation to action (5), I note that the council expanded its neighbour notification beyond the 20 metres distance recommended in Circular 1/2009, and addressed any apparent shortcomings which came to light during the process.

16. Although the council decided not to notify landowners, contrary to the intentions of action (6), it did fulfil the specific requirements of Regulation 14(1): “Where the proposed local development plan includes a proposal for development relating to a specific site which, if implemented, would be likely to have a significant effect on the use or amenity of that site or of neighbouring land, the planning authority are to give notice to the owner, lessee or occupier of any premises [my emphasis] situated on that site, or on such neighbouring land, as the case may be...”.

17. Paragraph 54 of Circular 1/2009 explains the requirement: “The planning authority must notify the owners, lessees or occupiers of sites which the proposed plan specifically proposes to be developed and which would have a significant effect on the use and amenity of the site. It must also notify the owners, lessees or occupiers of land neighbouring (i.e. within 20 metres of) sites which the proposed plan specifically proposes to be developed and which would have a significant effect on the use and amenity of neighbouring land. Notification is only required where there are premises on the site or adjoining land...”.

18. Overall, I conclude that the council met the intentions of the participation statement, insofar as it was reasonable to do so, and ensured a high level of engagement in line with the expectations of Scottish Ministers.

**Other issues relating to the process of preparing the plan**

19. I have already found that the general process of consultation on the proposed plan (including neighbour notification) was satisfactory, and met relevant statutory requirements.

20. Circular 1/2009 envisages that main issues reports will be the principal opportunity in the plan preparation process to consult stakeholders on the content of the plan and to involve the wider public. As already stated above, paragraph 55 of the circular explains that the proposed plan is supposed to represent the planning authority’s settled view as to what the final adopted content of the plan should be. From the proposed plan stage, Scottish Ministers expect the authority’s priority to be to progress to adoption as quickly as possible. Paragraph 58 of the circular warns that pre-examination negotiations and notifiable modifications can cause significant delay, and indicates that they should only be undertaken where the authority is minded to make significant changes to the plan. The examination of the proposed plan also provides the opportunity to change the plan, and the council has made clear where it sees merit in a representation, as advised by the circular.

21. The process of plan preparation takes a number of months, and it is only realistically possible to use the most up-to-date information available at the time. Otherwise the process would have to pause each time there was a review of the annual housing land or employment audits, to re-work the figures and re-appraise requirements. That would not be consistent with the priority which Scottish Ministers attach to the early preparation of local development plans, and the advice that authorities should adopt a proportionate approach to information gathering and analysis. More recent data which is referred to in representations to the plan can be considered in the examination of the proposed plan.

22. The examination process also gives the opportunity to address any errors or misinterpretations in the proposed plan, or in the main issues report or presentations to committee.

23. The criticisms of the council's decision making process are noted. However, local democracy

involves elected councillors, and not planning officers, taking most key decisions. In deciding whether or not to allocate sites for development, the council is obliged to take account of the views of stakeholders. There will often be a legitimate debate on the best way forward for a particular settlement or site, and it would be surprising in an area of the size and diversity of Aberdeenshire if all parties agreed on the outcome. I am unable to substantiate any claims of personal bias or failure to declare an interest, but even if bias existed its effects should be minimised because decisions were taken by committee, and not individuals. Similarly, I cannot comment on the adequacy of council minutes

24. However, the merits of each of the decisions which are the subject of unresolved representations, and the evidence base to support the decisions, are examined elsewhere in this report.

25. The relationship between the local development plan and supplementary guidance is considered in the discussion of Issues 2 and 5.

**Reporter's recommendations:**

No modifications.



Issue 2	Process and Format	
<b>Development plan reference:</b>	Proposed Plan parts 5 (The Policies) and part 6 (the proposals maps)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ian Nicol (135) Owen Davies (197) Norman P Lawie Limited on behalf of Ian Gilbert (257) Mike Hebenton (504) Emac Planning LLP on behalf of Stewart Milne Homes (608, 623, 626, 628, 630, 2702) Stewart Milne Homes (913) Strutt &amp; Parker on behalf of Faskally Investments (936, 1026, 2086) Dundas &amp; Wilson CS LLP on behalf of Stewart Milne Group (960) Scottish Property Federation (1014) Homes for Scotland on behalf of Grampian Housebuilders Committee (1112, 1118) Portlethen &amp; District Community Council (1122) Aberdeen &amp; Grampian Chamber of Commerce (1250) Halliday Fraser Munro on behalf of Deveron Homes Ltd (1368, 1369, 2088, 2159, 2163) Halliday Fraser Munro on behalf of Mrs S Ironside &amp; C Laurie (1405, 1547) Halliday Fraser Munro on behalf of Capo Lettings (1410, 1411) Halliday Fraser Munro on behalf of Hamish McDonald (1438) Bancon Developments (1440, 1441, 1466) Halliday Fraser Munro on behalf of Drumtochty Castle (1472, 1473, 1474) Halliday Fraser Munro on behalf of The Blackburn Consortium (1475, 1476, 1477) Halliday Fraser Munro on behalf of CHAP Homes (1478) Halliday Fraser Munro on behalf of Harper &amp; Cockrane (1483, 1486, 1511) Halliday Fraser Munro on behalf of Barratt East Scotland &amp; Drum Development Company (Stonehaven) Ltd (1489, 1490, 1491) Halliday Fraser Munro on behalf of Strathdee Properties Ltd (1518, 1523) Halliday Fraser Munro on behalf of Mr &amp; Mrs Dow (1527, 1530, 1535, 1540, 1542) Halliday Fraser Munro on behalf of Stuart McDonald (1528, 1541, 1551, 1552) Catterline Community Working Group (1532) Halliday Fraser Munro on behalf of Ms G Mitchell (1543, 1545, 1546)</p>	<p>Halliday Fraser Munro on behalf of Barratt East Scotland &amp; Scotia Homes (North) Ltd (1598) Halliday Fraser Munro on behalf of Mr A Bedawi (1607, 1616, 1621) Halliday Fraser Munro on behalf of John Martin Assets (1611) Halliday Fraser Munro on behalf of Chap Homes Ltd (1619) Halliday Fraser Munro on behalf of Messrs McIntosh (1640, 1642, 1644, 1648, 1649) Halliday Fraser Munro on behalf of Mr &amp; Mrs A P George (1651, 1653) Halliday Fraser Munro on behalf of Frank Burnett Ltd (1659) Paull &amp; Williamsons LLP (1793) Ryden LLP on behalf of Mr A F Buchan (1860) Ryden LLP on behalf of Cabardunn Development Company Ltd &amp; Dunecht Estates (1871) Scottish Renewables (1947) WYG Planning &amp; Design on behalf of GL Residential Ltd (1955) Scottish Environment Protection Agency (1979) Strutt &amp; Parker LLP on behalf of The Millbank Regeneration Joint Venture (2076, 2083) Strutt &amp; Parker LLP on behalf of Aberdeen Endowments Trust (2077) Strutt &amp; Parker LLP on behalf of Kincardine Estate (2081, 2106) Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2085, 2102) Strutt &amp; Parker LLP on behalf of Andrew Smith (2101) Strutt &amp; Parker LLP on behalf of BMF Group (2104) Strutt &amp; Parker LLP on behalf of Mr B Cowie (2105) Strutt &amp; Parker LLP on behalf of Monymusk Estate (2107) Scottish Government (2142) Halliday Fraser Munro on behalf of Deveron Homes Ltd &amp; Aberdeenshire Housing Partnership (2158) Mark Calder (2216) Susan Bennett (2218) Ewen Kelly Prof Roy Bridges (2256) Stonehaven &amp; District Community Council (2304)</p>	

Halliday Fraser Munro on behalf of Pension Fund (SAP) (1559, 1562, 1567) Halliday Fraser Munro on behalf of Cushnie Farming Company (1568, 1574, 1577)	Howard Butterworth (2480) Emac Planning LLP (2689, 2690, 2691)
<b>Provision of the development plan to which the issue relates:</b>	The appropriateness of the use of supplementary guidance within the plan and other general issues.
<b>Planning authority's summary of the representation(s):</b>	
<p><u>General approach</u>  <b>2142:</b> The Scottish Government welcomes the approach of preparing a concise Local Development Plan and moving much of the policy detail to Supplementary Guidance. The precise split between the policy principles in the Local Development Plan and the detail in the supplementary guidance will need to be set out in each case but guided by Circular 1/2009. The settlement strategies are a particularly effective vehicle for describing proposals in specific settlement.</p> <p><b>1793, 1860, 1947, 1979:</b> The policies are so general that it is hard to find matters on which to object as the actual meat of the policy has been removed to supplementary guidance; the plan is meaningless without the Supplementary Guidance. The status and purpose of the supplementary guidance is not clear, and is inconsistent. A more transparent approach is required. The amount of supplementary guidance attached to one policy is cumbersome and the number of supplementary guidance should be reduced either by incorporating it into the main policy or combining the guidance.</p> <p><b>504, 135:</b> There is over-reliance on supplementary guidance which is confusing, makes the plan difficult to read and does not provide a clear steer on actual policy requirements.</p> <p><b>2088, 2163:</b> The plan requires revision to achieve the balance between simplification of the proposals and sufficient detail within the policy</p> <p><b>1441:</b> Insufficient information and detail is contained within the Local Development Plan and too much emphasis is placed on the supplementary guidance.</p> <p><u>Supplementary guidance should be incorporated into plan policies</u>  <b>608, 623, 626, 628, 630, 2702:</b> Taking guidance from Circular 1/2009, the proposed Plan itself must provide clear policy direction by establishing the main principles with the supplementary guidance covering the detailed justification or methodologies that are referred to within the Local Development Plan policy. Supplementary guidance should be incorporated into plan policies</p> <p><b>257, 936, 1014, 1118, 2076, 2077, 2101, 2102, 2104, 2105, 2106, 2107, 2218:</b> The use of numerous supplementary guidance is not helpful, in some cases contradictory and does not aid understanding of the plan. There is no provision in the 2006 Act for policies to be part of supplementary guidance. In a number of cases we support the policy but object to the detailed application set out in supplementary guidance. Objections to the supplementary guidance should be considered at examination in addition to objections to the plan. Placing too much emphasis on the supplementary guidance will dilute the robustness of the plan.</p> <p>The proposed plan should be republished with supplementary guidance Rural Development, SG Rural Type 2 Green belt, SG Housing 1 , SG Housing 2, SG Affordable Housing, SG LSD1 Masterplanning, SG LSD5 Public Open Space, SGLSD8 Flooding and erosion, SGLSD11 Carbon Neutrality in New Developments, and SG Developer contributions 1-4 in the proposed plan,</p> <p>As the plan as it stands does not achieve the correct balance between simplification and the provision of a useful planning framework. The local development plan does not provide the necessary level of certainty required by Circular 1/2009. Either these are pieces of guidance that</p>	



have more than local impact, are prescribed to be included in the Plan (green belt, developer contributions) or have insufficient context within the Local Development Plan. Much of the supplementary guidance would not constitute "minor proposals" and should have been included in the plan.

Housing Land Allocations

**1118:** SG Housing Land Allocations 2007-2016 and SG Housing land allocations 2016-2023 are development proposal of more than local impact and should be included in the main Local Development Plan. There is insufficient information in the plan, and the balance between simplification and certainty has not been achieved

Affordable Housing

**1118:** SG Affordable Housing 1 : Affordable Housing should be in the plan, not as supplementary guidance as it is a matter prescribed by Circular 1/2009 and there insufficient connection between the supplementary guidance and the Local Development Plan for this policy

Rural Development

**913, 1518, 1523, 1118, 1410, 1411:** Changes to the SG Rural Development 1 in relation to the area over which they have an effect are so great as to require it to be considered within the plan. This is a proposal of more than local impact and the addition of provisions regarding housing associated with retirement succession are so great as to require this to be included in policy and subject to examination

**1118, 1607, 1616, 1621:** SG STRL Type 2 Green Belt is a matter prescribed by Circular 1/2009 for inclusion in the Local Development Plan. Significant changes in the policy require it to be part of the plan.

Landscape

**1026:** Landscape character areas should be shown on the proposals map as part of the map based approach.

**Developer Contributions**

**1118** SG Developer Contributions 1 to 4 should be in the plan, to allow scrutiny at examination. There is insufficient connection between the supplementary guidance and the Local Development Plan for this policy All four Developer contribution supplementary guidance statements relate to matters for which there a financial or other contribution should be sought, and which Circular 1/2009 requires to be in the plan. The balance between simplification and certainty has not been achieved.

Layout siting and design

**1440, 2689:** Each of the supplementary guidance LSD1-10 contains topics which are significant enough for them to be included in the policies, particularly LSD 5 and LSD 11. This would avoid concern that they can be changed without the same statutory scrutiny as the Local Development Plan. Reference to a policy list without justification is inappropriate

**1118, 2691:** Principles for masterplanning have to be set out fully in the plan policy to ensure examination. SG LSD 1 Masterplanning is not supported by an appropriate context in the Local Development Plan and so the entire policy should be included in the Local Development Plan

**2690:** Principles for layout siting and design have to be set out fully in the plan policy to ensure examination.

**1118:** SG LSD 5 Public Open Space is not supported by an appropriate context in the Local Development Plan. Changes to the open space policy are radical and so the entire policy should be included in the Local Development Plan in accordance with Circular 1/2009

**1118:** SG LSD 8 Flooding and erosions not supported by an appropriate context in the Local Development Plan and so the entire policy should be included in the Local Development Plan

**1118, 2218:** SG LSD 11 Carbon neutrality in new developments is a proposal of more than local impact and so the entire policy should be included in the Local Development Plan

Settlement Statements

**2238:** A plan for each area seems like a very good idea

**1368, 1369, , 1405, 1438, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1483, 1486, 1489, 1490, 1491, 1511, 1527, 1528,1530, 1535, 1540, 1541, 1543, 1545, 1546, 1547, 1551, 1552, 1559, 1562, 1567, 1568, 1574, 1577, 1598, 1611, 1619, 1651, 1653, 1659, 1860, 2158, 2159:** Absence of sufficiently accurate maps showing land allocations is contrary to Circular 1/2009 as the Local Development Plan is expected to be map based. The settlement statement maps are included in the plan but are not supported by critical information. This reduces certainty over where development is to take place. Excluding settlement and site allocation boundaries, and allocation descriptions does not make the plan a map based document as required by Ministers. There is insufficient context for, and insufficiently accurate identification of specific proposals in the plan and the requirements of Circular 1/2009 are not met. The proposals map is vague and does not accurately or specifically identify land allocations. his reduces certainty over where development is to take place

**936, 1955, 2076, 2077, 2104, 2105, 2106, 2107:** Existing land allocations are not shown on the proposals maps. All land allocations, including existing allocations, require to be shown in the plan. Schedules 1-3 make no reference to sites in previous plans being taken forward.

**1651:** The Supplementary Guidance settlements cannot be altered without affecting Schedules 1 and 2 of the Plan.

Other issues

**197:** More background information should have been provided in the plan

**2107:** There is no reference that the plan is consistent with the National Planning Framework.

**2216 & 2304:** There is lack of reference in the document to climate change.

**1466:** As the plan does not go beyond 2023 it provides little confidence for the development industry that investment in infrastructure will be of long term benefit

**1250:** A more flexible approach to prioritising those sites not included in the plan is required in the event that development cannot take place on allocated sites.

**1640, 1642, 1644, 1648, 1649:** There is no reference to "R" (reserved) land within the Local Development Plan. Reference to this should be in the plan and not tucked away in supplementary guidance. There is no explanation of R sites

**1871:** An additional table should be included showing existent sites in each administrative area.

**936, 1478, 2076, 2077, 2081, 2083, 2085, 2086, 2104, 2105, 2106, 2107:** Terms such as "business land and "employment land" need to be clarified and a glossary provided.

**1122, 2256:** The large scale proposal maps are in fact small scale maps. The maps require legends

**2480:** Howe of Cromar should be included in the plan.

**Modifications sought by those submitting representations:**

**197:** Include information on the development plan, environmental impact, needs in a local area, noise impact , loss of privacy, a plan for amenities

**1793:** some of the information in the supplementary guidance should be in the plan

**257, 936, 1112, 2076, 2077, 2088, 2101, 2102, 2104, 2105 2158, 2163, 2218:** Objections to the supplementary guidance should be considered in addition to objections to the plan. Republish the plan incorporating all the supplementary guidance.

**913, 936, 1118, 1410, 1411, 1440, 1518, 1523 1607, 1616, 1621, 2689, 2690, 2691:** Republish the proposed plan including revised policies incorporating one or more of: SG Rural Development 1 , SG Rural Type 2 Green belt, SG housing 1 , SG Housing 2, SG affordable housing, SG LSD1 Masterplanning, SG LSD5 Public Open Space, SG LSD8 Flooding and erosion, SG LSD11 Carbon neutrality in new developments, and SG Developer contributions 1-4.

**936, 1368, 1369, 1472, 1473, 1474, 1475, 1476, 1477, 1483, 1486, 1511, 1527, 1528, 1530, 1540, 1541, 1542, 1528, 1541, 1551, 1543, 1568, 1574, 1577, 1545, 1546, 1547, 1559, 1562, 1567, 1598, 1611, 1651, 1653, 1659, 1860, 1955, 2159:** Include the settlement statements in the Plan

**1640, 1642, 1644, 1648, 1649:** The approach to R sites should be completely reviewed with a schedule stating the purpose of the reservation and a map showing its location.

**1122, 2256:** Correct scale text on p18. Provide legends for the maps

**1478, 1489, 1490, 1491:** More detailed maps should be included in the plan

**1438, 1535, 1552, 1619:** Include settlement statements and proposals maps.

**2076, 2077, 2104, 2105, 2106, 2107:** Proposals maps should show existing land

**1026:** Include landscape character on the proposals maps

**1871:** An additional table should be added to the plan showing existent sites in each administrative area

**936, 1532, 1947, 2086, 2076, 2077, 2081, 2083, 2085, 2104, 2105, 2106, 2107:** A glossary should be provided. Ambiguous language and terms that go beyond Scottish Planning Policy should be resolved.

**1466:** Introduce further certainty beyond 2023 into the plan.

**2480:** Include Howe of Cromar in the National Park.

**Summary of responses (including reasons) by planning authority:**

General approach

The recognition by the Scottish Government of Aberdeenshire Council's determination to embrace culture change within the development plan, is welcome. We have paid special attention to paragraphs 93 to 99 of Circular 1/2009 in drawing up the plan.

The plan's format is indeed different from what has gone before. This should not be surprising, since one of the mainsprings of the new Act was to achieve such change. Not to have responded to this call for change would itself been a failure.

The plan has been designed to be useable, rather than just a tool to enable examination, with the plan policies setting a clear framework for the detail that is included in the supplementary guidance. This approach allows the principle of what the plan is seeking to achieve to be given considerably greater weight, for example when seeking to balance potentially competing policy prescriptions in the absence of such policies within the Aberdeen City and Shire Structure Plan. This is entirely in keeping with paragraph 96 of Circular 1/2009 which states that "Scottish Ministers' intention is that

much detailed material can be contained in supplementary guidance, allowing the plans themselves to focus on vision, the spatial strategy, overarching and other key policies, and proposals". The Policies within the plan have that role of being overarching statements with the supplementary guidance representing the "Detailed policies where the main principles are already established". The plan fulfils its role in providing a "spatial strategy, this being a detailed statement of the planning authority's policies and proposals as to the development and use of land" with "Minor proposals and detailed policies ....removed to supplementary guidance" as advised by paragraphs 39 and 40. We submit that the strategy of what we are trying to achieve is clear from the plan, in terms of both the location and scale of development and Aberdeenshire Council's position on major policy topics, and it is encouraging that there is sufficient consensus that one representee finds it is hard to find matters on which to object in this regard. This approach is detailed in paragraph 2 of section 2 "The format of the plan" and in the first paragraphs of section 5, and has been consistently applied.

Supplementary guidance should be incorporated into plan policies.

These objections essentially ask for this issue to be dealt with as it has been in the past. However, the Government has specifically introduced a new Act and new Regulations to change this, deliberately simplifying what the Local Development Plan itself has to contain. (see para. 39 of Scottish Planning Policy)

Changes to the plan to introduce additional material from the supplementary guidance into the policies would result in a plan that would not be concise, and could lead to interpretation that some elements, were of greater importance or weight than others. Instead a clear distinction is provided between principles and details.

We submit that providing significant detail within the policies of the plan would obscure, rather than illuminate, understanding of the plan. The forest would not be seen for the trees. Paragraph 22(2) of Part 2 of the 2006 Act makes provision for regulations as to the matters that can be dealt with in supplementary guidance. Regulation 27(2) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 states that supplementary guidance may only deal with the provision of further information or detail in respect of the policies or proposals set out in that plan, and then only provided that those are matters which are expressly identified in a statement contained in the plan as matters which are to be dealt with in supplementary guidance. We have done this in all cases. There is no prohibition on using supplementary guidance for policy. We have no issue with the supplementary guidance being scrutinised by the examination, to ensure that the objectives of the plan policies can be met.

When both supplementary guidance and the Local Development Plan are part of the Development Plan (as defined by section 24(1)(b) of part 2 of the Act), it is not possible, on adoption, for policies within the supplementary guidance to be any less robust in application than those of the proposed plan. We contend that as a functional document the plan and its associated supplementary guidance does represent a useful planning framework and republication with adoption of significant elements of supplementary guidance incorporated into the policies is unnecessary.

Housing land

In relation to housing land supply matters the Proposals maps and Appendix 1 of the plan allows the principle and scale of new development proposals in each location to be scrutinised at the examination. This accords with section 15 (4) of the Act and Regulation 8 that a proposals map requires to "illustrate ... proposals spatially" and to be sufficiently detailed to allow "location of proposals.... to be identified". Consequently there is no requirement to show the detailed site of these proposals in the Plan. The principle of these allocations is set by the Local Development Plan, but in accordance with paragraphs 96 and 97 of Circular 1/2009 the local issues of precise site boundaries and site specific issues are left as a matter for supplementary guidance

Affordable housing

In relation to affordable housing the context for the supplementary guidance is provided by Schedule 4 of the plan. Key new elements, such as the introduction of a new benchmark for affordable housing contributions are included in the policy. In this way the 4<sup>th</sup> bullet point of paragraph 97 of

Circular 1/2009 has been adhered to.

### Rural Development

The rural development policy was a main issue in the Main Issues Report, and a draft policy published for comment at that time. The main principles we wish to adopt in respect of Rural Development are set out within the proposed plan. No departure is proposed from Scottish Planning Policy. Paragraph 39 of Circular 1/2009 advises against the use of supplementary guidance, if there is significant change from the previous plan. We contend that the changes promoted by the new policy (widening of opportunity for redevelopment, increasing the scope for rural housing clusters, removing “tied” housing and providing for local needs associated with retirement from farm holdings) are not changes of such significance from the existing Aberdeenshire Local Plan policies Hou/4, 5 and 6 as to trigger this requirement. In addition we submit that these proposals are in effect “local policy designations that do not impact on the spatial strategy of the wider plan area”. We would make similar arguments against calls that the green belt supplementary guidance is incorporated into the plan, the locations of Green belt boundaries is shown on the proposals map, but significantly greater detail in the supplementary guidance where the degree of precision is of local interest only. This is how it is possible to maintain a succinct plan.

Introduction of the boundaries of the landscape character areas onto the proposals maps would result in a very confused map, and this detail would detract from the clarity of the spatial strategy.

In relation to developer contributions Schedule 3 of the proposed plan sets out items for which financial or other contributions will be sought, and the circumstances (locations, types of development) where they will be sought, in accordance with the advice at paragraph 97 of Circular 1/2009. The supplementary guidance provides detailed policies where the main principles are already established.

For the siting, layout and design issues this was a main issue within the plan and a revised approach is promoted through the LSD supplementary guidance series. Of these 11 pieces of guidance 7 have seen no change from the existing Aberdeenshire Local Plan. In respect of the other 4 elements of policy, the Local Development Plan sets out, either in the policy or the supporting documentation, the main principles that the supplementary guidance then provides detail for. The plan reflects the significant changes and areas where there is likely to be more than a local impact.

### Settlement Statements

We agree that a plan for each area seems like a good idea, as this reflects the way in which the settlement statements would be practically used. Developers in Banff do not need a document that also considers Laurencekirk.

Paragraph 39 of Circular 1/2009 sets out Ministers’ expectations for a concise map based document. In an area the size of Aberdeenshire the inclusion of the settlement statements into the plan would not result in a concise document and would result in local issues of detail dominating the plan, and occluding the settlement strategy itself. As there is no difference in the weight to be given to supplementary guidance or to the local development plan in terms of development management decision making, there is no uncertainty associated with having the detail of the site boundaries included in supplementary guidance. The specific location of proposals is accurately identified on the proposals maps, but the site boundary, almost by definition, is a proposal of only local impact and is most appropriately shown in the numerous detailed maps contained within supplementary guidance.

Existing allocations are shown in the settlement statements’ supplementary guidance, and not on the proposed plan, to assist the clarity of the spatial strategy going forward. Many of the existing sites have planning permission or are in the process of having permission considered, and are likely to undergo significant change before the plan is adopted. If this land were also included, it would result in an unreal expectation that the existing processes could somehow be circumvented by the Local Development Plan process. Where land is constrained review has taken place and decisions taken to either remove the site from the plan, or to promote it as a “new” allocation within the



Proposed Plan (in which case it is included on the proposals map).

Significant change can take place that does not affect the principle, location, or scale of development in a settlement but only relates to matters of local impact. This is not a reason to have all the detail within the plan.

Other Issues

Provision of “background information” would not result in a concise plan. Information is taken from a diverse range of sources and that are generally available. The plan is not itself intended to be a compendium or encyclopaedia.

The structure plan “cascades” the National Planning Framework to the local development plan level. While the National Planning Framework is not directly referred to, it has had an influence, through the structure plan, and independently, on the content of the plan. The National Planning Framework is not a prescribed consideration in preparing the plan as required by Regulation 10 of the 2008 regulations.

Scottish Ministers expect Local Development Plans to be concise map-based documents that focus on their specific main proposals for the period up to year 10 from adoption. Outside Strategic Development Plan areas, they should also provide a broad indication of the scale and location of growth up to year 20. The Local development plan has a timescale of 2011 to 2023 and does not require to go further, as it is within an Strategic Development Plan area.

A “flexible approach” is provided by the scale of allocations made, the ability to draw these down as required, and the requirement for 5 year review. No further flexibility is required.

The reserved land, marked as “R” on the Proposals Maps is not a proposal for development, but a safeguarding against other forms of development for a future, as yet uncertain, use. The reserved sites do not themselves promote development but protect that land for future, specific development.

Any table of existing sites reflects past decisions and looks to the past rather than looking to the future. This information is publically available elsewhere and does not add to any understanding of the future strategy for the area, reflecting as it does the settlement strategy of the previous structure plan.

A glossary would be a useful addition to the development plan. It would be appropriate to produce a glossary as planning advice, as it would transcend both the plan and its supplementary guidance.

The error regarding large and small scale maps is noted as an erratum.

Howe of Cromar is not in the Local Plan area.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**The balance between the local development plan and supplementary guidance**

1. The council has adopted a radical approach to the format of the proposed local development plan (LDP), in line with its understanding of the Government’s aim to keep development plans as concise as possible and to move much of the policy detail into supplementary guidance. The plan provides a spatial strategy, and policies in the plan are intended to be overarching statements. Detailed policy, and settlement statements (including plans showing the boundaries of sites to be allocated in the

plan), are to be found in supplementary guidance.

2. A number of representations claim that the balance between the LDP and supplementary guidance does not meet the requirements of the 1997 Act (as amended) or the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, and is not consistent with the advice in Circular 1/2009: Development Planning. The statutory position is set out below.

3. Section 15(1) of the Town and Country Planning (Scotland) Act 1997 (as amended) states that: *A local development plan is a plan in which is set out, for land in the part of the district to which it relates –*

*(a) a spatial strategy, being a detailed statement of the planning authority's policies and proposals as to the development and use of the land*

4. Under section 22(1) of the Act a planning authority may adopt and issue guidance in connection with a local development plan, referred to as 'supplementary guidance'. The supplementary guidance, when adopted, will become part of the statutory development plan.

5. The planning authority is required to publicise the supplementary guidance, give an adequate opportunity to persons to make representations to the authority, and consider any timeous representations made. The supplementary guidance is submitted to Scottish Ministers, who may require the planning authority to modify it, or may direct the authority not to adopt it.

6. There is no provision in section 22 for representations to supplementary guidance to be examined by a reporter. Regulation 21(2) underlines that the examination of the local development plan is only to assess issues raised in unresolved representations. We have therefore confined our examination to issues arising from unresolved representations to the proposed LDP.

Representations made in response to supplementary guidance, and indeed the merits of the supplementary guidance itself, have not been examined at the local development plan examination.

7. Regulation 27(2) explains that supplementary guidance may only deal with the provision of further information or detail in respect of the policies or proposals set out in the local development plan. This indicates that there must be a 'hook' in the plan – the supplementary guidance is not meant to be a freestanding document.

8. The council is correct to assert that new local development plans will be different in format from the local plans which they replace. Circular 1/2009 stresses that new development plans should be succinct and set out long term visions for their areas. Paragraph 39 indicates that LDPs will be concise map-based documents that focus on their specific main proposals. Importantly, the same paragraph advises that minor proposals and detailed policies may be removed to supplementary guidance, especially if there is no significant change from the previous plan, and provided an appropriate context remains in the plan itself.

9. The format of the proposed Aberdeenshire Local Development Plan, which runs to 48 pages (including proposals maps and schedules), is indeed a marked departure from its predecessor, the Aberdeenshire Local Plan, which extended to 468 pages. The proposed plan meets the expectation that LDPs will be succinct documents focussing on the main proposals. It is largely by removing detailed policies and minor proposals to supplementary guidance that the council has been able to produce such a concise local development plan.

10. In general, I consider that the format of the plan is consistent with the thrust of Scottish Ministers' policy on the balance between the local development plan and supplementary guidance. However, in certain detailed respects (e.g. the proposals maps, and the wording of particular policies) the efforts to produce a concise plan have retained insufficient detail in the plan to satisfy statutory requirements.

11. The requests to include further detail in the LDP (rather than supplementary guidance) about specific topics – green belt, housing land allocations, and the policies for rural development,

affordable housing, masterplanning, public open space, flooding and erosion, developer contributions, carbon neutrality, renewables, and layout, siting & design – are dealt with elsewhere in the report in the discussion of those particular issues.

12. On the basis of the discussion above I do not consider that it is necessary to include the settlement statements within the LDP. To do so would run contrary to the intention of the plan to be concise and focussed on policy principles. The legislation specifically allows supplementary guidance to contain further information or detail of the policies or proposals in the local development plan. The plan makes clear where such detail is found.

13. There is a legitimate argument as to whether the council has gone too far in its quest for succinctness. However, subject to the modifications recommended below and elsewhere in the report, I have concluded that the format of the plan would meet the statutory requirements outlined above, and would be consistent with the Government’s policy intentions set out in Circular 1/2009. It would also be appropriate and sufficient, as required by paragraph 78 of the circular.

**Other matters**

14. There is no need to make specific reference in the Plan to the National Planning Framework, which is one of a number of important policy documents (including Scottish Planning Policy and various Government circulars and advice notes) that have been taken into account in the production of the Plan. Whilst it might have been helpful if the Plan had contained more background justification of the policies and proposals, the inclusion of additional material would have made the Plan less concise. Much of the detail which would formerly have been contained in the Plan is available as supplementary guidance.

15. The Climate Change (Scotland) Act 2009 is referred to in page 13 of the Plan. The adequacy of the policy response in the Plan is discussed under Issue 15.

16. The 10 year timescale of the Plan accords with Scottish Ministers’ expectation that local development plans will focus on their specific main proposals for the period up to year 10 from adoption. There is no requirement to plan for a longer time horizon. Any attempt to do so would be of limited value, given that the Plan requires to be reviewed within 5 years.

17. The drawdown mechanism discussed under Issue 12 should give the Plan the flexibility sought by the Aberdeen & Grampian Chamber of Commerce.

18. The ‘R’ sites which are shown on the proposals maps are merely safeguarded for the future, and are not the subject of specific proposals at this stage. The purpose of the safeguarding is explained in supplementary guidance, and I do not consider that any further detail is required in the Plan.

19. Given the variety of technical terms (e.g. ‘effective housing land supply’, ‘windfalls’, ‘small sites’) used in the text I agree that there is good reason to include a glossary in the Plan (which could also be attached to supplementary guidance if necessary) to help readers in their understanding of the Plan.

20. The council advises that Howe of Cromar is not within the Plan area, so it is not a matter for this examination.

**Reporter’s recommendations:**

A glossary of technical terms should be included in the Plan.



<b>Issue 3</b>	<b>The Introductory Text</b>	
<b>Development plan reference:</b>	Section 1 Introduction (p1)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Halliday Fraser Munro on behalf of Deveron Homes Ltd (1368, 1369, 2073, 2074, 2159)  Halliday Fraser Munro on behalf of CHAP Homes (1478)  Halliday Fraser Munro on behalf of Barratt East Scotland &amp; Drum Development Company (Stonehaven) Ltd (1485, 1490, 1491, 1495)  The Greenspan Agency (1946)  Scottish Environment Protection Agency (1979)  Halliday Fraser Munro on behalf of Deveron Homes Ltd &amp; Aberdeenshire Housing Partnership (2158, 2168)  GH Johnston Building Consultants Ltd on behalf of Monument Leisure Ltd (3032)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The introductory text which provides a context the content for the plan.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Tone</u>  <b>1368, 1369, 2073, 2074, 2158, 2159, 2168:</b> The Proposed Local Development Plan's introduction should set the tone for the overall document and therefore requires to be more concise. There is scope for it to be more focused. There is mention of the plan having taken account of a number of key documents, but none of these are listed.</p> <p><u>Documents that should be referenced</u>  <b>3032:</b> The introduction should have specifically considered local and national tourism strategies and the ACSEF economic manifesto. The introduction should make reference to recent development pressures and potential for golf related tourism in the area.</p> <p><u>Consistency with the structure plan</u>  <b>1478, 1485, 1490, 1491, 1495:</b> The statement "This local development plan is consistent with the Aberdeen City and Shire Structure Plan" should be deleted.</p> <p><u>Sustainable development</u>  <b>1946:</b> We welcome the commitment to sustainability in the plan's introduction, but policy wording throughout the plan must be weighted in such a way as to encourage environmental sustainability in development management decisions, rather than limiting this commitment to vague support.</p> <p><u>River Basin Management</u>  <b>1979:</b> The Scottish Environment Protection Agency welcome the early reference to links between the plan and River Basin Management. They also welcome the strong and positive focus on sustainable development throughout the plan.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>1368, 1369, 2074, 2158, 2159, 2168:</b> The introduction requires to be more concise.</p> <p><b>1478, 1485, 1490, 1491, 1495:</b> The text "This local development plan must be consistent with the Aberdeen City and Shire Structure Plan" should be added</p>		

**1946:** Reference should be to the Scotland River Basin Management Plan, rather than the North East document, which is a supplementary plan.

**Summary of responses (including reasons) by planning authority:**

Tone

It is agreed that the introduction to the plan requires to provide an appropriate context for the remainder of the document. In fact the introduction to the plan performs 5 principal functions:

- It confirms the function of the document.
- It confirms the area effect and timescale of the plan.
- It provides a description of the framework provided by the Aberdeen City and Shire Structure Plan 2009.
- It provides examples of the other strategic documents, strategies and topic based studies which have informed the plan.
- It makes reference to the scale of public consultation that was undertaken to inform the proposed plan.

Scottish Ministers expect Local Development Plans to be concise, map based documents. While there is opportunity for the Local Development Plan to include other descriptive material, this is not mandatory and is at the discretion of the planning authority (Circular 1/09 “Development Planning” paragraphs 39 & 40).

Documents that should be referenced

The reference material actually used by the Local Development Plan has been extensive. However, no matter what documents are specifically listed, there will always be those who suggest that additional reports, plans or strategies should be referenced. Those who have prepared these other documents will, in large part, have been involved in the production of the plan. It could be expected that they would have made representation if it were not in compliance with, or reflective of their interests. No representations were received from these key stakeholders challenging our implementation of their strategies. This is taken to indicate that these agencies are content that their interests are safeguarded by the plan. A list of additional documents is not conducive to the production of a succinct plan and performs no real purpose or function other than providing a broad context, and should not be included.

Consistency with the structure plan

No evidence has been presented to specify in what way the plan is inconsistent with the Aberdeen City and Shire Structure Plan 2009. No objection on that basis was received from the Strategic Development Plan Authority, with whom very close consultation was undertaken throughout plan preparation. The Local Development Plan endeavours to play its part in meeting the Structure Plan’s vision and aims, and contributes to the delivery of relevant targets set out in that plan. This is documented in the production “How the Local Development Plan conforms with targets in the Aberdeen City and Shire Structure Plan 2011”. Issues related to housing and employment land allocations, and compliance with the structure plan in that regard, are contained in issues 12 and 26 respectively. The statement that the plan currently complies with the structure plan should not be removed, as it is true. The text proposed by respondent 1478, 1485, 1490, 1491, 1495 is inappropriate as it states the requirement of legislation, but does not clearly answer the fundamental question as to whether the plan is consistent with the structure plan.

Sustainable development

Scottish Planning Policy at paragraph 37 states “The planning system has an important role in supporting the achievement of sustainable development through its influence on the location, layout and design of new development”. It provides a list of the ways in which the planning system should address sustainable development issues. The Local Development Plan meets the challenges provided by this policy statement. This is documented in the production “How the Local Development Plan conforms to the sustainability criteria identified in Scottish Planning Policy”. This

production demonstrates that the support for sustainable development in the plan is not “vague”, but is specific and demonstrable. Sustainable development objectives have been balanced with economic development objectives as required by the collective vision of the Structure Plan and its main aims (Aberdeen City and Shire Structure Plan p7).

Unlike the Aberdeenshire Local Plan 2006 the proposed Local Development Plan 2011 contains no policy to deliver “sustainability principles”, but instead has been through a rigorous process of assessment, through the Strategic Environmental Assessment and peer review by sustainability officers, to ensure that sustainable development objectives are met throughout the plan. It is not appropriate to place greater emphasis on sustainability objectives, when the Structure plan recognises the need for a balanced approach. Therefore no changes to the plan text to emphasise sustainability are necessary.

River Basin Management

The point raised by SEPA is noted and accepted, with reservations that the approach adopted for this section has been to emphasise the connection with regional strategies more relevant to the local area rather than national strategies.

**Any further plan changes commended by the planning authority:**

Modify the reference to the North East Scotland River Basin Plan in the 5<sup>th</sup> paragraph of page 1 to “Scotland River Basin Management Plan”.

**Reporter’s conclusions:**

**Tone**

1. The representations requesting that the introduction should be more concise and focused provide no suggestions on how this may be achieved. The length and tone of the introduction is appropriate to provide context to the proposed Aberdeenshire Local Development Plan and perform the five functions identified by the council in its response.

**Documents that should be referenced**

2. Section 16 of the Town and Country Planning (Scotland) Act 1997 (as amended) sets out the legal requirements for the preparation and monitoring of local development plans. In preparing a local development plan the planning authority is to take account of the National Planning Framework and have regard to such information and considerations as may be prescribed; and the planning authority may have regard to such other information and considerations as appear to it to be relevant. Section 16(6) also requires planning authorities within strategic development plan areas to ensure that local development plans are consistent with the strategic development plan.

3. When preparing a local development plan the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 require a planning authority to have regard to various documents. Those prescribed include: any regional transport plan, any local transport plan, any river basin management plan, and any local housing strategy related to the local development plan area.

4. It is clear from the statement “We have written the plan against the background of strategic documents and statements, like...” that those listed are not a comprehensive list of all the Plan’s influences. To provide a full list would move away from the production of a concise plan.

5. In this instance, the proposed Plan provides a list of relevant regional and local documents in its introduction. The approved Aberdeen City and Shire Structure Plan lists, amongst others, the National Planning Framework 2 and the Aberdeen City and Shire Economic Future’s Economic Manifesto as having an important influence on that plan. As the structure plan forms part of the development plan, and the proposed local development plan must be consistent with it, then further reference to these documents would lead to duplication. Although they may have influenced the

proposed Plan, the planning authority decided that no reference should be made to national and local tourism strategies and the manifesto. That stance is consistent with the provisions of the Act and the Regulations mentioned above.

**Consistency with the structure plan**

6. As stated in paragraph 2 above, the Act requires that the proposed Plan is consistent with the strategic development plan. There is no strategic development plan covering the local development plan area at present. It is therefore appropriate that the proposed Plan be prepared to be consistent with the current approved structure plan. The introduction states, “This Local Development Plan is consistent with the Aberdeen City and Shire Structure Plan.” This statement confirms that the proposed Plan has been written to be consistent with the structure plan. It would be inappropriate for the introduction to state that the proposed plan “must be” consistent with the structure plan, as that would be a requirement (which is stated in legislation) rather than a reflection on how the plan was prepared.

**Sustainable development**

7. The representation from The Greenspan Agency relates to the vision and aims of the proposed Plan. For that reason their unresolved issue about sustainable development and decision-making is addressed in Issue 4 below.

**River Basin Management**

8. No national documents are referenced in the introduction to the Plan. Instead it confirms that the proposed plan has taken into account regional and local strategies and plans. It is appropriate in this context to refer to the North East River Basin Management Plan and not the Scotland River Basin Management Plan from which it is derived.

**Reporter’s recommendations:**

No modifications.

<b>Issue 4</b>	<b>The Vision and Aims for the Plan</b>	
<b>Development plan reference:</b>	Section 3 The vision and aims for the plan (page 4)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mike Hebenton (504)                  Robert McKimey (539)                  Scottish Wildlife Trust (867)                  Scottish Property Federation (1014)                  Aberdeen &amp; Grampian Chamber of Commerce (1250)                  Halliday Fraser Munro on behalf of Deveron Homes Ltd (1371, 2072, 2159)                  Halliday Fraser Munro on behalf of Deveron Homes Ltd &amp; Aberdeenshire Housing Partnership (1373, 2158)                  Halliday Fraser Munro on behalf of CHAP Homes (1478)                  Halliday Fraser Munro on behalf of Barratt East Scotland &amp; Drum Development Company (Stonehaven) Ltd (1489, 1490, 1491, 1495)                  Paull &amp; Williamsons LLP on behalf of Elsick Development Company Ltd (1684, 1686, 1820)12/                  Scottish Renewables (1947)                  Paths for All (2139)                  Howard Butterworth (2340, 2403)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The principles on which the plan is founded.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Support for, and focus of, the aims</u>  <b>1014:</b> Provides general support for the aims, particularly aims a and c.  <b>504:</b> Focus should also be given to the preservation of built heritage.  <b>1250:</b> The focus of the Local Development Plan should be on the delivery of the aims.                  Respondents <b>1371, 1373, 2072, 2158 and 2159</b> express general support for the aims, but suggest that these should be more focused and should set a context for the policies of the plan. Objection is made to the non-inclusion of timescales against which the aims should be set.</p> <p><u>Linkage between aims and spatial strategy</u>  <b>1684, 1686, 1820:</b> Respondents consider that there needs to be a greater link between the aims and spatial strategy: in particular, that the vision needs to be clearer about its aims and how the spatial strategy demonstrates how it proposes to respond to these aims. This approach would be more consistent with the aims of Circular 1/2009 (paragraph 14) regarding vision statements. The respondents propose that the approach of traditional neighbourhood planning to provide social and environmental benefits would link the vision and spatial strategy.  <b>1478, 1489, 1490, 1491, 1495:</b> Respondents object to aim c and aim f, on the basis that they are contrary to the spatial strategy for the Portlethen to Stonehaven Strategic Growth Area. (see issue 39)</p> <p><u>Sustainable development</u>  <b>867:</b> Supports the approach outlined in paragraph 3 that the principles of sustainable development have been considered throughout the plan.</p>		

**1478:** This respondent considers that the wording in paragraph 3 relating to sustainability is not sufficient to adequately meet the requirements of Scottish Planning Policy (paragraphs 34-40) or Section 44 of the Climate Change (Scotland) Act 2009.

**539, 1684, 1686, 1820, 2139, 2340, 2403:** These respondents consider that greater weight should be given to promoting sustainable transport modes. **2139** suggests that specifically reference to active travel should be included within aims b and f, to encourage healthier lifestyle options and help to lower carbon emissions.

**1947:** Respondent suggests that the Scottish Government's aims and objectives for renewable energy should be clearly reflected in the plan and given equal weight to other land use objectives.

**Modifications sought by those submitting representations:**

**1684, 1686, 1820:** The link between the spatial strategy and vision should be clearly reflected in this section. The vision and spatial strategy should be amended so that they clearly articulate how the Council is to orchestrate a 'fundamental change' in implementing its plan.

**2340, 2403:** Suggests that one of the aims of the plan should be to ensure that places are of high quality, self-sustainable and reduce the need for people to travel.

**2072:** An indicative timescale for targets should be added.

**1947:** A fourth bullet point should be added to aim b: 'Promote energy efficiency and increase Scotland's energy security'.

**Summary of responses (including reasons) by planning authority:**

Overview, and focus of the aims

The vision and aims for the plan have been adopted from the Structure Plan. The Structure Plan provides the overall link between its vision, aims and spatial strategy (paragraph 14, Circular 1/2009). The aims in the Local Development Plan provide the overall direction for the plan and given the close linkages between the two documents it is pertinent that these be adopted from the Structure Plan. The principles of sustainable development and sustainable economic growth are fully embodied in the spatial strategy, which the aims reflect. Further explanation of the links between these is therefore not required.

The Local Development Plan Action Programme is a key means of delivering the objectives of a plan (Scottish Planning Policy, Para 18). The key purpose of the aims is to assist in interpreting the vision and to set out the role of the plan in delivery. Defining specific timescales for the delivery of these is difficult as by their nature they are difficult to measure. The Local Development Plan monitoring report and action programme will, however, review how the objectives of the plan are delivered and set out suitable actions to ensure these aims are met.

It is refuted that the aims do not provide a context for the policies. The aims provide a direction for the policies and are set at an overarching view. Policies within the plan can be easily linked to each of the policies set out in the Proposed Plan. In order to maintain a succinct document it is not appropriate to provide a detailed explanation as to how each of the policies reflects the principles of the aims.

The importance of built heritage is reflected within aim d and Policy 13 of the Local Development Plan. The inclusion of a specific aim on this issue is therefore not required.

Comments of support are noted.



Linkage between aims and spatial strategy

As noted above both the fundamental spatial strategy and the aims of the plan have been adopted from the Structure Plan. The text on page 4 of the plan provides sufficient explanation of how we have interpreted the aims to inform the spatial strategy. While “delivery” is a key aim of this plan it would be inappropriate for the Local development plan to present its own vision as paragraph 38 of Scottish Planning Policy is clear that where there is a strategic plan providing that context this is a function that should be left to that plan. Planning at a “neighbourhood” level has been fundamental to thinking on the scale of allocations being made.

Aims c and f are not contrary to the spatial strategy for the Portlethen to Stonehaven Strategic Growth Area as set out in Issue 39. The spatial strategy fully considers the various factors in identifying new land for development and provides an appropriate solution. Overall the strategy promotes proposals in the corridor that provide a choice of areas for a viable supply of land. Likewise development in the corridor assists in the delivery of a long term transportation framework. It is not the case that development in this one part of the area does not contribute to the overall aims.

Sustainable Development

There are a number of factors that contribute to sustainable development, and planning has a role in the consideration of these through its influence on the location, layout and design of new development (Scottish Planning Policy, paragraphs 34-40). It is therefore key that sustainable development is fully considered in terms of all aspects of the plan. These principles as set out in Scottish Planning Policy and the Structure Plan, have guided the development of the plan, proposals and policies. The statement set out in paragraph 3 fully reflects this approach and therefore is appropriately worded.

This focus on sustainable development in the preparation of the Local Development Plan ensures that the requirements of Section 44 of the Climate Change (Scotland) Act 2009 have been fully met.

All the aims have equal weighting, and therefore the promotion of sustainable transport modes is a key aspect that guided the spatial strategy. Whilst promotion of sustainable travel modes is of key importance, the principles of this are embodied in a number of the aims through promoting sustainable mixed communities and making efficient use of the transport network. The suggested additional aim is not required as this is covered under aim e.

The Scottish Government’s aims and objectives for renewable energy are fully reflected within these aims and are more specifically referred to under Policy 8: Layout, Siting and Design of New Development. The reference to this within policy and the plan itself fully reflects the importance given to this issue. In order to ensure that the plan remains a concise document, it is not accepted that a separate aim is dedicated to this issue as it is fully reflected in the current aims.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Vision, aims and spatial strategy – linkages, timescale and context**

1. The approved Aberdeen City and Shire Structure Plan provides a vision for the city region to 2030 and sets aims to make the vision a reality. These aims include the protection of valuable assets and resources, including the built heritage. They also include the most efficient use of the transport network, reducing the need for people to travel and making sure that walking, cycling and public transport are attractive alternatives to the car.

2. According to Scottish Government Circular 1/2009 on development planning, local development plans in strategic development plan or structure plan areas are not required to provide a vision statement. However, they should be consistent with the strategic plan and planning authorities should follow its vision and strategy in preparing their spatial strategy. The vision and aims set out in the proposed Aberdeenshire Local Development Plan relate back to the strategic vision and read alongside those set out in the structure plan provide a clear context for the spatial strategy, policies and proposals in the Plan.

3. The structure plan's vision statement and aims are to be met through a series of objectives and related targets, actions and allocations, which are monitored. The vision and aims and many of the provisions in the structure plan are directed to the subsequent local development plans for Aberdeen City and Aberdeenshire. The proposed Aberdeenshire Local Development Plan follows the structure plan through its spatial strategy; with its allocations and policies, alongside its action programme, providing the tools to implement and deliver the vision. The promotion of sustainable mixed neighbourhoods and sustainable modes of transport, with less reliance on the motor car, are two aims of the structure plan. These would be used in any assessment of development and are ingrained in the proposed Plan's spatial strategy. However, they are not explicitly highlighted in the vision and aims section of the Plan, a point which the strategic environmental assessment comments on in relation to the efficient use of the transport network. The Plan is insufficient in this respect and should be amended.

4. The structure plan provides a 20 year timescale. The aims set out in the proposed plan are time-specific in that they will be reviewed when the next local development plan is prepared. The monitoring report and action programme would also provide continuous feedback on whether the vision and aims were being met. An indicative timetable would be inappropriate to include in the proposed Plan, as the vision and aims are not objectives or targets. They are not a conclusion in themselves but a continuous set of aims to be balanced in decision making.

5. The relationship between the Portlethen to Stonehaven spatial strategy and implementation of development in that strategic growth area are addressed through issues 29, 39, 40, 44, and 45 below. Following the findings on these Issues, the spatial strategy for this area is consistent with aims b), c) and f) of the proposed Plan by recognising the need to balance the protection of the environment with the development of communities, and in providing a range of allocations and supporting efficient use of the transport network.

#### **Sustainable development and climate change**

6. The Town and Country Planning (Scotland) Act 1997 (as amended) requires development plans to exercise the function of contributing to sustainable development and to take account of the Scottish Government's guidance on the subject. Scottish Planning Policy sets out the Government's guidance, supporting the UK government's five guiding principles of sustainable development, including living within environmental limits, ensuring a strong, healthy and just society, and achieving a sustainable economy. Section 44 of the Climate Change (Scotland) Act 2009 requires all public bodies when exercising their functions to contribute to the delivery of climate change targets, and act in a way that is most sustainable.

7. Representations refer to one sentence in the proposed Plan and indicate that this presents a failure to meet the requirements of the above. However, parts of the proposed Plan should not be read in isolation, but should be read as a whole alongside other components of the development plan. This includes the structure plan's aim to "take on the urgent challenges of sustainable development and climate change", and its objective "to be a city region which takes the lead in reducing the amount of carbon dioxide released into the air, adapts to the effects of climate change and limits the amount of non-renewable resources it uses." It will also include the provisions of supplementary guidance on siting, design and layout of new development. It is clear that the policies and proposals contained in the Plan, as reported in its strategic environmental assessment, would contribute to sustainable development. No amendment to the vision and aims section of the proposed Plan is required in relation to sustainable development or the climate change duty.



8. The policy of the structure plan states that, “when assessing development proposals, we will balance the importance given to each aim in coming to a decision, taking into account of the spatial strategy, objectives and targets of the plan.” The same policy position would be applied through the local development plan. It would therefore be inappropriate to elevate any one aim above another in the Plan text. The council confirms that sustainable and active travel influenced the spatial strategy of the Plan, and is a principal aim of the structure plan. However, following the findings in paragraph 4 above, an amendment should be made to make the aim of active travel more explicit.

9. Scottish Renewables suggest a new bullet point to criterion b) to promote energy efficiency and ensure Scotland's energy security. Energy efficiency is already covered in this criterion by the first bullet point as part of reducing greenhouse gases from development.

10. Turning to renewable energy resources and energy security, Scottish Planning Policy is clear that, “the commitment to increase the amount of electricity generated from renewable resources is a vital part of the response to climate change.” It goes on to state that “planning authorities should support the development of a diverse range of renewable energy technologies, guide development to appropriate locations and provide clarity on the issues that will be taken into account when specific proposals are assessed.” The structure plan sets a target for the city region’s electricity needs to be met from renewable sources by 2020, while the proposed plan provides a framework for the assessment of renewable energy proposals. However, there is no reference in the vision and aims to the potential contribution from renewables in responding to climate change. For this reason, the text should be amended accordingly.

**Other matters**

11. Promotion and enhancement of the environment and ensuring no unnecessary impact from development on people’s quality of life is provided for through criteria b), c) and d). Therefore, there is no need to add an aim to ‘make every area beautiful’, as suggested in one representation.

12. Criteria b) and d) are sufficient to ensure the protection and recognition of Aberdeenshire’s built heritage and granite architecture. Access to public transport is a key element of the spatial strategy and the inclusion of a further bullet point in criterion b) on reducing the need to travel ensures this aspect is made more explicit in the vision and aims.

**Reporter’s recommendations:**

Modify the proposed Plan by:

1. Replacing criterion b) and associated text with:

**b) To take on the challenges of sustainable development and climate change**

We have introduced policies and proposals to:

- reduce greenhouse gases from development in the area;
- reduce the need to, and encourage active, travel;
- protect and improve natural, built and cultural heritage;
- avoid risks associated with flooding and other major risks; and
- encourage the sensitive development of renewable energy resources.

These policies and proposals recognise the need to balance protection of the environment with the development of sustainable mixed communities.

2. Replacing the first sentence of the paragraph below criterion c) with:

We have made proposals in a choice of areas for a viable supply of land which we can develop and encourage sustainable mixed communities.

<b>Issue 5</b>	<b>The Proposals Maps</b>	
<b>Development plan reference:</b>	Section 6 The proposals maps	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Norman P Lawie Limited on behalf of Ian Gilbert (256)          Norman P Lawie Limited on behalf of Graham Sutherland (271)          The Scottish Wildlife Trust (532)          Strutt &amp; Parker LLP on behalf of Faskally Investments (936)          Halliday Fraser Munro on behalf of CHAP Homes (1479)          Halliday Fraser Munro on behalf of Barratt East Scotland &amp; Scotia Homes (North) Ltd (1598)          Halliday Fraser Munro on behalf of John Martin Assets (1611)          Ryden LLP on behalf of Mr A F Buchan (1860)          Scottish Environment Protection Agency (1979)          WYG Planning &amp; Design on behalf of GL Residential Ltd (2047)          Strutt &amp; Parker LLP on behalf of The Millbank Regeneration Joint Venture (2076)          Strutt &amp; Parker LLP on behalf of Aberdeen Endowments Trust (2077)          Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2102)          Strutt &amp; Parker LLP on behalf of BMF Group (2104)          Strutt &amp; Parker LLP on behalf of Kincardine Estate (2106)          Strutt &amp; Parker LLP on behalf of Monymusk Estate (2107)          Paths for All (2139)          Halliday Fraser Munro on behalf of Deveron Homes Ltd &amp; Aberdeenshire Housing Partnership (2158)          Knight Frank LLP on behalf of Kirkton Development (2175)          Catterline Community Working Group (2307, 2371)          Philip Goodall (2757)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The presentation of the proposals maps.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Specific boundaries</u>  <b>936, 2047, 2076, 2077, 2102, 2104, 2106, 2107:</b> The 6 proposals maps do not annotate existing land allocations being carried forward by the Council. All allocations should be included on the proposals maps in the interests of clarity.</p> <p><b>1479:</b> The plan is purporting to be map based, but the maps are a diagrammatised version of the Ordnance Survey. They are not specific and it is not competent to defer site boundaries to supplementary guidance.</p> <p><b>1598, 1611:</b> The specific boundaries of all sites allocated in the Proposed Local Development plan should be included in the plan itself for the purposes of clarity and evaluation. The plan should provide sufficient detail on the location of individual land allocations. The maps lack clarity and are of little real value to the end user. This is contrary to paragraph 40 of Circular 1/2009.</p> <p><b>1860:</b> The proposals maps are at such a small scale they fail to clearly identify specific sites and proposals.</p> <p><b>2158:</b> While settlement statement maps are included in the Plan they are not supported by key information and consequently the proposed plan is not entirely in accordance with the guidance in Circular 1/2009.</p>		

Safeguarded sites

**532:** All international, national and locally designated sites of natural heritage interest should be shown on the proposals maps and their boundaries clearly marked to ensure they are protected from inappropriate development.

**1979:** Scottish Environment Protection Agency welcomes the use of six area proposals maps. This is a good way of representing what will be permitted where, but note that existing allocations have not been included. Land safeguarded for the Aberdeen Western Peripheral Route should be included in the proposals map.

**2076, 2077, 2102, 2104, 2106, 2107:** It may be helpful to show the strategic growth areas on the proposals maps.

**2158:** While settlement statement maps are included in the Plan they are not supported by key information and consequently the proposed plan is not entirely in accordance with the guidance in Circular 1/2009.

Other issues

**2076, 2077, 2102, 2104, 2106, 2107:** It may be helpful to show the strategic growth areas on the proposals maps.

**2307, 2371:** "Accessible Areas" should be defined in the Plan according to the 2007 study of Housing Market Areas and report on this topic presented to the Kincardine and Mearns area committee on 27 April 2010.

**2076, 2077, 2102, 2104, 2106, 2107:** Object to the non-inclusion of the landscape character framework on the proposals map as this is something that should be shown.

**271:** At a recent Garioch Area Committee meeting planning approval was given for a northern link road and this should be shown on the proposals maps.

**1979:** The Scottish Environment Protection Agency asserts that specific allocations for cemeteries should be shown on the proposals map.

**2757:** All areas of search for minerals should be removed from the plan and replaced by a generalised requirement to safeguard resources.

**2175:** The respondent supports the identification of site M1 Fraserburgh in the proposals maps. This is the only comment relating to that submission.

**256, 2139:** The colours on the plan are indistinct, the hatching on the key of the plans does not match the hatching on the plans, the form of the lines on the plans differs. This makes them confusing and it difficult to identify exactly where development will take place.

***Any other changes in allocations or areas of search considered within the context of other issues would also have an impact on the content of the proposals maps.***

**Modifications sought by those submitting representations:**

**256:** The Key on the maps needs to be clear and match the hatching and colours on the actual plan.

**532, 867:** Add natural heritage designations to the proposals maps.

**936, 1979, 2047, 2076, 2077, 2102, 2104, 2106, 2107:** Add existing land allocations to the proposals maps.

**1479, 1598, 1611, 1860:** More detailed maps of the proposed zonings should be included in the proposed Local Development Plan. The settlement statements should be part of the proposed plan.

**1979:** Include cemetery allocations at Inch, Fraserburgh and Mintlaw on the Proposals maps.

**2076, 2077, 2102, 2104, 2106, 2107:** Include Landscape Character Areas on the proposals maps. Show Strategic Growth Areas on the proposals maps.

**2307, 2371:** Define and add "accessible areas" to the proposals maps.

**2757:** Remove Areas of Search for minerals from the proposals maps.

**271:** Show the Inverurie western link road on the proposals maps on the proposals maps.

**Summary of responses (including reasons) by planning authority:**

Overview

The nature of the proposals maps contained in the Proposed Plan is defined by the Town and Country Planning (Development Planning) Scotland Regulations 2008. They are required to illustrate policies and proposals spatially, and to be sufficiently detailed so as to enable the "location" of proposals for the development and use of land to be identified (Part 3, paragraph 8). In order to promote the brief, concise plan required by ministers, a small-scale map base has been used, with inserts for those locations where there are significant land allocations of a scale that is likely to be of more than local impact.

Specific boundaries

There is no requirement for them to be so specific as to show the detailed boundaries of individual sites. The key of each proposals map notes "For detailed boundaries see the settlement statements published separately". The Plan (section 6: The proposals maps p18) makes a general reference to the role of the settlement statements published as supplementary guidance to define detailed boundaries. This is consistent with paragraphs 40, 96 and 97 of Circular 1/09 "Development Planning". Paragraph 40 requires proposals maps to allow the specific "location" of proposals to be accurately identified. The proposals are accurate in so far that they allow the location of the proposals to be accurately identified in the context of the settlement to which they are made, and allow the detail to be followed through to the settlement statements. Paragraphs 96 and 97 advise that "detailed policies or local policy designations that do not impact on the spatial strategy of the wider area are suitable topics for supplementary guidance". While the location of development is an issue of "more than local impact", detailed site boundaries, almost by definition, are only a matter of local impact.

Through reference to schedules 1 and 2 of the plan, and to their locations on the proposals maps, all new allocations are subject to examination. Detailed boundaries are a matter of local impact.

Safeguarded sites

Natural heritage designations have not been shown on the proposals maps. This was a considered decision for a number of reasons. The proposals maps should not be a constraints map. These designations are subject to change outwith the plan making process. The Plan provides no opportunity to influence or amend these boundaries. Local natural heritage sites are currently going through a major review process and as a result of the gap between the publication of the proposed plan and its ultimate approval the proposals maps would have been immediately out of date. Finally the scale of the maps and the size of Aberdeenshire would have resulted in indistinct boundaries and a need to provide significant additional supplementary guidance for that detail.

Land safeguarded for the Aberdeen Western Peripheral Route is shown in appropriate settlement statements as necessary. Due to the contentious nature of the Aberdeen Western Peripheral Route proposal, and the fact that it has been the subject of its own public examination, it was felt prudent

not to invite spurious objection to that proposal through the Local Development Plan. Protection is provided through the application of Policy 14 “Safeguarding of Resources and Areas of Search” (issue 22) and specifically SG Safeguarding 4 “Safeguarding transportation facilities”. Where it impacts on a settlement, then the route is shown as a “R” reserved site.

Existing development land

Existing, effective proposals have not been shown on the proposals maps. This was a considered decision to provide clarity for the existing allocations and to avoid giving the false impression that the development plan represents an opportunity to influence or amend these sites. They are shown in the settlement statements. It is not accepted that they should also be shown on the proposals maps.

Omissions and Other issues

No land is allocated for cemeteries within the plan. Land is safeguarded for that use through the use of the “R” (reserved) notation, but it is acknowledged that substantial additional work would be required before certainty of that form of development could be confirmed. “R” sites are shown as such on the proposals maps and detailed in the settlement statements.

It is not accepted that the proposals maps should show the Inverurie northern link road. This is a matter only of local impact and can be shown on the settlement statement for the town.

It is accepted that there may be some confusion over the terminology used in Policies 3 and 10, in the supporting supplementary guidance and in the proposals map over the terms, “areas easily accessible to Aberdeen” (Policy 3), “rural areas” (policy 10) and the proposals maps key “Housing market rural area boundary”, (see also issue 8). Consistent reference to the rural housing market area is required in both the supporting text for policies and the proposals map keys.

Landscape character boundaries are technical, factual information and this detail is best left for inclusion in supplementary guidance. Including them on the proposals maps would occlude the land allocation and strategy information.

Strategic growth area status is defined through the application of land use allocations. Para. 3.7 of the structure plan confirms this where it is noted that SGA status relates to settlements and sites. It is not appropriate to show these on the Proposals Maps

Issues relating to Areas of search for Minerals and M1 in Fraserburgh are considered in Issues 23 and 96.

It is accepted that the quality of printing of the proposals maps can be improved through the use of more distinct colours and consistency between the key and the maps themselves.

**Any further plan changes commended by the planning authority:**

Amend the key of the proposals maps (p 19-24) to refer to the “Rural Housing Market Area Boundary”.

Technical amendments to the proposals maps (p19-24) should be undertaken to ensure that, on printing, the map colours are both distinct and consistent with the key.

**Reporter’s conclusions:**

1. The adequacy of the proposals map in the Plan has been a matter of major concern to many of those who made representations. The relevant statutory requirements and policy expectations are summarised below.

2. Section 15(4) of the 1997 Act (as amended) indicates that a local development plan (LDP) is, for

the purpose of explaining or illustrating the proposals in the plan, to contain or be accompanied by –  
 (a) such maps, diagrams, illustrations and descriptive matter as may be prescribed.

3. Regulation 8(1) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 specifies that a local development plan is to contain a map or maps describing the policies and proposals set out in the LDP so far as practicable to illustrate such policies or proposals spatially.

4. Paragraph 40 of Circular 1/2009: Development Planning confirms that “regulation 8 requires the inclusion of a proposals map to illustrate the plan’s policies and proposals spatially and allow the specific location of proposals to be accurately identified.”

5. In relation to the Aberdeenshire Local Development Plan, the proposals map for each sub-area contains inset maps for the main settlements, but it is very difficult to identify the precise location of proposed allocations elsewhere on the small scale roadmap base. To compound the uncertainty, some sites on the proposals maps (e.g. Park – Kincardine and Mearns) appear to straddle main roads. It is only by consulting the settlement statement within the supplementary guidance that many of the allocated sites may be properly identified.

6. Therefore the proposals maps do not meet the basic requirement that the specific location of LDP proposals is accurately identified in the plan. I conclude that the location of each of the Plan’s proposals should be clearly shown on inset maps on an ordnance base at 1:25,000 scale, in addition to the proposals maps for each area.

7. The status of the undeveloped sites from the adopted local plan which are shown in the settlement statements as EH and BUS sites is considered in the discussion on housing land and employment sites later in this report.

8. The purpose of the proposals maps is to show the location of proposals which are made in the Plan. It is unnecessary to show all existing constraints, including natural heritage designations, on the proposals maps, as they are not Plan proposals and they may be changed by the bodies responsible for designating them (e.g. Scottish Natural Heritage).

9. Similarly, landscape character areas are not development proposals – they are tools which assist in the landscape assessment of development proposals, and have no status as designations.

10. There is no need to show the route of the Aberdeen Western Peripheral Route on the proposals maps, as the AWPR and Fastlink were approved by the Scottish Government following a separate public inquiry process, and as such it is not an LDP proposal. The Inverurie northern link road is shown in the relevant settlement statement, and there is no need to show it on the Plan’s proposals map.

11. It would be premature to make specific allocations for cemetery provision in the Plan pending further investigations of need and suitability. At this stage it is prudent merely to safeguard the land in case it is required for that purpose.

12. I consider that there is some merit in identifying the boundaries of the strategic growth areas in the proposals maps, as otherwise prospective developers may be unaware which policies apply to a particular settlement.

13. Representations relating to the proposed areas of search for minerals are considered elsewhere in the report under Issues 22 and 24.

14. I consider that the minor amendments suggested by the council under this Issue should be adopted in the Plan.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

1. The proposals maps should be amended to include the boundaries of Strategic Growth Areas.
2. In addition to the existing proposals maps, inset maps at 1:25,000 scale showing the location and boundary of sites where development is proposed in the Plan should be incorporated in the Plan.
3. Amend the key of the proposals maps (p 19-24) to refer to the "Rural Housing Market Area Boundary".
4. Technical amendments to the proposals maps (p19-24) should be undertaken to ensure that, on printing, the map colours are both distinct and consistent with the key.



<b>Issue 6</b>	<b>Policy 1: Development of Business</b>	
<b>Development plan reference:</b>	Section 5 The Policies; Policy 1 (p8)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>BLUE Planning &amp; Development on behalf of Brodie Countryfare Ltd (929)                  Scottish Property Federation (1014)                  Portlethen &amp; District Community Council (1122)                  Turriff &amp; District Community Council (1123)                  Buccleuch Property on behalf of Aberdeen Science Parks LP &amp; Buccleuch ASP LLP (1808)                  Montagu Evans LLP on behalf of Sluie Estate Trust/David &amp; Richard Strang Steel (1953)                  Scottish Environment Protection Agency (1979, 1980)                  Scotia Homes Ltd (1985)                  Strutt and Parker LLP on behalf of the Macrobert Trust (2102)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken for developments relating to business uses.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Economic benefits</u>  <b>1014:</b> Account should be taken in development management decisions of longer term benefits such as job creation, improved productivity, and any wider benefits to national, regional and local economies. The policy should favour proposals that would create sustainable economic growth.</p> <p><b>1123:</b> Respondent states that there are no policies on how to promote and develop business and there was nothing practical within the plan to attract business such as incentives.</p> <p><u>Terminology and clarity</u>  <b>2102:</b> It is suggested that policy should provide more clarity between development in settlements and development in the countryside.</p> <p><b>2102:</b> Different terminology is used in the policy and Supplementary Guidance. For example the policy is titled "Business" development, but the Supplementary Guidance is "employment land". Consistent terminology should be adopted.</p> <p><u>Range and choice of sites</u>  <b>1953:</b> The policy could further reflect the provisions of Scottish Planning Policy by ensuring that the plan provides a choice and range of marketable sites and locations for future business.</p> <p><b>1014:</b> There is an overemphasis on brownfield employment allocations which may be detrimental to development due to remediation costs. The policy should allow a degree of flexibility when proposals come forward on unallocated land particularly where there is demand and these are capable of being delivered.</p> <p><b>1985:</b> Dedicated employment sites are needed to deal with special buildings and processes. Representation states that employment sites should be for uses that are bad neighbours and not for uses that could be successfully located in a mixed use area.</p>		



Review of allocated sites

**1014, 1953:** These representations generally support the policy but state there should be commitment to a regular review of allocations to ensure they are effective and meet need/demand.

Link to Schedule 2

**1985:** Representation notes there is no direct link between Schedule 2 and the policy and a link similar to that made between Schedule 1 and Policy 5 should be made.

Public transport and accessibility

**1979, 1980:** Policy should state that business development should be promoted in locations that are well serviced by public transport. This would be in line with Scottish Planning Policy paragraph 46 and would reduce travel and greenhouse gas emissions. It is noted that concerns in respect of the policy could be allayed if additional text was added to Supplementary Guidance SG Bus 1.

Mixed use areas

**1985:** There is a lack of clear thinking as to how mixed use areas and employment allocations will fit together. Policy 2 Retailing and Town Centres recognises that shops can contribute to creating successful mixed use areas. However, other types of work also contribute to mixed use areas and this should be indicated within the plan.

Cross boundary issues

**1122:** Representation notes that business does not respect administrative boundaries and that the plan treats Aberdeenshire and Aberdeen City as separate entities. North east authorities should work together.

Energetica

**1808:** Reference should be made to Aberdeen Science and Technology Park and Aberdeen Science and Energy Park, as they are as important as Energetica and act as a platform for the Energetica framework.

Tourist facilities

**929:** Support for policy, but object to reference to SG Bus4 Tourist Facilities and Accommodation, unless this is amended to ensure proposals are well related to areas of landscape sensitivity and importance. They also wish paragraph “b” of the Supplementary Guidance to be amended to state “taken account of the potential cumulative impact on the vitality and viability of the identified network of centres.”

**Modifications sought by those submitting representations:**

**1953:** Provide commitment within plan to regular review of marketable sites.

**2102:** Use consistent terminology throughout the Plan.

**2102:** Provide clarity within the Policy as to whether it applies within or outwith settlements.

**1985:** Make link between policy 1 and Schedule 2 within text.

**1979:** Amend policy to require business development in locations served by public transport.

**1985:** Additional text proposed to be added to Policy 1 “It is appreciated that the success of mixed-use communities relies on the successful integration of work opportunities into the mix. We will encourage businesses to locate to mixed-use areas unless it can be shown that the type of business use would be a nuisance if allowed to locate close to residential dwellings”. And adding text to Schedule 2 as follows “Employment allocations shown on sites with the M designation (those that are mixed-use) will be provided through the mix on the site and may be provided either as stand-alone buildings or plots, or in mixed-use buildings.”

**1808:** Refer to Aberdeen Science and Technology Park and Aberdeen Science and Energy Park in justification.

**929:** Remove reference to SG Bus 4 Tourist Facilities and Accommodation (unless objection to SG Bus 4 is resolved).

**Summary of responses (including reasons) by planning authority:**

Economic benefits

The approach taken in Policy 1 Business development means that Aberdeenshire is “open for business”. The policy already requires that economic benefits of proposals should be taken into account when making development management decisions; and the supporting text already advocates a positive approach for economic development proposals. Account will be taken of job creation, improved productivity and any wider benefits to the economy when considering planning applications. This approach reflects paragraph 45 of Scottish Planning Policy. An approach also taken within the Proposed Plan has been to allocate mixed use sites in order to bring forward serviced employment land.

The Local Development Plan can only provide opportunities for business development: it cannot make that development occur. It is the role of the Economic Development service within Aberdeenshire Council and Scottish Enterprise to provide advice and information in respect of business development.

Terminology and clarity

The different terminology used between the plan and supplementary guidance is acknowledged and a minor modification is proposed to rationalise the use of terms.

The approach to economic development taken in the countryside is clarified within Supplementary Guidance. The policy statement made in Policy 1 applies to both within the countryside and settlements. However, the introductory text to Policy 1 could be improved by reference to SG Rural Development 1 Housing and business development in the Countryside to provide additional clarity. This is proposed as a minor modification to the plan

Range and choice of sites

The plan already provides a wide choice and range of sites across Aberdeenshire. 365.4 hectares of new employment land has been allocated in the plan over 63 sites. A further 113 hectares are allocated as Strategic Reserve. Over half the sites are mixed use allocations. In addition to the new allocations, sites within the Aberdeenshire Local Plan yet to be built out are carried forward and safeguarded for business uses. These sites range in size and location with both greenfield and brownfield sites being allocated. The Supplementary Guidance, SG Safeguarding 5: Safeguarding employment land, protects existing employment land from non-employment development. Therefore the plan reflects Scottish Planning Policy by allocating a choice and range of marketable sites and locations. Due to the range of sites allocated there is not an overemphasis on brownfield land. As a plan led system operates it would be difficult to achieve the flexibility sought by respondents on non allocated sites and this would not allow for effective infrastructure planning and could undermine the plan strategy. A more flexible approach to business development is taken in the Rural Housing Market Area in Policy 3 Development in the Countryside.

As discussed, a range of sites have been allocated including 35 mixed use sites. Therefore, there are opportunities for suitable employment sites to be located in mixed use sites. It is not appropriate to restrict employment sites to deal with special buildings or processes as this would not reflect the flexible approach required in paragraph 45 of Scottish Planning Policy and may restrict economic growth.

Review of allocated sites

The Structure Plan (page 13) sets a target to make sure that there are at least 60 hectares of land

available to businesses at all times in a range of places within the strategic growth areas in Aberdeenshire. The supply of marketable sites is audited annually by the Employment Land Audit and will be reviewed at least every five years in line with the replacement of the Local Development Plan. At the time of these reviews if identified sites are no longer considered appropriate or marketable, they will be removed or reallocated for another use.

#### Link to Schedule 2

The text for Policy 5 Housing Land Supply refers to Schedule 1 of the Structure Plan and not Schedule 1 of the Proposed Plan. However, it is recognised that a link between Policy 1 and Schedule 2 would be appropriate and this is proposed as a minor modification to the introductory text of Policy 1 to link this to Schedule 2 New Employment Land Allocations.

#### Public transport/accessibility

Assessment of the sites was undertaken prior to inclusion within the Main Issues Report. This included assessment of the opportunities to provide pedestrian and cycle links to key services, employment land and surrounding developments. The Strategic Environmental Assessment of the development bids also included an assessment against the objective to protect and improve air quality. This took into consideration whether sites were in close proximity to a service centre, or in a settlement with a rail halt or transport interchange. The majority of allocated sites have been made in locations served by public transport in line with paragraph 46 of Scottish Planning Policy. However, in some remoter areas access by public transport is not a realistic option, and in assessing sites in these locations the need to promote economic activity and diversification in rural areas in line with paragraph 93 of Scottish Planning Policy has also been taken into account.

All development proposals will be subject to all other relevant policies including Policy 8 Layout, siting and design, which includes an assessment on accessibility. There is no requirement to add additional text to SG Bus 1, as this would duplicate the requirements of Policy 8 Layout, siting and design and its associated supplementary guidance.

#### Mixed Use Areas

The level of employment land within mixed use areas is detailed within Schedule 2 New Employment Land Allocations and also within the supplementary guidance settlement statements. Masterplans or development briefs are required for mixed use sites and it is their role to ensure that the mix of uses actually proposed is compatible. The nature of employment land within mixed use areas will depend on the character of the settlement.

#### Cross boundary issues

The Aberdeen City and Shire Structure Plan sets out the overall approach to economic growth across both the city and shire. This co-ordinated approach is reflected within the respective local development plans. Aberdeen City and Shire Economic Future brings together both the city and shire councils as well as other agencies to ensure a collaborative approach is taken to economic growth.

#### Energetica

The plan covers the Aberdeenshire Council area and both the Aberdeen Science and Technology Park and Aberdeen Science and Energy Park are within the Aberdeen City Council boundary. These sites are also located within the Energetica corridor.

#### Tourist facilities

The Town and Country Planning (Development Planning) (Scotland) Regulations 2008 Regulation 27 requires supplementary guidance to cover topics specifically identified in the Local Development Plan as being topics for supplementary guidance. The details in respect of the wording of SG Bus4 Tourist Facilities and Accommodation and landscape sensitivity will be dealt with separately through the review of the objections to supplementary guidance. Tourism is one of the region's largest sectors and is an important economic growth driver, and therefore tourism should form part of the business policy and it is relevant to identify the supplementary guidance topic in the plan.

**Any further plan changes commended by the planning authority:**

Propose adding additional text after the first paragraph of the introduction to the policy stating “Schedule 2 shows new allocations promoted in the Local Development Plan” and “More guidance on economic development in rural Aberdeenshire is provided in SG Rural Development 1: Housing and business development in the countryside.”

Propose rationalising use of the term “business” and “employment” to ensure consistency throughout. Amend title of “SGbus1: Development of employment land” to “SGbus1: Development of business land”.

No other changes to the plan are commended.

**Reporter’s conclusions:**

**Economic benefits**

1. An objective of the approved Aberdeen City and Shire Structure Plan is to provide opportunities which encourage economic development and create new employment. Scottish Planning Policy also states that the planning system should support economic development by taking account of the economic benefits of proposed development. Proposed Aberdeenshire Local Development Plan policy 1 and its supporting justification support sustainable economic growth in line with the structure plan objective and Scottish Planning Policy. No change to the Plan is required to make this more explicit.

2. The proposed Plan is focused on the delivery of land and infrastructure. As a land use document it provides no financial incentives to development. However, the local development plan provides a range and choice of marketable sites and locations for business. The correct allocation of land for this purpose should act as an incentive to locate in an area. The policy and the Plan provide an appropriate planning context in which to encourage business development. As stated by the council, its economic development section and Scottish Enterprise can aid in this process. No change to the Plan is required to further incentivise business development.

**Terminology and clarity**

3. Rationalisation of the terminology used is appropriate to avoid confusion in the interpretation of the policy and associated supplementary guidance. A change to the title of the supplementary guidance is suggested by the council and recommended below to provide clarity.

4. The introduction to the policies on page 8 of the Plan is clear that more than one policy is likely to apply to development proposals. Policy 1 would be used in the assessment of proposals in settlements and in the countryside. Proposals in the countryside would also be subject to policy 3 on development in the countryside. A modification to the supporting text should be made to make this explicit.

**Range and choice of sites**

5. Following the provisions of paragraph 46 of Scottish Planning Policy, the council’s response clearly indicates that there is a range and choice of marketable employment sites and locations, and mixed use sites, in Aberdeenshire. No change to policy 1 is required to reflect this approach.

6. Although brownfield development is encouraged by Scottish Planning Policy there is not an overemphasis on these sites. Substantial allocations for business development are made on both brownfield and greenfield sites, providing a suitable range and choice. Furthermore, the provisions of policy 3 on development in the countryside would allow business development to come forward on unallocated land, if justified. The allocations and provisions of the Plan are sufficient and appropriate to accommodate business needs and growth without further refinement or alteration.

7. One representation suggests further text to encourage business to locate in mixed use allocations unless the business is classified as a nuisance. Successful mixed use communities require a suitable mix of uses and these can include business. Policy 1 does not identify mixed use sites but is supportive of business development in all areas. Any business or employment use considered a nuisance would be discouraged in mixed use residential areas through the design process laid out in policy 8. The additional text suggested is not required.

**Review of allocated sites**

8. The structure plan states that the supply of business land will be measured each year using the employment land audit. This provides a clear statement in the development plan that allocations will be monitored. A review of allocations would also be included in any future local development plan review, required every five years. No addition to the policy is therefore required to commit to a regular review of allocations.

**Link to Schedule 2**

9. For clarity it would be appropriate to provide a link between the policy and the schedule of new employment land allocations. A modification is recommended below.

**Public transport and accessibility**

10. The council has addressed the issue of accessibility in great detail. It is clear that the assessment of the allocated sites used ‘accessibility’ as a key consideration and it is acknowledged by the council that more active forms of travel and public transport are not feasible in all locations but that those allocations are supported by the need to promote economic growth in rural areas. As stated in the introduction to the policies more than one policy may apply when assessing development proposals. Policy 8 on the layout, design and siting and its associated supplementary guidance require an assessment of accessibility. There is therefore no need to provide an additional criterion within policy 1 on the accessibility of sites.

**Mixed use areas**

11. The council’s response provides sufficient evidence to suggest that employment land can be directed to mixed use areas. No modification to policy 1 is required on this basis.

**Cross-boundary issues**

12. The representation from Portlethen and District Community Council is correct that business is not guided by administrative boundaries. The structure plan allocates a business hectare to both the Aberdeen City and Aberdeenshire Local Development Plan areas, which can give the impression that the authorities are working separately. However, there is a requirement for these two planning authorities and business interests to work in collaboration to ensure delivery of the allocation. This is noted in the council’s response. The Aberdeen City and Shire Economic Forum also helps to enable effective delivery and to convey the structure plan objective of economic growth in the long term.

**Energetica**

13. The Aberdeen Science and Technology Park and the Aberdeen Science and Energy Park are both located within the Energetica corridor. However, specific reference to them would be inappropriate with the Aberdeenshire Local Development Plan as they are both located within the Aberdeen City Local Development Plan area.

**Tourist facilities**

14. The remit of this examination is to consider unresolved representations to the proposed Plan. Therefore, those concerns about the content of supplementary guidance are not addressed in these conclusions. Consequently, the amendments to the supplementary guidance sought in the representation are a matter for the council to resolve. The reference in the proposed Plan to the supplementary guidance is appropriate and should remain; the content is a matter for the council to resolve.

**Reporter's recommendations:**

Modify the proposed Plan by:

1. Replacing the title of "SGbus1: Development of employment land" with "SGbus1: Development of business land".

2. Amending the first paragraph of the supporting text to read as follows:

"Developing business is very important to the economic health of the region. This policy promotes an approach that means Aberdeenshire is 'open for business'. Schedule 2 shows new employment land allocations promoted in the Local Development Plan, while policy 3 provides more detail on business development in the countryside. Without business growth it is unlikely that the population targets set by the structure plan would be met."



<b>Issue 7</b>	<b>Policy 2: Town Centres and Retailing</b>	
<b>Development plan reference:</b>	Section 5: The Policies. Policy 2(p8)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Knight Frank LLP on behalf of Ferguson Modular (2, 4)  Portlethen &amp; District Community Council (580, 1122)  BLUE Planning &amp; Development on behalf of Brodie Countryfare Ltd (929)  Scottish Property Federation (1014)  Bancon Developments (1443, 1468)  Paull &amp; Williamson LLP on behalf of Raemoir Properties Ltd (1639)  Knight Frank LLP on behalf of Colin &amp; Esther Tawse (1818, 1819)  Turley Associates on behalf of Sainsbury’s Supermarkets Ltd (1951, 2082)  Montagu Evans LLP on behalf of The Sluie Estate Trust/David &amp; Richard Strang Steel (1953)  Scottish Environment Protection Agency (1979)  Scotia Homes Ltd (1985, 2071)  Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2102)  Margaret J Anderson (2355)  Stephen Hadden (2508)  Newtonhill, Muchalls &amp; Cammachmore Community Council (2721)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken for developments relating to town centre uses and retailing.	
<b>Planning authority’s summary of the representation(s):</b>		
<p><u>Vitality and viability</u>  <b>929:</b> Representation states that amendment to the 2<sup>nd</sup> paragraph is required to be in line with paragraph 64 of Scottish Planning Policy. Out of centre locations should only be considered if there will be no significant effect on vitality and viability of existing centres.</p> <p><b>929:</b> The representation objects to reference within the policy to SG Retail 2: Retail Development in Countryside unless the supplementary guidance is amended in paragraph “b” to “no detrimental impact on the vitality or viability of the identified network of existing centres...”</p> <p><b>1443, 1468, 1951, 2082:</b> Representations object to the use of the word “maintained” as this implies absolutely no impact on an established centre will be acceptable. This conflicts with Scottish Planning Policy which refers to “significant adverse effect”.</p> <p><u>Other retail centres</u>  <b>929:</b> In line with Scottish Planning Policy the plan should indicate where commercial development may be appropriate outwith existing centres, and existing centres should be identified in the Local Development Plan.</p> <p><b>1951, 2082:</b> The plan does not accord with Scottish Planning Policy as it does not identify qualitative and quantitative deficiencies in shopping provision.</p> <p><u>Retail development in the countryside</u>  <b>2102:</b> Clarity is required as to which parts of the policy apply to the countryside and which to settlements. In particular the first paragraph, third sentence of the policy needs further clarification.</p>		



Flexibility and mixed uses

**1014:** Whilst enhancing town centres is a priority, policy should retain a flexible attitude to consider needs, requirements and proposals on their own merit.

**1014:** Respondent states development of new housing may mean edge of settlement retail may be appropriate to meet needs in terms of accessibility and reducing need to travel.

**1985, 2071:** The policy wording implies that only shops contribute to the creation of sustainable mixed communities. As much of an impact is created by having workplaces in mixed use areas as this can help support the viability of shops.

**1985, 2071:** Policy does not mention sustainable mixed communities and concentrates on existing town centres.

**2721:** Object to policy as wording would not allow a small shop in villages. Policy should allow a community store, corner shop or arts and craft shop of no more than 100m<sup>2</sup> as this benefits the community through employment and income.

Other town centre uses

**1953:** The policy and supporting justification should recognise that town centres are not solely dependent on retailing but provide a range of retail, leisure, and community functions. This is in line with Scottish Planning Policy and is important in considering the impacts of proposals on vitality and viability.

**1985, 2071:** Too much commercial development in town centres can lead to single use zoning and the balance between residential and commercial development can be upset.

Traffic/Transportation

**580, 1122:** The policy should place more emphasis on the impact on traffic and transportation policies.

**580, 1122:** The representation notes that promoting retail development in the countryside is contrary to policies aimed at reducing car travel.

**1979:** Representation notes that whilst the policy recognises the importance of reducing the need to travel it does not recognise that an increase in commuter traffic can also exacerbate congestion and poor air quality.

Blackdog

**1818, 1819:** A specialist retail facility is identified within supplementary guidance on site M1 Blackdog. (See issue 63). There needs to be more robust policy support for this type of facility with cross reference within the plan. The site should be identified on the Proposals Map as a retail centre. This will give greater confidence to the developer and potential investors.

Stonehaven

**1443, 1468:** Mearns Business Park in Stonehaven should be included as a commercial centre and retail park. (See issue 43)

Portlethen

**1639:** The town centre at Portlethen should be extended as this would provide additional land for expansion, improvement of the town centre and would help address qualitative and quantitative deficiencies. (See issue 40)

Inverurie

**2, 4:** The town centre of Inverurie should be extended to include Colony Park, the Council Depot and the site of the Ferguson Modular works. This will ensure a proactive approach is taken to the reuse

of brownfield land, and will give the development industry confidence and certainty. The town centre has previously been extended northwards and this trend should continue. There should be a presumption against retail development outwith the Inverurie Redevelopment Area as this could erode vitality and viability of the town centre by drawing trade away. (See issue 35)

**2508:** Site M2 in Inverurie includes provision for a foodstore and there is no need for another one so close to existing stores. (See issue 35)

**2355:** One representation questions the application of the policy in reality and points to past experience in Huntly which they consider to be contrary to the approach being taken.

**Modifications sought by those submitting representations:**

**929:** Paragraph 2 of Policy 2 Town Centres and Retailing should be adjusted to say: “Aberdeenshire Council will also support shops that will act as a new or support an existing tourist destination and which will make a contribution to the development of the area **without any significant adverse effect on the vitality and viability of existing centres.**”

**929:** Remove reference to SG Retail 2 Retail Development in the Countryside unless objection to supplementary guidance is amended in line with separate objection to SG Retail 2.

**1951, 2082:** Identify qualitative and quantitative deficiencies in shopping provision and publish an update to the Aberdeen and Aberdeenshire Retail Study 2004.

**1443, 1468:** Wording of policy should be adjusted to come into line with Scottish Planning Policy. The word maintained would be removed and the policy amended to use “significant adverse effect”.

**2102:** Include the words “...within settlements but...” before the words “...outwith town centres...” in the first paragraph.

**1985, 2071:** Paragraph 1 of policy introductory text should read: “Controlling the location of shops and other workplaces can contribute to the objectives of the structure plan to create sustainable mixed communities and to reduce the need to travel. It reinforces the settlement strategy of the plan.”

**1985, 2071:** Paragraph 1 of the policy should read: “Aberdeenshire Council will support retail and commercial proposals appropriate to the scale and function of urban areas. This support will apply particularly to retail and commercial proposals in town centres and shops designed to serve a local neighbourhood. Where proposals are made outwith town centres, it will be necessary to demonstrate that a sequential approach to site selection has been followed and that the vitality and viability of town centres will be maintained OR show it as part of a mixed use neighbourhood.”

**2, 4:** The Inverurie town centre boundary should be extended northwards to include Colony Park, the Council Depot, and the site of the Ferguson Modular Works.

**1818, 1819:** First sentence of paragraph one of Policy 2 to be amended as follows: “Aberdeenshire Council will support retail and commercial proposals appropriate to the scale and function of urban areas. This support will apply particularly to retail and commercial proposals in town centres, **identified specialist retail centres** and shops designed to serve a local neighbourhood.”

**1818, 1819:** Add a retail centre to proposals map for Blackdog.

**1443, 1468:** Add boundary of new commercial centre to proposal map at Mearns Business Park.

**1639:** Extend Portlethen town centre boundary on proposals map.

**Summary of responses (including reasons) by planning authority:**Overview

Policy 2 sets out the principles for development in town centres and for retail proposals. It largely adopts the policy contained within the Aberdeenshire Local Plan for urban retail developments, but also accommodating the Scottish Planning Policy requirement to identify “other commercial centres”. It proposes a new policy direction relating to rural retailing, raised and discussed as an issue in the Main issues Report.

Vitality and Viability

The proposed policy rolls forward the policy previously examined at the Aberdeenshire Local Plan Inquiry (Volume 1 Issue 31). Scottish Planning Policy paragraph 64 states, that there should be no “unacceptable” impact on vitality and viability. Aberdeenshire Councils interpretation has consistently been that any negative impact would be unacceptable and therefore the policy has been worded to ensure that the vitality and viability of town centres is maintained. The current policy in the Aberdeenshire Local Plan Policy Emp\6 “Retail Development in the Larger Settlements – The Sequential Approach” requires demonstration that “there would be no detrimental impact on the vitality and viability of town centres”. Therefore, the wording of the current policy essentially maintains vitality and viability by not permitting any negative impacts to be accepted.

Other Retail Centres

Existing town centres and sites outwith town centres are identified on the Proposals Map on pages 18 to 24 and within the Supplementary Guidance Settlement Statements using the demarcation “TC” for town centres and “CC” for other commercial centres. Scottish Planning Policy paragraph 56 requires Local Development Plans to remedy deficiencies by identifying appropriate locations for new development and regeneration in the Local Development Plan. Sites have been identified in the plan in response to deficiencies identified within the Aberdeenshire Council “Review of Retail Requirements” (October 2008).

Retail Development in the Countryside

Given the rural nature of Aberdeenshire it is appropriate to have a policy position for retail development in rural areas. The principle of the approach is set out in Policy 2 and applies generally across all areas. The detail of this policy is dealt with in SG Retail 2: “Retail Development in the Countryside” and, in line with Regulation 27, this is identified in the Local Development Plan policy as a topic for supplementary guidance. Clarity is provided in the supplementary guidance as to which parts of the policy apply in the countryside. Representation on this detail will be dealt with separately through the review of objections to the supplementary guidance.

Flexibility and mixed uses

Scottish Planning Policy promotes a flexible attitude to consider needs, requirements and proposals through the addressing of likely retail needs through the development plan. Policy 2 provides sufficient flexibility in the location of retail proposals through application of the sequential approach, but with an absolute requirement that impact on existing town centres is acceptable. The policy allows for retail proposals to be judged on their merits within this context. Identification of commercial centres has been undertaken with regard for future development patterns. The scale of many developments promoted in the plan as mixed use developments will generate a need for local retail provision for the new neighbourhood.

The policy does not constrain “mix” within mixed use developments to only retail elements. SG LSD2 “Layout siting and design” refers to the need for developments to provide a mix of land uses so as to create a sense of identity in such developments. It is acknowledged that workplaces are an important element of any mixed use development. The policy specifically refers to “shops designed to serve a local neighbourhood” and to retail proposals “appropriate to the scale and function of urban areas”, to recognise the need for functioning mixed use developments. This would also support community stores and corner shops in villages.

Other Town Centre Uses

The policy relates to the control of retail and other commercial proposals and recognises the importance of other uses in town centres. The supporting text recognises the role existing centres have in providing accessible services. The policy does not create single use zoning within the town centres as the policy relates only to the control of retail and commercial proposals. Other uses appropriate to the town centre would be considered on their merits and against other plan policies.

Traffic/Transportation

In line with Scottish Planning Policy paragraph 54 town centres have been identified based on their mix of uses and attributes, but also their high level of accessibility. Therefore, the sequential approach recognises the transportation benefits of grouping shops and commercial uses together in centres. Appendix 1 of SG Retail 1: “Town centres and retailing” sets out the sequential approach. Proposals will require to be assessed against Policy 8 Layout, siting and design of new development, which includes assessment of the accessibility of proposals. Therefore, policy reflects objectives to reduce travel by car. It is acknowledged that commuting traffic also impacts on quality of life, but town centres have very high public transport accessibility and so provide greater opportunity for modal shift for those working in these areas.

Supplementary guidance provides further details in respect of retail development in the countryside and restricts this to particular circumstances. The opportunities for retail in the countryside are limited to sites where car journeys would be likely in any case. A balance is taken between the need to reduce the need to travel and promoting rural diversification. Proposals will require to be assessed against Policy 8 Layout, siting and design of new development, which includes assessment of the accessibility of proposals.

M1 Blackdog

Identification of an “other commercial centre” at Blackdog is not necessary. The site is identified as M1, which is to include a specialist retail facility. The mixed use allocation provides greater flexibility as to the location of the retail use and allows other uses to be integrated through the masterplan process (see issue 64).

Stonehaven

Provision has been made within Stonehaven for an “other commercial centre” on site CC1 at Spurryhillock. The site is allocated following the identification of retail deficiencies in Stonehaven in the Aberdeenshire Council Review of Retail Requirements October 2008. A further “other commercial centre” does not require to be identified (see issue 44).

Portlethen

There is concern that allowing retail uses in this location would further disjoint the town centre as the area proposed is on the opposite side of the A90 to existing retail uses. A masterplanned approach is required for the town centre (see issue 40).

Inverurie

Extension of the town centre boundary is not supported. A substantial area of the M2 site currently falls within the town centre boundary. The area proposed does not have the attributes or accessibility that is characteristic of town centres. Extension of the town centre boundary would dilute the relevance of the town centre designation (see issue 35).

**Any further plan changes commended by the planning authority:**

No changes to the plan are commended.

**Reporter's conclusions:**

1. For clarification, the remit of this examination is to consider unresolved representations to the proposed Aberdeenshire Local Development Plan. Therefore, those concerns about the content of the supplementary guidance are not addressed in these conclusions.

**Vitality and viability**

2. In support of its objective to encourage economic growth, the approved Aberdeen City and Shire Structure Plan states that, in line with Scottish Planning Policy, a sequential approach will be taken when identifying sites for new retail development.

3. Following the sequential approach, one criterion stated in paragraph 63 of Scottish Planning Policy is that out-of-centre retail or leisure development “should only be considered where there will be no significant adverse effect on the vitality or viability of existing centres.” Paragraph 64 provides further criteria to assess retail and leisure proposals that are contrary to the development plan, one of which requires “no unacceptable individual or cumulative impact on the vitality or viability” of any identified centre.

4. Policy 2 of the proposed Plan requires the maintenance of vitality and viability of town centres in assessment of out-of-centre proposals. The word ‘maintenance’ provides no acknowledgement that minor adverse impacts may be acceptable. It also implies that town centres should be retained or preserved in their existing state, whereas some proposals might lead to an improvement in vitality and viability by attracting further custom or investment opportunities into a catchment area. The policy also requires that shopping proposals related to tourist destinations are implemented without affecting the vitality or viability or any town centre in a negative way.

5. The council considers policy 2 to follow that of the adopted Aberdeenshire Local Plan policy Emp/6 on town centres and retailing, previously examined at inquiry. Scottish Government Circular 1/2009 on development planning suggests that, in general, changes should not be made to parts of plans which have previously been examined, unless circumstances have clearly changed. Policy Emp/6 relates to larger settlements (those with a town centre). One criterion in the policy for assessing out-of-centre locations is to assure no detrimental impact on the vitality or viability of existing town centres. This approach was justified on the basis of guidance in Scottish Government National Planning Policy Guideline 8 published in 1998, now superseded by both Scottish Planning Policy 8 in 2006, and the more recent consolidated Scottish Planning Policy in 2010, where a change in the approach to town centres and retailing is provided. The focus of the policy in any area of Aberdeenshire, not just larger settlements, and the change in national policy confirms that concerns relating to policy 2 can be addressed in this examination.

6. The council interprets ‘no unacceptable impact’ as being any negative impact. Such an approach could lead to an embargo on development outwith town centres, as it is unlikely that any proposal would provide no negative impact on an existing centre. What this approach fails to consider is that a negative impact may have an insignificant adverse effect in relation to the function, trading, and vitality and viability of existing centres. However, this does appear to be acknowledged to some extent in the supporting text to policy 2 and the proposed (and further revised) supplementary guidance on town centres and retailing, which refer to proposals having an acceptable impact on the vitality and viability of existing centres. The requirement to maintain vitality and viability does not reflect the commercial realities of retail and other commercial development required by Scottish Planning Policy. Consequently, the wording should be amended in both paragraphs 1 and 2 of the policy to allow a reasonable assessment of any impact on town centres.

**Other retail centres**

7. Scottish Planning Policy requires development plans to identify a network of centres, and explain the role of each centre in the network. The proposals maps of the proposed Plan show the boundary of ‘retail centres’ while the supplementary guidance settlement statements provide more detail on each centre. Appendix 1 of the supplementary guidance on town centres and retailing also identifies each retail centre and its role. As supplementary guidance, when adopted, would form



part of the development plan, this approach is appropriate, and is sufficient to resolve the concerns of the relevant representation.

**Retail development in the countryside**

8. One representation requests clarification on which elements of the policy would apply to proposals in the countryside and within settlements. The policy is written in general terms, and would apply to both proposals in the countryside and within settlements. The sequential approach does not provide any distinction between urban and countryside proposals: a proposal is within, on the edge of, or outwith a centre. The proposed supplementary guidance on retail development in the countryside provides clarification on what development the council would support in the countryside. No changes to the policy are required to provide further clarification.

**Flexibility and mixed use**

9. An objective of the structure plan is to make sure that new development meets the needs of the whole community. It notes that a focus on sustainable mixed communities means that new housing and developments for employment and commercial use should be integrated. The proposed local development plan follows this objective through its aim to promote sustainable mixed communities and consider the balance of the mix of uses proposed in new developments.

10. The first supporting paragraph of policy 2 states that, “shops can contribute to the objectives of the structure plan to create sustainable mixed communities...” The statement does not exclude other uses from contributing to sustainable mixed communities, which are acknowledged in other parts of the development plan. However, the actual policy refers to both retail and commercial proposals in town centres. It would therefore be appropriate to acknowledge the contribution of commercial development in the opening paragraph.

11. Flexibility is sought to acknowledge the potential for retail development in new housing developments as part of mixed use neighbourhoods. The proposed Plan identifies allocations suitable for mixed use development, and supplementary guidance provides further information on the role and function of any retail element. The scale of a retail proposal would determine any impact on existing centres. As identified in the council’s response, and in the proposed supplementary guidance on town centres and retailing, shops serving a new neighbourhood or which meet the principles of the retail centres and roles table within supplementary guidance, may not be subject to the sequential approach. This provides the flexibility sought by respondents without the need to provide an exemption to shops in mixed used neighbourhoods within the policy text.

12. The concerns about the provision of small scale shops in villages relate to supplementary guidance which, for the reasons stated in paragraph 1 above, this examination has no remit to address. However, I note that the provisions of the supplementary guidance on town centres and retailing would allow shops designed primarily to serve the convenience of a local neighbourhood.

**Other town centre uses**

13. Scottish Planning Policy recognises town centres as a key element of the economic and social fabric of Scotland, acting as centres for employment and services for local communities and a focus for civic activity. It states town centres should be the focus for a mix of uses including retail, leisure, entertainment, recreation, cultural and community facilities, as well as homes and businesses.

14. Policy 2 refers to retailing and commercial proposals, and acknowledges the importance of existing town centres in providing accessible services to residents and visitors. However, it fails to provide any reference to the other range of uses acceptable and vital to the success of town centres. The council argues that other uses would be considered on their own merits and against other plan policies, but does not provide reference to which policies. Policy 1 on business development may be applicable in some instances but other policies do not refer to what may be acceptable in a town centre. For this reason, the supporting text and the policy should be amended to make reference to other town centre uses. The council may wish to use the supplementary guidance on town centres and retailing to confirm in what instances such uses would be acceptable.

**Traffic/Transportation**

15. Town centres are generally well served by public transport, and can therefore help reduce congestion and improve air quality levels by providing a reasonable alternative to motorised travel for customers, employees and visitors. No change to the policy is required to resolve the concern of the Scottish Environment Protection Agency about increased congestion and poor air quality as a result of commuter traffic in Aberdeen.

16. Due to the rural nature of Aberdeenshire, the objective of the structure plan and proposed local development plan to promote sustainable economic growth by supporting the rural economy can be in conflict with the need to reduce private motorised travel. In promoting rural development, Scottish Planning Policy acknowledges that alternatives to access services by car may not be realistic as not all locations in remoter areas can be served by public transport.

17. Destination shopping and other enterprises in the countryside may encourage private motor travel by customers and employees. The proposed Plan seeks to reduce the levels of greenhouse gas emissions and sets accessibility as one of the criteria to be assessed through policy 8 on the layout, siting and design of new development, applicable to all development. This provision would enable an assessment of whether the location of a site, and its accessibility, are acceptable when considered against any economic and social (job creation) advantages. No change to the policy is required on this basis.

**Blackdog**

18. A mixed use proposal (M1) is identified on the proposals map for Blackdog. The mixed use allocation is to provide 600 houses, a gypsy/traveller transit site, employment land, a primary school, park and ride provision, and a specialist retail facility. The masterplan required for the site would determine the layout and scale of retail facilities on the site. With no specific location for the retail facility identified, it would therefore be inappropriate to identify an area as a “retail centre” on the proposals map. Once identified, its boundary may be shown in a future review of the local development plan. Alongside its mixed use allocation, the identification for the provision of a specialist retail facility in the supplementary guidance for Formartine, as part of the development plan, also provides sufficient confidence in the proposal without the need to provide a specific reference to the retail facility in policy 2.

**Stonehaven**

19. The suggestion to identify Mearns Business Park as an ‘other commercial centre’ is addressed fully in Issue 44, where it is dismissed. No amendment to the proposals map is therefore required.

**Portlethen**

20. Issue 40 on Portlethen fully addresses the suggestion to provide two parcels of land for town centre uses. The sites are not recommended for inclusion. Consequently, no amendment is required to the proposals map in this regard.

**Inverurie**

21. As per the conclusions of Issue 35 on Inverurie, the land suggested for inclusion in the town centre is part of a wider mixed use allocation to be the subject of a masterplan. The future use of the land should be determined through the masterplanning process, which may identify a retail facility or other use appropriate to the site and its surroundings. Identification of the land as part of the town centre in the proposed Plan would risk pre-empting the outcome of this process. Therefore, the land should remain allocated as a mixed use site on the edge of, and not as part of, the town centre.

22. The suggested change to the description of site M2 in supplementary guidance is outwith the scope of this examination, as explained in paragraph 1 above.



**Reporter's recommendations:**

Modify the proposed Plan by:

1. Replacing the first sentence of paragraph one with:

Controlling the location of shops and other commercial proposals can contribute to the objectives of the structure plan to create sustainable mixed communities and to reduce the need to travel.

2. Replacing the first sentence of paragraph two with:

We also recognise the important role that existing centres have in providing a diverse range of services and activities, accessible to both residents and visitors.

3. Replacing the first paragraph within the policy box with:

**Aberdeenshire Council will support retail, commercial, and other proposals appropriate to the scale and function of urban areas. This support will apply particularly to proposals in town centres, and shops designed to serve a local neighbourhood. Where proposals are made outwith town centres, it will be necessary to demonstrate that a sequential approach to site selection has been followed and that there will be no significant adverse effect on the vitality and viability of existing town centres.**

4. Replacing the second paragraph within the policy box to:

**Aberdeenshire Council will also support shops which will act as a new or support an existing tourist destination, and which will make a contribution to the development of the area with no significant adverse effect on the vitality or viability of existing town centres.**

<b>Issue 8</b>	<b>Policy 3: Development in the Countryside</b>	
<b>Development plan reference:</b>	Section 5. The policies; Policy 3 (p9)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ryden LLP on behalf of Stephen Bayman SRPBA (12, 126)  Norman P Lawie Limited on behalf of John Cruickshank (275)  Ryden LLP on behalf of Westhill Developments (Arnall) Ltd (292)  Scottish Natural Heritage (579, 1138)  Portlethen &amp; District Community Council (580, 1122)  Stewart Milne Homes (908, 913)  BLUE Planning &amp; Development on behalf of Brodie Countryfare Ltd (929)  Scottish Property Federation (1014)  Homes for Scotland on behalf of Grampian Housebuilders Committee (1112, 1118)  Halliday Fraser Munro on behalf of Mrs S Ironside &amp; Mr C Laurie (1408, 1409)  Halliday Fraser Munro on behalf of Capo Lettings (1410, 1411)  Bancon Developments (1437)  Halliday Fraser Munro on behalf of Strathdee Properties Ltd (1518, 1523)  Catterline Community Working Group (1526, 2307, 2371)  Halliday Fraser Munro on behalf of Mr &amp; Mrs Dow (1527, 1530, 1535, 1540, 1542)  Archial Planning on behalf of Stewart Milne Homes (1599, 1937)  Halliday Fraser Munro on behalf of Mr A Bedawi (1604, 1607, 1615, 1616, 1620, 1621, 1625, 2213, 2898, 2899, 3029, 3030)  Ryden LLP on behalf of Dunecht Estates (1873, 1874)  Montagu Evans LLP on behalf of The Sluie Estate Trust/David &amp; Richard Strang Steel (1953)  Scottish Environment Protection Agency (1979)  BLUE Planning &amp; Development on behalf of Matthew Merchant (1981)  BLUE Planning &amp; Development on behalf of Station Garage (1983)  Craigallan Homes Ltd (2259)  Alistair Reid (2265)  Catterline, Kinneff &amp; Dunnottar Community Council (2331)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken for developments relating to development in the countryside.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>General Support</u>  <b>172, 929:</b> Two responses express support for the policy.</p> <p><b>12, 126, 908, 913, 1408, 1409, 1410, 1411, 1518, 1523, 1527, 1530, 1535, 1540, 1542, 1604, 1607, 1616, 1621, 1873, 1874, 1979, 1981, 1983, 2213, 2898, 2899, 3029, 3030:</b> Many respondents generally welcome the relaxed approach to development in the countryside. One respondent welcomes the policy in principle as it recognises the need to reduce travel (<b>1979</b>).</p> <p><b>292:</b> There is one respondent (duplicate response) supporting the policy, particularly with regard to the combined policy for housing and business development.</p> <p><b>1014:</b> One respondent generally supports the approach taken to ensure rural economic development in the countryside to improve the rural economy.</p>		

Policy Objectives

**580, 1122:** There is one respondent (duplicate response) who does not support the policy and suggests it should be more stringent.

**929, 1981, 1983:** The reference to 'small scale' development should be removed as there is no need to differentiate between scales of business development.

**1408, 1409, 1518, 1523, 1604, 1607, 1615, 1616, 1620, 1621, 1625, 2213, 2898, 2899, 3029, 3030:** A number of responses request that specific reference be made to support the redevelopment of rural brownfield sites in both Housing Market Areas, as this is the preferred rural development option outlined in the Supplementary Guidance.

**1437, 2259:** There are two respondents who state that the policy is too restrictive. One respondent suggests it is more restrictive than the current plan and does not take account of Scottish Government policy which requires an accommodative policy. The policy is said to be too restrictive in the Local Growth and Diversification Area: several sites were dismissed at the Main Issues Report Stage on the grounds that they should be dealt with by the 'rural development policy', but this was used to avoid addressing the issue of whether a site is related to a settlement.

**2265:** One respondent suggests that the policy needs to be permissive of new houses in the countryside in order to ensure schools and hamlets are sustainable.

Supplementary Guidance

**908, 913, 1112, 1118, 1408, 1409, 1410, 1411, 1518, 1523, 1527, 1530, 1535, 1540, 1542, 1604, 1607, 1616, 1621, 2213, 2898, 2899, 3029, 3030:** Many respondents have requested that SG Rural Development 1 should be included in the Proposed Plan (see issue 2).

Accessible Area

**1408, 1409, 1518, 1523, 1527, 1530, 1535, 1540, 1542, 1604, 1607, 1615, 1616, 1620, 1621, 1625, 2213, 2898, 2899, 3029, 3030:** There are a number of respondents who request that no split is made between housing market areas, as the policy as it stands is not conducive to creating sustainable communities. These respondents suggest that the policy would impose unnecessary restrictions on development in the Aberdeen Housing Market Area, which would be detrimental to small rural communities within this area.

**275:** One respondent requests that the narrative is amended to allow some residential development in all areas easily accessible to Aberdeen and major towns in Aberdeenshire.

**1014:** One respondent does not support the rigid stance taken over development in areas accessible to Aberdeen and requests that, in general, economic development in accessible locations should be encouraged.

**1599, 1937:** It is suggested that the policy remains relatively restricted, particularly within the Aberdeen Housing Market Area.

**1526, 2307, 2331, 2371:** These respondents suggest that there is no basis upon which the policy can be operated in respect of accessibility. There is concern that the 'less accessible area' as referred to by the policy has not been correctly identified. The boundary used to delineate the 'less accessible area' is the Housing Market Area Boundary (see supporting information) and it is suggested that it is undesirable to operate this policy, and its related Supplementary Guidance on the basis of an out of date Housing Market Area boundary when much more up to date information is available. The use of the Aberdeen Housing Market Area could result in vulnerable settlements being damaged.

**1873, 1874:** Reference is made in the policy to 'different types of rural area' but the only distinction made is those 'easily accessible to Aberdeen and major towns and those that are not'. The distinction should be made clear in the policy rather than the Supplementary Guidance and it is

suggested that the AHMA and RHMA would be sensible definitions.

Minerals

**255:** One respondent requests that there be a presumption in the policy against mineral extraction near existing settlements.

Renewable Energy

**579, 1138:** Scottish Natural Heritage comment that the policy has insufficient information on the approach to renewable energy development and minerals. The policy is concerned mainly with housing and economic development. There is no overarching policy on renewable energy set out in the plan, and no indication of the potential for large windfarms.

A number of respondents have highlighted that Areas of Search for Windfarms should be included in the plan. These issues are being dealt with under issue 9.

Countryside around Towns

**1953:** There should be some recognition of those areas designated 'countryside' which are adjacent to existing settlement boundaries. These areas are adjacent to residential areas, are accessible by public transport and so certain forms of economic development may be appropriate.

Need for a Policy

**1014, 1437:** Two responses suggest that individual applications should be assessed on their own merits and the onus should be on the developer to demonstrate the suitability of the site.

Air Quality Issues

**1979:** The respondent suggests that the policy does not appear to recognise that an increase in commuter traffic can exacerbate congestion and poor air quality in Aberdeen.

**Modifications sought by those submitting representations:**

**12, 126, 172, 292:** Request no modification.

**580, 1122:** Revise the policy to say 'Aberdeenshire Council will **only** support development in the countryside...'

**1437, 2259:** The policy is overly restrictive.

**2265:** The policy requires to be more permissive of new houses in the countryside.

**908, 913, 1112, 1118, 1408, 1409, 1410, 1411, 1518, 1523, 1527, 1530, 1535, 1540, 1542, 1604, 1607, 1616, 1621:** Request SG Rural Development 1 is included within the plan.

**1408, 1409, 1518, 1523, 1527, 1530, 1535, 1540, 1542, 1604, 1607, 1615, 1616, 1620, 1621, 1625, 2213, 2898, 2899, 3029, 3030:** Delete in paragraph 3 "We will exercise greater control of development in those areas that are easily accessible to Aberdeen and our major towns", and delete "in the less accessible areas".

**275:** Request the policy includes provision to allow residential development in all areas easily accessible to Aberdeen, and to Aberdeenshire's major towns.

**1014:** Request alteration of the policy to support economic development proposals in areas accessible to Aberdeen.

**1526, 2307, 2331, 2371:** Request a revised and up to date accessible area be designated and included in the Local Development Plan, in accordance with the 2007 Study and the K&M Committee Report dated 27 April 2010.

**1873, 1874:** Request that the definition of the two areas (accessible and less accessible) is made clear in the policy and therefore propose including reference to the AHMA and the RHMA in the policy.

**255:** Include provision within the policy to prevent mineral extraction near settlements.

**1408, 1409, 1518, 1523, 1604, 1607, 1615, 1616, 1620, 1621, 1625, 2213, 2898, 2899, 3029, 3030:** Request that there is specific reference in the policy supporting the redevelopment of brownfield land in all areas.

**929, 1981, 1983:** Request that the reference to 'small scale' development is removed from the policy.

**1953:** Request there is provision within the policy to support economic development proposals in the 'countryside' but adjacent to settlements.

**1014, 1437:** Individual applications should be assessed on their merits

**1979:** Request that consideration is given to the potential for the increase in traffic to impact on air quality in Aberdeen.

**Summary of responses (including reasons) by planning authority:**

Overview

Rural Development was considered as a main issue within the Main Issues Report, and the background to the policy can be found on page 31 of the Main Issues Report. Scottish Planning Policy has altered considerably from when the previous plan policy was developed and as such a more positive approach to development in the countryside has been adopted. Aberdeenshire is a large rural authority, and in terms of rural development has to deliver a policy that can meet the varying needs of different communities. The policy has therefore distinguished Aberdeenshire into two parts, those areas accessible to Aberdeen, and those areas less accessible. This is consistent with paragraph 93 of Scottish Planning Policy. The accompanying supplementary guidance interprets this by adopting the housing market area boundary as a distinction between those areas close to and reliant on Aberdeen, and those areas which require a greater level of development to sustain rural communities. The policy outlines the general position on housing, business, windfarms, renewable energy and minerals development in the countryside. Comments have been made in relation to the need for areas of search for windfarms which are dealt with under issue 9.

General Support

Support for the policy is noted.

Policy Objectives

It is recognised that there needs to be a balance between an overly permissive policy and an overly lenient policy. Over the years there have been contrasting views on the level of development which should be permitted through housing in the countryside. The policy strikes the correct balance, by being more accommodative within those areas which are less accessible to Aberdeen.

The policy is only intended to apply only to small scale development. Large proposals should be taken forward through specific allocations in the development plan.

Regarding the request for the policy to make specific reference to the support for brownfield development across all areas, it is suggested that as the policy only sets out the overarching aim and intent of the policy, it is sufficient to have reference to the redevelopment of brownfield sites only within the supplementary guidance.

Some respondents suggest that the policy is not in line with Scottish Planning Policy which requires an accommodative policy. However, although Scottish Planning Policy requires a positive approach

to rural development, it also requires a rural strategy which responds to specific circumstances. The plan meets the requirement to 'support new clusters, extensions to existing clusters and replacement housing' (paragraph 94). In addition, the Structure Plan does not require an overly accommodative stance on development in the countryside: 'LDPs should, in line with SPP, approach this (demand for housing in the countryside) by focusing housing in, or as an extension to existing settlements, particularly those well served by public transport.' The priority for housing in the countryside is not to be so permissive as to undermine the Structure Plan's settlement strategy.

In relation to the consideration of sites in the Main Issues Report as being 'dealt with by the rural development policy', this is considered to be appropriate. The majority of sites outwith settlements were not considered appropriate as allocations as they would not support the Structure Plan aim of focussing new development in or as an extension to existing settlements (paragraph 3.14). The statement did not imply that the sites would be treated favourably, but that they should be dealt with by application of the relevant policies.

#### Supplementary Guidance

Issue 2 considers the generic issue of how much detail should be in supplementary guidance. The layout of the plan is usable and ensures the principles of the policy are given sufficient weighting, while the details are in the Supplementary Guidance.

#### Accessible Area

Scottish Planning Policy states that in more accessible and densely populated areas most new development should be in or adjacent to settlements (paragraph 95). The Accessible Area (Aberdeen Housing Market Area) is an example of such an area, and therefore in line with Scottish Planning Policy the plan does not promote a relaxed approach in this area. However, the policy is permissive of brownfield development within the Aberdeen Housing Market Area and therefore does not impose unnecessary restrictions. Economic development proposals also require a relatively rigid approach in the Aberdeen Housing Market Area in order not to prejudice the employment land allocations. In this way the policy provides an appropriate balance between need for development and demand.

The Structure Plan adopts the housing market area boundary which has been utilised since the 1980's in order to maintain statistical continuity. The extent of the accessible area was considered at the Main Issues Report stage where multiple rural types were identified. Responses to the Main Issues Report highlighted that this approach was not supported and although a revised housing market area boundary was considered (see 'Housing Market Area Accessible Area Proposal, March 2010), the council concluded the use of the housing market area was more appropriate. Alteration of the boundary at Catterline was considered in order to ensure the settlement retains its character, but on reflection it was considered that there are sufficient measures in place to ensure development will take place in a controlled way.

The policy provides a general stance as to where development should occur and as such the reference to the term 'easily accessible' is appropriate. Not including a precise boundary in the policy makes the policy more adaptable to change, and allows minor changes to be made to the boundaries through supplementary guidance. However, it is accepted that clarification of the accessible area in the policy justification would be appropriate. This change can be incorporated without affecting the intent of the policy and is proposed as a minor modification.

The policy is supportive of economic development, particularly in the less accessible area where there is less demand and generally a smaller scale of need. This need is therefore met. Allowing a relaxed approach to economic development proposals in the 'Accessible Area' would prejudice allocated sites coming forward and if many businesses utilised the policy could result in incremental development in unsustainable locations, which is undesirable.

#### Minerals

The detailed guidance about minerals development is contained with Supplementary Guidance. The policy proposes a generally positive stance to economic development within the countryside in order

to improve the rural economy.

Renewable Energy

The policy provides a general statement of support for development in the countryside where it meets the needs of the community. No difference needs to be made between renewable energy developments and other economic development proposals. The policy supports their development but other policies and detailed supplementary guidance also influence whether a particular site is appropriate. Areas of Search for Windfarms are being dealt with under issue 9.

Countryside around Towns

The countryside around settlements is likely to have a higher demand for development, for the reasons identified by the respondent. These areas should not have special recognition as this could prejudice allocated land, and result in over development without proper planning. Allocations within the development plan are the most appropriate way of dealing with such issues.

Need for a Policy

The respondent proposes a new policy approach incorporating subjective decision making. This is not supported by Scottish Planning Policy which requires a strategy responding to specific circumstances. It would be a dereliction of duty if no clarity was provided about how planning applications will be dealt with.

Air Quality Issues

It is recognised that there is a trade off between air quality and the sustenance of rural communities. In most cases development is directed to settlements and groups of houses which can be efficiently serviced. There is a need to promote development in rural areas and the nature of rural areas mean that car ownership is normally a necessity. The policy approach recognises this by limiting development in areas where demand is likely to result in numerous developments.

**Any further plan changes commended by the planning authority:**

Add the following text to the supporting text to clarify the extent of the 'Accessible Area'. "For the purposes of the Local Development Plan the boundary between the accessible and less accessible areas is taken as the Housing market Area boundary, as shown on the proposals maps"

**Reporter's conclusions:**

**Policy objectives**

1. Representations suggest the inclusion of the word 'only' in the first sentence of proposed Aberdeenshire Local Development Plan policy 3 as follows, "Aberdeenshire Council will [only] support development in the countryside where..." The word 'only' would be superfluous in this context, as the sentence and policy contains caveats to restrict the circumstances in which support would be given. There is no need for the word and its inclusion would be inconsistent with the wording of other policies in the proposed Plan.
2. The council confirms that the policy is intended to promote small-scale development in less accessible areas, as detailed in the proposed supplementary guidance on housing and business development in the countryside. Representations seeking the deletion of the wording 'small-scale' within the policy provide no reasoning for removal of the scale differential. The wording should remain.
3. Following the provisions of Scottish Government Circular 1/2009 on development planning, policy 3 provides an appropriate context for the associated supplementary guidance. The proposed supplementary guidance on housing and business development in the countryside clearly sets a preference for the re-use of brownfield sites in both housing market areas. As the supplementary guidance would form part of the development plan when adopted, I find that reference to support brownfield redevelopment within the policy is not required.



4. Policy 3 is more accommodating than the previous adopted Aberdeenshire Local Plan policy concerning cohesive groups in the Rural Housing Market Area. The policy supports new development in the countryside in both the Aberdeen and Rural Housing Market Areas and actively promotes small-scale developments. Following the aim and vision of the policy, specific conditions to assess whether a development is acceptable are set out in the proposed supplementary guidance, whose contents are not matters for this examination to address. No changes are required to the policy in relation to it being overly restrictive or prescriptive.

**Supplementary guidance**

5. Representations to the proposed Aberdeenshire Local Development Plan seek the inclusion of detail from supplementary guidance on housing and business development in the countryside into the Plan.

6. Issue 2 addresses the format of the proposed plan and the use of supplementary guidance. In relation to policy 3, the proposed plan provides support for development in the countryside and a recognition that the special rural character and sustainable development patterns need to be balanced against the need to support the rural economy. The contents of policy 3 are not significantly different from that contained in of the adopted Aberdeenshire Local Plan (Hou 4, 5, 6 and Appendices 1, 2 and 3). In addition, further development through proposed policy 3 would be considered as a minor proposal. Policy 3 is therefore consistent with the provisions of circular 1/2009.

7. Policy 3 provides a broad approach outlining the council's main principle of promoting appropriate development in the Aberdeenshire countryside. The policy is concise and the Plan is focused on delivering its vision and spatial strategy, an approach in accord with the regulations. The supplementary guidance would form part of the development plan, which is appropriate in the context of the amended Act, regulations and circular. There is therefore no need to incorporate the supplementary guidance into the Plan.

**Accessible area**

8. There is a distinction in the policy between a greater control in those areas more accessible to Aberdeen and major towns, and the promotion of small-scale development in less accessible areas. No explanation is provided in the policy or supporting text to define the accessible areas described. However, the provisions of the proposed supplementary guidance on housing and business development in the countryside, and the council's response, suggest that the distinction is actually between the Aberdeen Housing Market Area and the Rural Housing Market Area. Representations note that not all settlements in the Aberdeen Housing Market Area are more accessible and therefore suggest that the policy should be applied universally to promote development in all countryside areas to support local schools and rural services. Another representation suggests that the accessible area is expanded to reflect the recent housing market area boundary review.

9. Paragraphs 84 and 95 of Scottish Planning Policy state that most new development in more accessible and densely populated areas should be directed within or adjacent to existing settlements, an approach which will help to minimise servicing costs and sustain local schools, shops and services. In addition, paragraph 84 states that, "planning authorities should also set out the circumstances in which new housing outwith settlements may be appropriate, particularly in rural areas." The approved Aberdeen City and Shire Structure Plan also states that, "local growth in individual settlements should relate to local needs."

10. As evident from the settlement approach and spatial strategy, preparation of the local development plan has systematically addressed each settlement's needs and provided new development proposals where appropriate to sustain schools and services. This approach is consistent with the provisions of Scottish Planning Policy and the structure plan.

11. Universal application of the policy would not be feasible without definitive criteria to assess accessibility, which are not provided in any representation. The housing market area boundaries

provide a consistent and definable distinction which is clear and applicable in development management assessments, providing clarity and certainty to applicants. However, I acknowledge that there are settlements in the Aberdeen Housing Market Area which may benefit from development and could accommodate further small scale development. This also appears to be acknowledged by the council as several settlements within this housing market area are identified in appendix 1 (p18-19) of the proposed supplementary guidance as capable of accommodating organic growth, including Cluny, Ythanbank, Park, and Blairdaff.

12. A distinction should be made in the policy but the reviewed housing market area should not be used as it was not approved by the council. In conclusion, the policy should be amended to define the accessible areas as the existing Aberdeen Housing Market Area and acknowledge that the distinctions are not absolute in all cases.

### **Minerals**

13. A representation seeks a presumption against mineral extraction near settlements. Policy 3 would be used to meet the needs of business proposals which would require a rural location, such as mineral extraction. The proposed plan identifies 71 areas of search for minerals, of which 28 are recommended to be deleted through Issue 24. Issue 22 notes that development within the areas of search is not *fait accompli*, as proposals would need to be assessed against all the provisions of the development plan and other material considerations, including safeguarding amenity and providing controls and mitigation. Again, as noted in Issue 22, there is a requirement to identify and provide for an adequate and steady supply of minerals and provide certainty to both the minerals developers and communities about where mineral extraction may occur. A presumption against mineral extraction near settlements is unspecific. There are sufficient safeguards to ensure mineral extraction could occur without unacceptable harm to settlements. Consequently, the presumption suggested should not be included in policy 3.

14. The policy also provides sufficient context for the associated supplementary guidance on minerals, which alongside other development plan provisions provide sufficient information on the planning authority's approach to minerals. No change to the Plan is required to provide more information in this regard.

### **Renewable energy**

15. The matter of providing sufficient information on the approach to renewable energy, specifically wind farm developments, is fully addressed in Issue 9.

### **Countryside around towns**

16. Policy 3 supports development in the countryside, including sites adjacent to existing settlements in the circumstances set out in supplementary guidance. No further modification is required to the Plan to provide further recognition of these locations.

### **Need for a policy**

17. Representations suggest that the policy is too rigid over development in areas accessible to Aberdeen, and that individual applications should be considered on their own merits. Each application should be assessed individually and on its own merits against the provisions of the development plan and other material considerations. There may be individual circumstances, such as supporting the local school roll or local services, which warrant consent in some cases. However, as modified, the policy is not overly rigid but provides an appropriate context and certainty for development proposals. No further changes to the policy are required.

### **Air quality issues**

18. Development in the countryside may encourage private motor travel into Aberdeen, exacerbating existing poor air quality levels. The proposed Plan seeks to reduce the levels of greenhouse gas emissions and sets accessibility as one of the criteria to be assessed through proposed policy 8 on the layout, siting and design of new development, applicable to all development. This provision would enable an assessment of whether the location of a site is acceptable in environmental terms when considered against any economic, social or other benefits,

including supporting the rural economy and local schools and services. No change to policy 3 is required on this basis.

**Reporter's recommendations:**

Modify the proposed Plan by:

1. Replacing paragraph 3 within the policy box of policy 3 with:

**As a result, we will manage development in a way that recognises the special character of different types of rural area. We will generally exercise greater control of development in the Aberdeen Housing Market Area, and promote small-scale development, especially business development, in the Rural Housing Market Area. In doing so, we will support a wide range of economic development that helps to improve the rural economy.**

<b>Issue 9</b>	<b>Broad Areas of Search for Wind Farms over 20MW</b>	
<b>Development plan reference:</b>	Section 5 The Policies: Policy 3 Development in the countryside & SG rural Development 2: Wind energy	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Scottish Natural Heritage (579)                  Nick &amp; Penny Orpwood (1154)                  Scottish Government (2142)                  John Bain (2186)                  Buxiehill Wind Energy Ltd, Ednie Wind Energy Ltd, Greenside Wind Energy (2305)                  Bruce Taylor (2435)                  Brian Scott (2465)                  Renewable Energy Ventures Ltd (2487)                  Stop Turbines on Pressendye (SToP) (2492)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The failure of the plan to identify areas of search for major wind farms.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>2142:</b> The Scottish Government request that the Macaulay Enterprise Ltd's work and related documents that were used to identify broad areas of search are reviewed.</p> <p><b>2305, 2435:</b> The respondents query what criteria were applied in order to make the assessment that no broad areas of search are available or why the four technically feasible sites in the supplementary planning guidance were rejected.</p> <p><b>2487, 2492:</b> The respondents claim the lack of identified broad areas of search for wind farms contradicts current supplementary [planning] guidance produced by Aberdeenshire Council, which identifies four broad areas of search for wind farm proposals above 20MW.</p> <p><b>579:</b> Scottish Natural Heritage suggests that although the broad areas of search identified for wind farms in the supplementary planning guidance could have a likely significant effect on some European sites, an appropriate assessment may be able to demonstrate that there would be no adverse effect on the integrity of the relevant sites.</p> <p><b>2142, 2435, 2305:</b> Express concern that the failure to identify any areas which can accommodate large scale wind farms is a serious conflict with Scottish Planning Policy.</p> <p><b>2305, 2435, 2492:</b> Expresses concern that not identifying broad areas of search for wind farms suggests a more negative approach to large scale wind farms.</p> <p><b>1154, 2186, 2465:</b> Suggest that to prevent irresponsible development of wind turbines and to meet renewable energy priorities, areas that are of low quality land and not densely populated, or offshore should be identified.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>2142:</b> The Proposals maps should show at least one broad area of search that can accommodate wind farms greater than 20MW, and use other maps to show areas requiring significant protection, areas with potential constraints, and, if appropriate, sites below the 20MW threshold.</p> <p><b>1154, 2142, 2186, 2305, 2435, 2465, 2487, 2492:</b> Reintroduction of the broad areas of search for</p>		

wind farms over 20MW, as identified in the supplementary planning guidance *Use of Wind Energy in Aberdeenshire Part 1: Wind Energy Guidance for Developers Addendum - Broad areas of search*.

**579:** The broad areas of search for wind farms over 20MW should be set out in the proposals maps provided appropriate mitigation or case specific policy restrictions demonstrate there will be no adverse impact on the integrity of the relevant Natura sites.

**Summary of responses (including reasons) by planning authority:**

Overview

No areas of search for wind farms greater than 20MW were identified in the proposed local development plan, but this does not imply non-compliance with Scottish Planning Policy. Since 2005, the land capability of Aberdeenshire to accommodate wind farms greater than 20MW has been reviewed on three separate occasions, the last in preparation of the proposed local development plan. A number of broad areas of search were initially identified, but after the last review they were all omitted from the proposed Local Development Plan, since each was identified as having potential to cause some form of significant social or heritage impact.

Areas of search for wind farm proposals over 20MW

In association with Macaulay Enterprise Ltd, Aberdeenshire Council developed an application called *Land capability map for wind farms in Aberdeenshire*, a wind farm decision support tool to assist in the identification of preferred areas for wind farm development. It identified areas with varying sensitivity to wind farms of any scale. The decision support tool was used as a spatial framework to identify broad areas of search for wind farms over 20MW. Four broad areas of search were identified and published in January 2009 as an addendum to the supplementary planning guidance titled *Use of Wind Energy in Aberdeenshire, Part 1*. Further information on the methodology on the approach used to develop the decision support tool and to identify the broad areas of search are provided in two paper parts titled "*Land Capability for wind farms project*" and "*Identifying broad areas of search*".

During the preparation of the Aberdeenshire Local Development Plan, the broad areas of search were again appraised, but in light of changes and potential impacts to designated sites no areas of search were identified. Area 1 was removed as a precautionary approach, as permitted under Scottish Planning Policy paragraph number 132, due to a potential impact on a Site of Special Scientific Interest adjacent to the area of search. Areas 2 and 3 were removed as a precautionary approach in light of Scottish Natural Heritage comments (received in March 2010) expressing concern that without an appropriate assessment and a conclusion of no adverse effect they would object to their inclusion in the plan (see paper apart "Letter from Scottish Natural Heritage", pages 8 and 9). In particular they noted the possible impact on wintering pink footed geese flying through the areas of search to two Special Areas of Conservation. Area 4 was removed due to potential impact on an Area of Landscape Significance designation, which included part of the area of search. In order to avoid delay to the plan (from the late identification of risk from Scottish Natural Heritage) the precautionary approach was used for areas 2 and 3, and the remaining two areas of search were removed prior to the finalisation proposed plan.

A thorough examination of the areas was undertaken in accordance with Scottish Planning Policy (paragraphs 189 to 191), which requires development plans to identify "areas of search" and not "broad" areas of search, as was required in Scottish Planning Policy 6.

The proposed plan and supplementary guidance *SG Rural Development 2: Wind farms and large wind turbines* positively support wind farm proposals. Not identifying broad areas of search for wind farms does not suggest a more negative approach to large scale wind farms. There is still significant interest in both small scale and large scale wind farm proposals in Aberdeenshire. The decision support tool that was developed in association with Macaulay Enterprise Ltd is still used to initially identify the sensitivity of a site for a wind energy development.

The decision support tool considered areas identified as prime agricultural land and not densely

populated (i.e. to exclude areas within 2km of a settlement and 400m from a dwelling in the countryside). The majority of sites of low sensitivity to wind farms are located in the northern half of Aberdeenshire. Current planning legislation does not permit development plans to identify areas of search for offshore wind farm proposals.

Conclusion

Aberdeenshire Council was unable to identify any areas of search where there was confidence that a large wind farm could be sited without significant social or heritage impacts. More detailed analysis to support individual sites may result in such areas being acceptable, and there remains considerable scope for smaller proposals across Aberdeenshire. None of the modifications seeking the inclusion of broad areas of search for wind farm proposals over 20MW in the plan should be supported. However, additional maps could be provided as planning advice in support of supplementary guidance *SG Rural Development 2* to show the decision support tool *Land capability map for wind farms in Aberdeenshire* in greater detail (e.g. maps to show areas that have a very high sensitivity to wind farms and areas of low sensitivity to wind farms below the 20MW threshold).

**Any further plan changes commended by the planning authority:**

No changes to the plan are commended.

**Reporter's conclusions:**

1. Paragraph 189 of Scottish Planning Policy states that planning authorities should set out in the development plan a spatial framework for onshore wind farms of over 20 megawatts generating capacity. The spatial framework should identify areas requiring significant protection, areas with potential constraints where proposals will be considered on their individual merits against identified criteria, and areas of search where appropriate proposals are likely to be supported subject to detailed consideration against identified criteria. In the proposed Plan, policy 3 provides broad support for wind farm proposals throughout Aberdeenshire but does not identify any areas of search where appropriate proposals for wind farms of over 20 megawatts are likely to be supported. Neither does it identify areas requiring significant protection from such developments.
2. The council relies on supplementary guidance, *SG Rural Development 2: Wind farms and large wind turbines*. This SG provides a list of criteria that any wind energy development must comply with. This SG also refers to additional planning advice in supplementary planning guidance, *Use of Wind Energy in Aberdeenshire: Guidance for Developers*. The *Addendum – Broad Areas of Search for Wind Farms*, updated May 2009, sets out a decision support tool developed in association with Macaulay Enterprise Ltd, which was used to identify four broad areas of search for wind farms over 20MW. However, following a thorough examination, Aberdeenshire Council has not included any of these areas in the proposed Plan. Nevertheless, the decision support tool continues to be used to identify the sensitivity of a site for a wind energy development.
3. It is considered that the council's approach in the Plan is confusing since the decision support tool developed in association with Macaulay Enterprise Ltd, which led to the identification of four broad areas of search, is being used to assess proposals although the broad areas of search that it generated have been dispensed with following consultation. It is considered that the council's approach creates uncertainty for developers and communities, and lacks transparency. Although *SG Rural Development 2* provides some guidance on the location, siting and design of wind farms, by no stretch of the imagination does it amount to a spatial framework as envisaged by Scottish Planning Policy. Consequently, the Plan does not comply with Government planning policy on wind farms.
4. The limited evidence submitted in relation to this examination of the proposed Plan does not allow the Reporter to make recommendations on the identification of areas of search for wind farms over 20MW or, indeed, the identification of areas requiring significant protection and those with



potential constraints. To insist on the inclusion of a spatial framework, which identifies these areas, within the Plan would lead to an inordinate delay in the adoption of the Plan, whilst the council re-assesses its position and consults on any proposals.

5. Therefore, in order to allow the Plan to proceed to adoption timeously, it is considered that the council should prepare and approve a spatial framework for wind farms over 20MW that meets the requirements of Government planning policy and incorporate such a framework into revised supplementary guidance. It is expected that this work could be accomplished within one year of adoption of the Plan.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

Add the following sentences to Policy 3: ‘Scottish Planning Policy states that planning authorities should set out in the development plan a spatial framework for onshore wind farms of over 20 megawatts generating capacity. We will prepare and approve revised supplementary guidance *SG Rural Development 2: Wind farms and large wind turbines* to include a spatial framework which identifies areas requiring significant protection; areas with potential constraints where proposals will be considered on their individual merits against identified criteria; and areas of search where appropriate proposals are likely to be supported subject to detailed consideration against identified criteria’.



<b>Issue 10</b>	<b>Policy 4: Special Types of Rural Land</b>	
<b>Development plan reference:</b>	Section 5. The Policies Policy 4 (p10)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ian Nicol (135)  Norman P Lawie Limited on behalf of Ian Gilbert (254)  emac Planning LLP on behalf of Stewart Milne Homes (603, 615, 2692)  Homes for Scotland on behalf of Grampian Housebuilders' Committee (1118)  Portlethen Golf Club (1312)  Bancon Developments (1455)  Halliday Fraser Munro on behalf of Mr A Bedawi (1600, 1604, 1607, 1610, 1616, 1617, 1621, 1623, 2213, 2898, 2899, 3029, 3030)  David Lawtie (2520)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken for developments relating to the Coastal Zone and Greenbelt.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Greenbelt Review</u>  <b>135, 603, 615, 1455, 2692:</b> This representation requests that a review of the greenbelt boundary should be carried out.</p> <p><b>Policy Justification</b>  <b>254:</b> This representation seeks to clarify the wording in the first two paragraphs, particularly in relation to areas where 'boundaries are more a matter of judgement'.</p> <p><b>Map Quality</b>  <b>1312:</b> This respondent suggests that the quality of the plans is poor and ambiguous and it is difficult to determine where the greenbelt boundary is. The proposals map is also unclear. See issue 2 Scope and Format of the Plan.</p> <p><u>Supplementary Guidance</u>  <b>615, 1600, 1604, 1610, 1617, 1623, 1607, 1616, 1621, 1118, 2213, 2520, 2730, 2898, 2899, 3029, 3030:</b> These representations seek to ensure that the detail is included in the policy and not in Supplementary Guidance. There is concern that the scale of change proposed means the detail should be contained within the policy to conform to Circular 1/2009. See issue 2 Scope and Format.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>135, 603, 615, 2692:</b> Request a greenbelt review is carried out.</p> <p><b>254:</b> Suggest that clarity required in paragraphs 1 and 2.</p> <p><b>603, 615, 1118, 1600, 1604, 1607, 1610, 1616, 1617, 1621, 1623, 2213, 2520, 2692, 2898, 2899:</b> Request that the detailed Supplementary Guidance is moved into the policy within the plan.</p>		

<b>Summary of responses (including reasons) by planning authority:</b>
<p><u>Overview</u>                  The role of the greenbelt has not changed significantly since the previous plan. The greenbelt boundary has been modified slightly to take account of the greenbelt review that has already been carried out, and land allocations. Likewise, coastal planning has not significantly altered since the previous plan, and the coastal zone has simply been redefined to exclude settlements, except for Findon, Downies and Portlethen Village which are deemed intrinsic to the value of the coast. The policy is appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan.</p> <p><u>Greenbelt Review</u>                  A greenbelt review has already been prepared and is included as “Review of the Aberdeen Greenbelt (Aberdeenshire) March 2010”. This included results of a technical assessment of the greenbelt completed in 2005 using a methodology common to both Aberdeen City and Aberdeenshire Councils. The final part of the review was strategic land release, which was considered in both the Aberdeenshire and Aberdeen City local plan processes. The proposed plan included recommended changes to the greenbelt boundary resulting from the greenbelt review.</p> <p><u>Policy Justification</u>                  The justification explains the need for the policy. It describes the difference between those boundaries which are predefined such as Sites of Special Scientific Interest, which as natural heritage designations depend on exact extent of the habitat. The coastal zone and greenbelt boundaries are a professional value judgement, where issues such as recreational or landscape quality are considered.</p> <p><u>Map Quality and Supplementary Guidance</u>                  There are detailed maps of the greenbelt within the supplementary guidance. For the purposes of the Local Development Plan itself, it is sufficient to identify the location of the boundary. For an area as large as Aberdeenshire it is not practical for the proposals maps to be so detailed as to allow identification of the exact boundary. The principle of the greenbelt is set by the proposed plan, but the detail is in supplementary guidance as supported by paragraph 39 of Circular 1/2009 (issue 2 deals with this general issue).</p> <p><u>Conclusion</u>                  None of the modifications sought are supported. Issue 2 considers in more detail the request for supplementary guidance to be elevated to policy.</p>
<b>Any further plan changes commended by the planning authority:</b>
<p>No further changes are commended by the Planning Authority.</p>
<b>Reporter’s conclusions:</b>
<p><b>Greenbelt review</b></p> <p>1. The approved Aberdeen City and Shire Structure Plan acknowledges the vital contribution of the greenbelt in protecting the character and landscape setting of Aberdeen. However, it also acknowledges the need to accommodate growth. Consequently, it set a target for the greenbelt boundary and policy to be reviewed jointly between the City and Shire authorities as part of their local development plan processes by 2010. A review was undertaken and published in March 2010, which has informed the boundaries now identified.</p> <p>2. In addition to a boundary review, the policy on development in the greenbelt has been revised.</p>

Proposed policy 4 and its associated supplementary guidance provide support for more types of development in the greenbelt than did the adopted Aberdeenshire Local Plan policy. This follows the revised approach to greenbelt policy set out in Scottish Planning Policy, and the spatial strategy and vision for the region, and is consistent with the structure plan. No change to the proposed Plan is required on this basis.

**Policy justification**

3. The representation suggests the rewording of the supporting text to proposed policy 4, as it is not clear what boundaries were left to a matter of judgement. The council contrasts those designations with a defined boundary, such as sites of special scientific interest and conservation areas, with those such as the coastal zone which require professional judgement relating to the characteristics of an area and its context to define their boundary.

4. However, the discussion in the first two paragraphs of proposed policy 4 is unclear, difficult to follow, and does not provide an understandable context for the content within the policy box, which refers to the protection of the special character of both the greenbelt and coastal zone. Consequently, the supporting text should be amended to provide clarity.

**Map quality**

5. Scottish Government Circular 1/2009 on development planning excludes greenbelt boundaries as a matter which can be dealt with in supplementary guidance. Scottish Planning Policy goes further in requesting that local development plans establish the detailed boundaries of the greenbelt.

6. The proposals map of the proposed plan identifies the greenbelt boundary. However, the base map used and the irregular scale provided mean that the exact detailed boundaries of the greenbelt are difficult to distinguish and left as a matter of judgement. The appendix to the supplementary guidance on the greenbelt provides maps of a greater level of detail.

7. The supplementary guidance would form part of the development plan. However, Scottish Planning Policy, published a year after the circular was issued, is specific in identifying the role of the local development plan in providing detailed boundaries. In such circumstances, I find that the proposals maps should be amended accordingly to allow the detailed boundary of the greenbelt to be shown. From experience of other development plans, and as acknowledged in the circular, the proposals map may constitute a number of sheets to allow the clear identification of proposals and the greenbelt. This conclusion coincides with that recommended in Issue 5 to amend the proposals map.

**Types of acceptable development**

8. Various representations propose that the policy identifies which types of development are appropriate in the greenbelt. The supplementary guidance provides the specific circumstances in which development in the greenbelt would be acceptable. However, Scottish Planning Policy is again specific in stating that local development plans should identify types of development that are appropriate within the greenbelt. Following the conclusions in the paragraph above, the policy should be amended to provide some indication of the types of development likely to be acceptable.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

1. Replace the three supporting paragraphs of policy 4 with:

Many policies within the plan are based on the intrinsic value of an area. The boundaries of the greenbelt and coastal zone were defined following a review of local circumstances and reference to the spatial strategy to identify their intrinsic value. These special types of rural land are shown on the proposals maps. What is acceptable in these areas is defined below and in supplementary guidance.

2. Replace the wording of policy 4 within the policy box to:

**Aberdeenshire Council will protect the special character of the greenbelt and the coastal zone. In these areas we will have special controls on development. These include a presumption against development that would erode the special nature of these different areas.**

**The following types of development may be acceptable in appropriate circumstances in the greenbelt: extensions or ancillary uses; development for the purposes of agriculture, forestry, horticulture, nature conservation, essential public infrastructure, or recreation; the restoration, conservation or extension of vernacular buildings or buildings of architectural merit; accommodation required for a worker in a primary industry; development identified as a national priority; or development identified under the policy for safeguarding of resources and areas of search as required to meet an established need.**

**The detailed circumstances in which development in both the coastal zone and greenbelt may be acceptable is set out in the following supplementary guidance:**

3. Provide the proposals map(s) on an ordnance survey base at a scale of 1:25,000 to enable the greenbelt boundaries to be shown in detail.

<b>Issue 11</b>	<b>Greenbelt Boundaries</b>	
<b>Development plan reference:</b>	Section 5 Policies Policy 4 (p10) Supplementary Guidance SG STRLtype2 Greenbelt. Section 6 the Proposals Maps Formartine, Garioch and Kincardine and Mearns (p21-23)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ian Nicol (135)                  Ryden LLP on behalf of Alexander Adamson Ltd (178, 179)                  Norman P Lawie Limited on behalf of John King (259)                  William Lippe Architects Ltd on behalf of Kevin McDonald (410)                  Belhelvie Community Council (561)                  Portlethen &amp; District Community Council (580, 1122)                  Mr &amp; Mrs Philip &amp; Bernadette Ash (832)                  William Lippe Architects Ltd on behalf of John McIntosh (838)                  Dundas &amp; Wilson CS LLP on behalf of Stewart Milne Group (954)                  Roddy Young (1009, 1992)                  Homes for Scotland on behalf of Grampian Housebuilders Committee (1112, 1118)                  Keith Bessey (1159)                  Portlethen Golf Club (1312)PPCA Ltd on behalf of Banchory &amp; Leggart Estate &amp; Edinmore (1377)                  Paull &amp; Williamsons LLP on behalf of Elsick Development Company Ltd (1684, 1686)                  Bancon Developments Ltd on behalf of DLD Associates (1704)</p>	<p>Ryden LLP on behalf of Mr R M Kinghorn (1909, 1910)                  Duncan Reid (1960)                  Smiths Gore on behalf of Charlotte Teresa Lane (2052, 2053)                  Bob G Reid (2061)                  Newtonhill, Muchalls &amp; Cammachmore Community Council (2131, 2291, 2336, 2721)                  Donna Milne (2187)                  Knight Frank LLP on behalf of Stockland Muir Ltd (2239)                  Elisabeth Brown (2275)                  Anne Geldart (2281)                  Michaela Novak (2293)                  Adam Adimi (2294)                  Daisy Paterson (2295)                  Garry Cormack (2318, 2381)                  Graham Brown (2356), 2419)                  Robert Reid (2680, 2681)                  Mr R Bush (2736)                  Dr John Reid (2855)                  Mr R G Reid (2856)                  Mr G Harrison (2863)                  Mrs B M Ash (2867)                  Phil Ash (2868)                  John &amp; Aenea Reid (2893)                  Frances Davidson</p>	
<b>Provision of the development plan to which the issue relates:</b>	The proposed changes to areas designated as greenbelt.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>1112, 1118:</b> This respondent (duplicate response) requests the greenbelt boundaries are reviewed to ensure that they are as accurate as possible as there are instances where they cover whole settlements and also allocated sites. Development proposals should not be subject to greenbelt policy.</p> <p><u>Map Number 1</u>  <b>2052, 2053:</b> These respondents object to the proposed greenbelt boundary at Hatton of Fintray and Goyal. One respondent suggests there is no rationale for the greenbelt in this location as: the role the greenbelt plays in protecting the character and landscape setting of the city is unclear, settlement coalescence is not an issue in this location, and the role of the settlement strategy is not clear. One respondent suggests that the greenbelt boundary is drawn particularly tightly around the</p>		

settlement constraining the growth of the settlement. A revised boundary is proposed using the defensible boundary of the A947 in the east and the River Don to the south (plan attached).

**838:** This respondent objects to the proposed inclusion of land at Goval Farm, Dyce within the greenbelt. The site was countryside in the Aberdeenshire Local Plan. There is opportunity for employment within the countryside and including the site as greenbelt would create additional constraints and restrictions on potential employment uses (a plan is attached).

Map Number 3

**135:** The representation requests that the greenbelt is reinstated at Blackdog as it forms an important role in separating the settlements at the edge of Aberdeen.

**561:** Belhelvie Community Council express concern at the lifting of greenbelt status from the north of Blackdog.

Map Number 5

**410, 2318, 2381:** One respondent objects to the proposed greenbelt boundary to the west of Peterculter, and requests that the current boundary is retained. It is stated that the area to the south of the B9077 is not 'special': it has permission for a car showroom with the remainder of the site brownfield land. Designating this site as greenbelt would place additional constraints and restrictions on potential employment uses. The other respondent (2381) supports the proposed greenbelt at Drum and also suggests the entire Deeside corridor should be allocated as greenbelt in order to retain the tourist appeal of Royal Deeside.

Map Number 7

**1377:** The respondent requests that the greenbelt boundary at Banchory and Leggart should be deleted, and a mixed use development allocated.

**1684, 1686, 2736:** These respondents support the inclusion of land at Banchory Leggart as greenbelt. The land forms part of the landscape setting of Aberdeen city, provides a natural visual and topographical boundary to the city and provides recreational opportunities. Development of the greenbelt in this location would distance Aberdeen further away from the surrounding countryside.

**954:** This respondent (duplicate response) objects to the inclusion of greenbelt at Schoolhill. The greenbelt in this location does not perform either of the roles for which it is said to be designated in the greenbelt Review 2010 (maintaining identity of communities and preventing coalescence), as the site has a visually weak relationship with Portlethen and the site would form a natural extension to the Schoolhill phase 1 development. The site would not risk coalescence. The review identifies existing woodland. However, the woodland would not be affected by the development and would be enhanced by the development. The site is not within the visual horizon from Aberdeen city and has no role in maintaining the landscape setting of the city. The site is not environmentally sensitive and has no environmental designations. The greenbelt boundary is not strongly identifiable on the ground as required by Scottish Planning Policy. By including Schoolhill phase 2, mature woodland would provide a strong boundary. Planning Officers recommended adjustment of the greenbelt in this location to allow for the Schoolhill phase 2 development, and the fact that the Committee decided on an alternative site is less important than the objective exercise conducted by officers.

**1312:** This respondent requests inclusion of Portlethen Golf Club within the greenbelt to protect the course from development. They also comment that the quality of the plans is poor and ambiguous and it is difficult to determine where the greenbelt boundary is.

Map Number 8

**580, 1122, 1704, 2239:** These respondents all object to the greenbelt boundary in the vicinity of Marywell. One respondent suggests that a large part of the BUS at Marywell is undeveloped and should be restored to greenbelt. One respondent objects to the proposed greenbelt boundary to the south of Marywell, as greenbelt in this location is inappropriate with the small area of land providing no strategic function in safeguarding landscape setting or providing separation between



communities. Another respondent objects to the greenbelt proposed at the Aberdeen Gateway Business Park, Moss-side, as the site within the city is designated as employment land, yet the site in the shire is designated as greenbelt. The site was granted planning consent in 2006 and a number of occupants have successfully been attracted to the site (plan attached).

**832, 1009, 1159, 1960, 1992, 2061, 2187, 2680, 2681, 2855, 2856, 2863, 2867, 2893, 2907:** These respondents request that the greenbelt boundary is extended to include the village of Findon. The contiguous nature and the importance of the SSSI have been omitted from the plan. Findon Moor has a wealth of geodiversity and biodiversity. The failure to include these areas contradicts the aims of Scottish Planning Policy such as 'protecting the landscape setting of the city, town or village'. The village itself has historical significance and has outstanding landscape views. There are other communities such as Marywell and Kirkton of Maryculter which have been included in the greenbelt. The southern boundary has not always been fully considered, there is a natural boundary of the Burn of Findon, which could be a solution which would enclose all land east of the railway. Alternatively a boundary southwards along Findon Road to the Blackhall Industrial Estate could be used (a plan is attached). A line from the village to the coast to include the SSSI could be a possible boundary (2855).

**2856:** Allocating the land to the east of Findon as greenbelt would meet the purposes of the greenbelt to protect the landscape setting of the city, to protect land for recreation and avoid coalescence.

**2868:** Findon is in danger of north-south encroachment of urban and industrial development. Findon village should be within the greenbelt. The greenbelt is incorrectly positioned and should stretch to the coast.

#### Map Number 9

**259:** This representation requests a boundary alteration at Old Bourtreebush to the west of Portlethen to include the farmhouse and exclude the steading (to follow the road) as per the attached plan.

**178, 179:** The respondent suggests that land at Cammachmore (site K105) no longer contributes to the objectives of the greenbelt as it is not used for agriculture or recreation.

**580, 1122, 2336:** These respondents suggest that the boundaries are difficult to understand at Newtonhill and should therefore be extended southwards east of the railway to Muchalls and to the west to the northern and eastern limits of Elsick. Site SR1, E1 and BUS adjacent to Newtonhill should be greenbelt. One respondent (2336) agrees that the employment sites should be greenbelt.

**1686:** One respondent suggests that only the BUS site should be removed from the greenbelt at Newtonhill, as this site is constrained.

**2131, 2275, 2281, 2291, 2293, 2294, 2295, 2356, 2419, 2721:** Nine respondents comment that although they support the greenbelt to the west of Newtonhill, they request the greenbelt is extended a further 0.5miles inland, as the proposal which went before Committee. This is in order to protect the village of Cammachmore, provide a wildlife corridor and protect the Causey Mounth.

**1684:** One respondent comments that the greenbelt to the west of Newtonhill has been incorporated into the masterplan for Elsick and has been extended to include a respectful setting for Cammachmore.

**1909, 1910:** Three respondents (duplicate responses) object to the greenbelt to the west of Newtonhill as it is the most appropriate area for expansion and there are constraints with the coastal policy to the east. The greenbelt should be re-drawn with the boundary moved to the west of Newtonhill Farm as the attached plan.

**Modifications sought by those submitting representations:**

**1112, 1118:** Request a review of greenbelt boundaries to ensure accuracy and prevent allocated sites being included within the greenbelt.

**838:** Object to the greenbelt boundary at Goval Farm, Dyce.

**2052, 2053:** Request the greenbelt boundary is revised at Hatton of Fintray and Goval.

**135, 561:** Request the greenbelt is reinstated at Blackdog.

**410, 2318, 2381:** Request the greenbelt boundary is revised to the west of Peterculter.

**1684, 1686, 2736:** Support for the greenbelt boundary at Banchory Leggart.

**954:** Request the greenbelt boundary is revised at Schoolhill Phase 2, Portlethen.

**1312:** Request land at Portlethen Golf Club is included within the greenbelt.

**580, 1122, 1704, 2239:** Request the greenbelt is revised at Marywell.

**832, 1009, 1159, 1960, 1992, 2061, 2187, 2680, 2681, 2855, 2856, 2863, 2867, 2868, 2893, 2907:** Request the greenbelt boundary is revised at Findon.

**259:** Request the greenbelt boundary is revised at Old Bourtreebush to the west of Portlethen.

**178, 179:** Request land at Cammachmore should be removed from the greenbelt designation.

**580, 1122, 2336:** The greenbelt boundary should be extended southwards east of the railway to Muchalls and to the west of the railway to the northern and eastern limits of Elsick. Site SR1, E1 and BUS adjacent to Newtonhill should be greenbelt.

**1684, 1686:** The greenbelt to the west of Newtonhill is incorporated into the masterplan for Elsick, and should be extended to include a respectful setting for Cammachmore.

**2131, 2275, 2281, 2291, 2293, 2294, 2295, 2356, 2419, 2721:** Request the greenbelt is extended a further 0.5miles inland at the western boundary of Newtonhill.

**1909, 1910:** The greenbelt boundary should be moved to the west of land surrounding Newtonhill Farm.

**Summary of responses (including reasons) by planning authority:**

Overview

A greenbelt review has been prepared and is included as "Review of the Aberdeen Greenbelt (Aberdeenshire) March 2010". Much of the technical review was undertaken during the interim review in 2005 using a methodology common to both Aberdeen City and Aberdeenshire Councils. The final part of the review was completed in 2010, when strategic land release was considered in both the Aberdeenshire and Aberdeen City local plan process. Previous to this review the Aberdeen City Greenbelt had remained unchanged, but the review has now taken account of the emphasis given by Scottish Planning Policy (paragraph 159). The Proposed Plan in turn has taken account of these changes.

It is accepted that settlements and land allocations should be excluded from the greenbelt. Minor modifications are proposed to redress minor drafting errors.

The greenbelt boundary is appropriate and sufficient to comply with Scottish Planning Policy objectives (paragraph 159), and to meet the needs of the settlement strategy.

Map Number 1

The greenbelt located to the north and north-east of Dyce protects the landscape setting of the city, it contains critical environmental capital, and important areas for recreation. An extension to the greenbelt at Cothall is included as it includes areas of high ecological value and contributes to providing countryside for recreation. The greenbelt boundary around Hatton of Fintray meets the purpose of greenbelts as set out in Scottish Planning Policy. The settlement strategy will require to be reviewed in 5 years, and further greenbelt review can take place to reflect any land release at that time.

Map Number 3

The area of greenbelt to the north of Blackdog has been removed to reflect strategic land release (see issue 64). The economic and social merits of the development were judged to outweigh the benefits of keeping the land as greenbelt.

Map Number 5

The greenbelt has been extended to the west of Peterculter to include an area of critical environmental capital and offers opportunities for informal recreation. Areas of critical environmental capacity are defined in the review as areas which may not recover from the impact of development, and in this case the area has been designated due to the ancient woodland at the 'Old Wood of Drum'. Regarding concerns about the greenbelt restricting employment uses, under policy 4 "special types of rural land" and its associated supplementary guidance, the expansion of existing businesses would be permitted in principle. There is no justification to further extend the greenbelt to the west.

Map Number 7

Representations about release of greenbelt at Banchory Leggart and Schoolhill are related to strategic land allocations. This is not a new greenbelt designation, this land has been greenbelt for decades (the greenbelt has remained largely unchanged since first designated in 1958). Land at Schoolhill to the north of Portlethen is required to maintain distinct separation between Portlethen and Aberdeen, and the review did not identify any reason for the site to be removed.

Regarding Portlethen Golf Course has been protected within supplementary guidance Settlement Statements 3H (page 38).

Map Number 8

The greenbelt boundary at Marywell has been altered as a minor modification to incorporate the settlement boundary. Scottish Planning Policy paragraph 162 states 'existing settlements should be excluded from greenbelt designations'. Kirkton of Maryculter, Potterton and Blackdog are also proposed to be removed as minor modifications.

The land to the south of Marywell is required to prevent settlement coalescence, and in any case the site is not proposed for allocation. Land at Moss-side does have planning consents for business use, and some of these have been implemented, but the land remains relevant to protect the landscape setting of the city. The revised greenbelt policy would permit, in principle, the expansion of business premises.

Site BUS at Marywell is a strategic employment allocation and has outstanding consents and cannot be reverted to greenbelt. The site offers little in landscape setting or access to open space.

Regarding boundaries at Findon: the Site of Special Scientific Interest (SSSI) is a designation in its own right, and does not require the further protection from greenbelt. Greenbelt designation is not intended to protect natural heritage (Scottish Planning Policy paragraph 160). Greenbelt is a designation which will be reviewed every 5 years when the settlement strategy is reviewed. The function of the greenbelt to the north of Findon is to protect the setting of Aberdeen city and prevent

coalescence. The overall objective of greenbelt is not to protect individual villages, although it is acknowledged that Findon is in a special landscape setting. Settlements should be excluded from the greenbelt designation according to Scottish Planning Policy (paragraph 162). There are sufficient safeguards elsewhere within relevant policies to guide appropriate development in this area (Policies 3 and 4).

**Map Number 9**

A minor boundary alteration to ensure that the greenbelt boundary follows the road at Old Bourtreebush will be carried out as a minor modification.

Representation about the release of greenbelt at Cammachmore is related to a strategic land allocation (see issue 87). Land at Cammachmore (K105) is designated greenbelt to prevent coalescence, and meets the Scottish Planning Policy objectives to ‘direct planned growth to the most appropriate location’ and ‘protect the landscape setting and identity of towns and cities’ (paragraph 159).

The greenbelt boundary to the south and west of Newtonhill follows defensible boundaries, and meets the objectives of the greenbelt to protect the setting of the town. Land to the east of the railway does not meet greenbelt objectives but in any case is largely un-developable.

Strategic employment land allocations (E1, SR1, BUS) to the west of the town have been made and the greenbelt has been removed in this location. Alterations to the greenbelt can be made as part of the settlement strategy, and these allocations represent a sustainable location.

The greenbelt to the west of Newtonhill has been allocated to prevent coalescence between Newtonhill and Elsick. It follows a defensible boundary of the Causey Mounth Road. It would not be appropriate to extend the greenbelt a further 0.5 miles inland because the land does not meet the objectives of greenbelt, and in any case the masterplanning of site M1 would allow further land to be left undeveloped if appropriate. The developers of site M1 (Elsick) have already undertaken a masterplanning process, which has allowed the community’s input to be incorporated, and the masterplan shows much of the land to the west of the Causey Mounth Road undeveloped.

Land to the west of Newtonhill at Newtonhill Farm has not been allocated in the settlement strategy, and meets the purpose of greenbelt in that it prevents coalescence.

**Any further plan changes commended by the planning authority:**

Minor amendments are commended to the greenbelt boundary to exclude the settlements of Kirkton of Maryculter, Potterton, Blackdog and Marywell, and to allow alteration at Old Bourtreebush.

**Reporter’s conclusions:**

1. The following conclusions have been informed by a series of unaccompanied site inspections.
2. Homes for Scotland suggests that the boundaries of the greenbelt should be reviewed for accuracy. Some settlements are shown within the greenbelt, contrary to paragraph 162 of Scottish Planning Policy, and exact boundaries are difficult to define. Issue 10 recommends that the proposals maps are reproduced, which would allow greater definition. Furthermore, it is recommended that settlements are excluded from the greenbelt.
3. Some representations also request a review of the greenbelt boundary to inform allocations. However, the boundaries follow a review of the Aberdeen greenbelt carried out in 2010, reflecting the spatial strategy of the proposed Aberdeenshire Local Development Plan. No further review is required.

**Hatton of Fintray**

4. It is suggested that the greenbelt boundary surrounding Hatton of Fintray should be drawn back to provide room for expansion to the south and south-east of the settlement. However, the conclusions on Issue 82 reject the use of land to the south of the settlement for housing.

5. It is also argued that the role of the existing boundary is unclear in this location as it does little to protect the character and landscape setting of Aberdeen City. It is proposed that the boundary should be re-drawn to provide a robust edge following the A947 Dyce to Newmachar road to the east, and the River Don to the south.

6. Scottish Planning Policy states that “green belt boundaries identified in local development plans should reflect the long term settlement strategy and ensure that settlements are able to accommodate planned growth.” It continues in stating “Boundaries should take into account the need for development in smaller settlements within the greenbelt, and where appropriate leave room for expansion.”

7. One site is allocated for housing on the western edge of Hatton of Fintray to meet local needs. No further expansion of the settlement is proposed in the Plan. The greenbelt boundary does not surround the settlement but hugs its eastern edge. Therefore, following the provisions of the development in the countryside policy, there could be potential for some limited expansion to the west within the lifetime of the proposed Plan.

8. The area of greenbelt suggested for deletion is extensive. It is identified as greenbelt in the adopted Aberdeenshire Local Plan and is generally shown as such in the key diagram of the approved Aberdeen City and Shire Structure Plan. This part of the greenbelt was also identified and extended through the council’s review of the greenbelt in 2010. It has significant environmental value, which if lost would not recover, and informal recreational opportunities, including extensive woodlands. Its raised topography in the north also provides a significant contribution to the landscape setting (or visual horizon) of the City. The boundary is well established and generally follows distinct landform, roads and ridgelines.

9. The proposed Plan has provided for planned growth in Hatton of Fintray. Further expansion, if justified, is not unduly restricted, and this part of the greenbelt serves the purpose of directing growth, protecting and enhancing the quality, character and landscape setting and identity of Aberdeen City and Hatton of Fintray, and protecting and giving access to open space. The greenbelt should remain unaltered in this location.

**Goval Farm**

10. Land to the north of the B977 at Cothall, including Goval Farm, is identified in the adopted local plan as ‘countryside’. Following a review of the greenbelt boundaries in 2010 the proposed Plan includes this land as greenbelt. There is an objection to its inclusion on the basis that the land is out of agricultural use and offers an employment opportunity in the countryside.

11. The greenbelt review found that the land has a high ecological value and contributes to providing countryside for recreation. As pointed out by the council in dismissal of greenbelt expansion at Findon, and confirmed in Scottish Planning Policy, greenbelt is not intended to be used to protect natural heritage. However, the land at Goval Farm does contribute to the landscape setting of Aberdeen City and provides informal recreation opportunities accessible to towns and the City, including the use of Goval Wood.

12. The land is not proposed for employment use in the Plan, and no representations to the proposed plan seek an employment allocation. The change in the designation of the land from countryside to greenbelt would restrict acceptable development proposals, but where consistent with the provisions of the development plan the opportunity for an employment proposal could still be accommodated. The land has valuable landscape setting and recreational value and should remain as greenbelt.

**Blackdog**

13. The proposed mixed-use allocation (M1) in Blackdog is fully addressed in Issue 64, where it is recommended that the proposal remain and the greenbelt and coastal zone designations are re-drawn accordingly. This recommendation follows the statement in Scottish Planning Policy, quoted in paragraph 6 above, that the greenbelt boundary should reflect the long term settlement strategy.

**Peterculter**

14. There is a request that land to the west of Peterculter, south of the A93 Deeside Road, is deleted from the greenbelt. The area of land identified in the representation is extensive and includes woodlands and the substantial Newmillhill plantation, Belskavie Tower, and significant areas of farmed land. These areas provide agriculture, forestry, and informal recreational opportunities accessible to towns and Aberdeen City, and contribute to the landscape setting of the City.

15. The representation advises that the majority of the land at Woodlands Farm is now developed as a car showroom, parking and associated facilities, with the remainder of the site now brownfield and taken out of agricultural use. A further employment opportunity is envisaged for this part of the site.

16. There is no employment proposal for the site in the Plan or any representation seeking to allocate the land for employment use. Woodlands Farm is not identified in the representation or evident on any ordnance survey plan. In any event, it would be unreasonable to delete the extensive area of greenbelt identified in order to protect the former countryside designation on a single farm. As indicated by the council, although now designated within the greenbelt, there remain opportunities for the expansion of existing businesses. In conclusion, the land is a valuable greenbelt asset and should not be deleted.

**Deeside corridor**

17. One representation suggests extending the greenbelt along the Deeside corridor, to ensure it is retained as a tourist attraction. However, no revised boundary is submitted. Although of value, designation of an undefined area of the Deeside corridor would be impractical. Furthermore, the majority of land within the corridor is 'countryside', a designation which affords a significant level of protection. The impact of any development on its landscape character would be assessed through proposed policy 12, while its unmanaged woodlands would be protected by proposed policy 14. Extension of the greenbelt in this location is not recommended.

**Banchory Leggart**

18. Banchory and Leggart Estate and Edinmore request the deletion of the greenbelt and allocation of a significant mixed-use proposal at Banchory Leggart. This matter is fully addressed in Issue 45, where the proposal is dismissed. Consequently, this established area of greenbelt of value to the landscape setting of Aberdeen City should be retained.

**Schoolhill phase 2**

19. Stewart Milne Homes Limited requests the inclusion of a mixed use development on land to the north and west of the existing Schoolhill development in Portlethen. This suggestion is fully addressed and dismissed in Issue 40. In relation to this request, the company also suggests the deletion of the greenbelt designation on the land proposed for development.

20. The Main Issues Report of 2009 recommended the inclusion of the site (K125) for a mixed use development. However, the council proceeded with a different approach to site allocation in Kincardine and Mearns and opted to leave the site as greenbelt.

21. Paragraph 3.4 of the 2010 greenbelt review identifies particular locations at risk of coalescence, but does not specifically refer to the land requested for deletion to the north-west of Portlethen. However, the paragraph does identify a high level of pressure for development around Portlethen, and identifies the greenbelt as having an important function in maintaining the distinct identity of such settlements to the south of Aberdeen.



22. Paragraph 3.15 of the greenbelt review states that there are few areas within the greenbelt that do not contribute to the landscape setting of the City, and are not visible from the City or the main gateway corridors into Aberdeen. The land is primarily used for agriculture, and the field boundaries provide an attractive mosaic on one of the main gateway corridors into Aberdeen, along the A90.

23. The site is not recommended for inclusion as a development proposal. The greenbelt is well established in this area, and contributes to the landscape setting of Aberdeen. It provides an important function in protecting the separate identity of Portlethen and enables growth to be directed to the most appropriate locations. The land should remain as greenbelt.

**Portlethen golf course**

24. The representation seeks the inclusion of the Portlethen Golf Course as greenbelt. The proposed Plan's proposals map identifies the course as an area of countryside, which is consistent with the mapping of the proposed supplementary guidance on greenbelt. Furthermore, the settlement statement in the supplementary guidance on Kincardine and Mearns identifies the course as an area for protection (site P5).

25. The golf course provides recreation and tourism in an area accessible to a nearby town. These functions are consistent with the purpose of the greenbelt set out in Scottish Planning Policy. However, the whole golf course was not identified for inclusion as part of the greenbelt review. Furthermore, it would have a significant level of protection and context for decision making as open space for sport and recreation through the provisions of the proposed Plan and supplementary guidance, which when adopted would form part of the development plan. The land should not be designated greenbelt.

**Marywell**

26. The proposed plan's policy and supplementary guidance on greenbelt do allow some forms of development in certain circumstances. However, land within the Aberdeen Gateway Business Park has planning permission with roads and several buildings having been constructed. Scottish Planning Policy states that greenbelt designation should provide clarity and certainty on where development will and will not take place; that the designation should not prevent development from happening; and that existing major business operations should be excluded. Continuing to designate the land as greenbelt is inappropriate and somewhat misleading. The land should be removed from the greenbelt.

27. Land identified by Portlethen and District Community Council to the east of Wellington Road shown as unallocated on the proposed Plan's proposals map, and as a BUS designation in supplementary guidance, is a long-standing business and industrial allocation. Consequently, it should remain outwith the greenbelt designation.

28. It is suggested that land to the south of Marywell should be removed from the greenbelt. The relatively small site is defined by the A90, Redmoss Road, existing business premises, and the Findon Junction. The site has been partially landscaped with the remainder left as unmanaged grassland. It is effectively land-locked and contributes little to the landscape setting of the City, preventing coalescence, controlling growth, or providing recreation. It does not fulfil a greenbelt function and should be deleted. Issue 42 fully addresses and dismisses the allocation of the site for employment but removal from the greenbelt would allow the opportunity for development in the countryside and remodelling of the road junction in the future, if justified or required.

**Findon**

29. A significant number of representations requests the expansion of the greenbelt in and around Findon, either using the Burn of Findon or Findon Road to the coast as a new boundary south and west of the village.

30. The proposed Plan's proposals map shows the greenbelt boundary ending to the north of Findon. Land surrounding Findon, from the East Coast Main Line railway in the west to the coast in the east is identified as being within the coastal zone. The recent greenbelt review, following a

requirement in the structure plan and the function and purpose of the greenbelt set out in Scottish Planning Policy, did not recommend the extension of the greenbelt around Findon.

31. According to Scottish Planning Policy, settlements should be excluded from the greenbelt. It would therefore be inappropriate to recommend the inclusion of Findon village within this designation. This conclusion is consistent with the recommendation below to remove settlements from the greenbelt.

32. Turning to the area outwith the settlement, the purpose of the greenbelt is to direct growth to the most appropriate locations; protect and enhance the quality, character and landscape setting and identity of towns and cities; and protect and give access to open space within and around towns and cities. Due to the topography of land to the west and south of Findon sloping down to the coast, it contributes little to landscape setting of Aberdeen City or the nearby town of Portlethen. As identified in the submitted landscape assessment of the village, the special landscape of the area (identified as an area of landscape significance in the adopted local plan) relates to its coastal location and the other coastal villages of Old Portlethen and Downies. Growth is sufficiently controlled by the coastal zone and other designations in the area (including a site of interest to natural science, and a site of special scientific interest at Findon Moor). The land provides opportunities for a wide range of recreational activities but it is not readily accessible to those in the City and nearby towns.

33. Scottish Planning Policy states that the greenbelt designation is not designed to safeguard natural heritage, and that “most settlements do not have or need greenbelts because other policies or designations provide an appropriate context for decision making.”

34. Policies and associated supplementary guidance, which will form part of the statutory development plan, on development in the coastal zone, natural heritage, and landscape conservation together provide an appropriate and robust context in which to assess any proposed development in the area suggested for greenbelt expansion. It is also of note that the criterion for assessing development in the coastal zone (where development must “require a coastal location”) is arguably more stringent than that for development in the greenbelt.

35. Unlike other villages identified in representations, development to the south and east of Findon would not create an immediate risk of coalescence. The land does have a special landscape of importance, forms part of the setting of Findon village and the coastal zone, and provides recreational opportunities. These attributes are suitably protected by other policies. The land suggested for inclusion does not contribute to the purpose of the greenbelt in Aberdeenshire. Consequently, the greenbelt designation should not be expanded into this area.

#### **Old Bourtreebush**

36. A drafting error is evident at Old Bourtreebush. Accordingly, the greenbelt boundary should be amended to follow the boundary shown in the adopted local plan.

#### **Cammachmore**

37. The representation suggests deleting land to the north of Cammachmore from the greenbelt. Issue 87 fully addresses and dismisses the use of the site for development. The grassland site forms part of the established greenbelt, being shown in the adopted local plan, and is identified in the recent greenbelt review as required to help prevent coalescence. No change in circumstances has occurred since its allocation as greenbelt. It should therefore remain within the designation.

#### **Newtonhill**

38. Newtonhill, Muchalls and Cammachmore Community Council seek the extension of the greenbelt on land to the south of Newtonhill extending east across the East Coast Main Line railway to Muchalls. No preferred boundary is submitted. Following the greenbelt review of 2010, land to the south of Newtonhill is now shown along defined boundaries in the proposed Plan as greenbelt to prevent coalescence. The land to the east of the railway line serves no greenbelt purpose but is designated within the coastal zone. As referred to in paragraphs 33 and 34 above, this designation

provides an appropriate context in which to make planning decisions. As such, the land should not be designated greenbelt.

39. Land to the west of Newtonhill is allocated as for employment uses (BUS, E1 and SR1) in the proposed and adopted plans. Following the findings set out in Issue 43, I find no justification to designate this land as greenbelt.

40. One representation suggests the deletion of the greenbelt designation from land to the west of Newtonhill Farm, north of proposal SR1, to accommodate housing. Issue 43 fully addresses and dismisses the use of the land for housing. The land was identified as greenbelt in the recent review as a response to the high pressure for development in the area and the risk of coalescence. The land should be retained to prevent coalescence and protect settlement identity, but could reasonably be reviewed if the long-term spatial strategy was to change in the future.

41. Newtonhill, Muchalls and Cammachmore Community Council and a significant number of representees suggest moving the proposed greenbelt boundary between 800 metres and 1 kilometre to the west of the Causey Mounth track to prevent coalescence with the Elsick development. The track provides a sufficient and appropriate, robust and defensible edge to the greenbelt in this location. Land to the west of the Causey Mounth would still retain countryside value, and policies within the development plan would protect its wildlife and recreational value. The relationship between the Elsick development and Chapelton is an issue to be addressed by the required masterplan and in the assessment of future development proposals. The greenbelt designation covers an extent which would prevent coalescence with Cammachmore and Newtonhill. The greenbelt boundary should not be extended west beyond the Causey Mounth.

**Reporter's recommendations:**

Modify the proposed Plan by:

1. Excluding settlements within settlement boundaries from the greenbelt, including Kirkton of Maryculter, Potterton, Blackdog, Marywell, and Hatton of Fintray.
2. Deleting the Aberdeen Gateway Business Park site, as defined in representation 2239 from Stockland Muir Limited, from the greenbelt, and showing it as unallocated on the proposals map.
3. Deleting the area of land to the south of Marywell, as defined in representation 1704 from Bancon Developments Limited on behalf of DLD Associates, from the greenbelt, and showing it as unallocated on the proposals map.
4. Amending the proposals map to reflect the adopted Aberdeenshire Local Plan greenbelt boundary following the road at Old Bourtreebush.

<b>Issue 12</b>	<b>Policy 5: Housing Land Supply</b>	
<b>Development plan reference:</b>	Section 5. Policies : Policy 5	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ryden LLP on behalf of Alexander Adamson Ltd (180, 182, 2253, 2651)  Ryden LLP on behalf of Mr &amp; Mrs I Sharp (189)  Kemnay Community Council (206)  Ryden LLP on behalf of Claymore Homes (281, 2117)  Ryden LLP on behalf of Mr &amp; Mrs Skevington(286)  William Lippe Architects Ltd on behalf of MTM Holdings Ltd (398)  Ryden LLP on behalf of Alba Homes (547, 548)  Emac Planning LLP on behalf of Stewart Milne Homes (604, 2698, 2699)  Stewart Milne Homes (915)  Dundas &amp; Wilson CS LLP on behalf of Stewart Milne Group (959)  Strutt &amp; Parker LLP on behalf of Faskally Investments (1019, 1020, 1022)  Turley Associates on behalf of The Stonehaven South Consortium (1081, 1386)  Homes for Scotland on behalf of Grampian Housebuilders Committee (1112)  Halliday Fraser Munro on behalf of Deveron Homes Ltd (1368, 1369, 1371, 2159)  Halliday Fraser Munro on behalf of Deveron Homes Ltd &amp; Aberdeenshire Housing Partnership (1373, 2158, 2167)  Wallace Planning Ltd on behalf of Barratt East Scotland &amp; Dunecht Estates (1393, 1394)  Bancon Developments (1416, 1439, 1462, 1463)  Turley Associates on behalf of Bancon Developments Ltd (1470)  Halliday Fraser Munro on behalf of Drumtochty Castle (1472, 1473, 1474)  Caroline Graham (1557)  Halliday Fraser Munro on behalf of Cushnie Farming Company (1568, 1574, 1577)  Archial Planning on behalf of Stewart Milne Homes (1599, 1638, 1937)  Archial Planning on behalf of Mr &amp; Mrs MacKenzie 1613)  Halliday Fraser Munro on behalf of Chap Homes Ltd (1619)  Archial Planning on behalf of Carnegie Base Services (1654)  Paull &amp; Williamsons LLP on behalf of Elsick Development Company Ltd (1665, 1682, 1686)</p>	<p>Ryden LLP on behalf of Mr R Jamieson (1832)  Bruce Smith on behalf of Scotia Development Company (1748, 1752)  Ryden LLP on behalf of Drumrossie Land Development Company Ltd (1853)  Ryden LLP on behalf of Stewart Milne Homes (1858, 1859, 1883, 1884, 2063, 2064, 1870, 1904, 1905)  Ryden LLP on behalf of Cabardunn Development Company Ltd &amp; Dunecht Estates (1931, 1932)  Ryden LLP on behalf of Dunecht Estates (1873, 1874)  Ryden LLP on behalf of Ian Duncan Developments Ltd (1887, 1888)  Ryden LLP on behalf of Tor Ecosse Ltd (1895)  Ryden LLP on behalf of Sandham Developments Ltd (1898, 1899)  Ryden LLP on behalf of Kirkwood Homes Ltd (1906, 1907)  Ryden LLP on behalf of Mr R Ironside (1924, 2144)  Ryden LLP on behalf of The Dickinson Trust Ltd, Trustee for the Dunnottar Trust &amp; Dunecht Estates (1933, 1934)  Ryden LLP on behalf of Aboyne Castle Farms (1939)  Michael Gilmour Associates on behalf of Carden Studios (1982)  Strutt &amp; Parker LLP on behalf of The Millbank Regeneration Joint Venture (2076, 2083)  Strutt &amp; Parker LLP on behalf of Aberdeen Endowments Trust (2077)  Strutt &amp; Parker LLP on behalf of BMF Group (2079, 2104)  Strutt &amp; Parker LLP on behalf of Mr B Cowie (2080, 2105)  Strutt &amp; Parker LLP on behalf of Kincardine Estate (2081, 2106)  Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2102)  Strutt &amp; Parker LLP on behalf of Monymusk Estate (2107)  Scottish Government (2142)  Knight Frank LLP on behalf of Kirkwood Homes Ltd (2143)  Ryden LLP on behalf of Mr Jamieson (2154)  Maclay Murray &amp; Spens LLP on behalf of Forbes Homes Limited (2156)Montgomery Forgan</p>	

<p>Ian Downie on behalf of Hill of Kier Ltd, Irvine Christie, Blairythan Partnership, Whitecairns Estates Ltd, Mr &amp; Mrs S Ged (1688)                  Paull &amp; Williamsons LLP on behalf of Scotia Homes Limited (1773, 1777, 1804)                  Ryden LLP on behalf of McIntosh Plant Hire (1826, 2148)</p>	<p>Associates on behalf of Taylor Wimpey/The Mitchell Partnership (2637)                  Halcrow Group Ltd on behalf of Fotheringham Property Development (2666)                  Halcrow Group Ltd on behalf of A C Reid (2668)                  PPCA Ltd on behalf of Tor Ecosse Ltd (2674)                  Archial Planning (2870)</p>
<p><b>Provision of the development plan to which the issue relates:</b></p>	<p>The sufficiency of the Housing land supply, and continuation of a 5 years effective supply across both Housing Market Areas.</p>
<p><b>Planning authority's summary of the representation(s):</b></p>	
<p><u>No specific allocation of 25% of the Rural Housing Market Area allowance</u>  <b>180, 182, 286, 547, 548, 1112, 1462, 1463, 1473, 1474, 1574, 1654, 1826, 1832, 1853, 1873, 1874, 1883, 1884, 1887, 1888, 1895, 1898, 1899, 1904, 1905, 1906, 1907, 1924, 1931, 1932, 1933, 1934, 1982, 2076, 2077, 2079, 2081, 2102, 2117, 2144, 2154, 2253, 2651, 2666, 2668:</b> The Policy stance leads to Schedule 1 'New Housing Land Allocations' not allocating sufficient sites according to the Aberdeen City and Shire Structure Plan housing allowance of 4,200 houses in phase 1 and 4000 houses in phase 2. The 5 year effective housing supply will not be maintained with a specific undersupply in the early stages of the plan.</p> <p><b>1022, 2076, 2077, 2102, 2104, 2105, 2106, 2107:</b> Due to the shortfall in allocation, the policy does not conform to Scottish Planning Policy (paragraphs 72 and 75). It was also stated that this fails Scottish Planning Policy (paragraph 74) which requires Planning Authorities to ensure that sufficient land is available to meet the housing requirement for each housing market area in full.</p> <p><b>547:</b> It was stated that the allocations strategy in the Rural Housing Market Area is not based on the housing needs of the rural area and that there is an intentional under-provision in settlements in order to avoid controversy.</p> <p><b>547, 2668:</b> The Policy does not conform to Scottish Planning Policy (paragraph 84) by not allocating enough land to support rural communities through identified allocations and does not support the Structure Plan strategy on rural communities (paragraphs 3.11 to 3.14).</p> <p><b>180, 182, 1439, 1826, 1832, 1853, 1858, 1859, 1873, 1874, 1883, 1884, 1887, 1888, 1895, 1898, 1899, 1904, 1905, 1906, 1907, 1924, 1931, 1932, 1933, 1934, 2063, 2064, 2076, 2077, 2079, 2080, 2081, 2083, 2105, 2117, 2143, 2144, 2253, 2651:</b> Housing delivery expectations through windfall are unrealistic when evidence of delivery through the last local plan and other factors are considered.</p> <p><b>1019, 1022, 1858, 1859, 1982, 2063, 2064, 2076, 2077, 2081, 2105, 2106:</b> The reliance on windfall is not consistent with the Structure Plan.</p> <p>Respondents <b>1022, 1416, 1472, 1473, 1474, 1832, 2076, 2077, 2102, 2104, 2106, 2107, 2144, 2148, 2674</b> comment that there is an over-reliance on windfall sites in the Rural Housing Market Area which will lead to under provision in early phases of the plan and does not appear to be in line with the Aberdeen City and Shire Structure Plan.</p> <p><b>1439, 1858, 1859, 2063, 2064, 2076, 2077, 2102, 2104, 2105, 2106, 2107, 2117, 281, 547:</b> The policy misinterprets Scottish Planning Policy (paragraph 81) by relying on an unrealistic level of windfall development.</p> <p><b>2668:</b> Additional evidence is requested to provide justification on the expected delivery rates in the Rural Housing Market Area.</p> <p><b>547, 2102, 2104, 2105, 2106, 2107, 2154:</b> The Development in the Countryside Policy cannot be relied upon to deliver the expected level of housing as it is likely to become more stringent by the</p>	



time of its adoption.

**547, 1937, 2102, 2104, 2105, 2106, 2107:** The viability of development of housing in the countryside is not such that it could be relied upon to deliver the numbers expected.

**1112, 1463, 2076, 2077, 2156, 2870:** The 'Development in the Countryside Policy' cannot deliver the expected housing because in reality it is more restrictive than is implied.

**180, 182, 281, 1112, 1463, 1826, 1832, 1853, 1873, 1874, 1883, 1884 1887, 1888, 1904, 1924, 1932, 1933, 2117, 2144, 2156, 2253, 2651, 2668:** There were a number of other issues regarding the rural housing market allowance which were raised. It was stated that it reduces certainty to communities, development industry, and infrastructure providers. It was described as "unsustainable", likely to reduce the ability to guarantee smaller sites in settlements, and not compliant with the Local Housing Strategy. Clarity is called for on the differing terms of use of 25% non-allocation between the policy and the supplementary guidance was called for.

Use of the Development in the Countryside policy to deliver housing in the Aberdeen Housing Market Area

**206, 1463:** Clarity on the differing terms of use of 25% non-allocation between the policy and the supplementary guidance was called for. The policy states that the 25% non-allocated growth would be applied in the Local Growth and Diversification areas, whereas the supplementary guidance refers only to the Rural Housing Market Area.

**1574, 1568, 1577, 2870:** Fewer units have been allocated than are required in the Aberdeen Housing Market Area with the policy stating the remaining 25% will be delivered through the development in the countryside policy. The strict approach of the policy toward such development in the Aberdeen Housing Market Area would make it impossible to achieve this figure.

**398, 1937:** The policy states that additional 25% headroom will be allocated, but the allocation in the Aberdeen Housing Market Area will not allow for this headroom.

**189:** Not all the Aberdeen Housing Market Area allocations will make it into the adopted plan. To compensate for this, a higher number should have been allocated than the requirement.

**604, 2637:** Draw down provision from the third phase was welcomed, but due to the current shortage of supply, its immediate use was called for.

Third Phase allocations, ensuring an effective supply and the draw down mechanism

**604, 1112, 1599, 1939:** On this specific issue, the respondents agreed with the rationale for stating that third phase allocations could be required over the course of the Plan. However, it was stated supplementary guidance is not suitable for such important allocations and a firm commitment should be made for these allocations in the Plan.

**2142:** It was specifically stated that Paragraph 97 of Circular 1/2009 makes it clear that development of more than local impact should be in the development plan and not only in supplementary guidance. It is likely that the significance of many of these sites mean that they will be of more than local importance.

**604, 915:** Not allocating a third phase could risk conformity with the Structure Plan.

**1112, 1939:** Not allocating a third phase creates uncertainty as to where large scale allocations will be delivered.

**1619:** Not allocating a third phase further reduces choice over allocation locations.

**1665, 1686, 1682:** Not allocating a third phase hinders infrastructure planning.



**1939:** The use of third phase allocations was called for across all locations in Aberdeenshire, rather than only Strategic Growth Areas.

**1682:** Masterplans/design frameworks need to be produced in the confidence that flexible third phase allocations can be permitted wherever matters arise. Where third phase allocations are made, an allowance should be provided for the delivery of housing in conjunction with the infrastructure development. Phase 1 and Phase 2 development should be allowed to occur in tandem. Clarity is needed to ensure that actual permissions can be granted for housing in earlier than expected phases, rather than simply an identification of a future need for a later phase of allocation related to a site.

**604:** It was pointed out that Aberdeen City Local Development Plan has allocated third phase sites.

**959, 1368, 1369, 1371, 1373, 1386, 1613, 1638, 1688, 2158, 2159, 2167:** The draw down mechanism could not be relied upon due to the over-reliance on large scale single site allocations. The trigger mechanism would be useless unless the additional pre-identified effective sites can be brought forward: as it stands the policy would rely on bringing forward constrained phases of the same sites.

**1393, 1394:** A scheduled programme of housing delivery was stated as required in order to ensure that a five year supply of effective land is maintained. The use of the land release trigger in the earlier phases of the plan, where required, should be allowed (1393, 1394).

**1470:** It was stated that there is no mechanism available to ensure additional sites can be brought forward where a supply deficiency exists, as the draw down mechanism would not serve this purpose.

**2142:** It was stated that the Plan showed a generous supply of housing land in line with the Structure Plan, but the plan must be able to maintain this for five years at all times. As it stands the wording "effective or capable of becoming effective" was deemed inappropriate and "or capable of becoming effective" should be removed. The use of 7 years effective housing land supply was commended, but any difference in the approach the Council wishes to take in ensuring the maintenance of 5 and 7 years supplies should be made clearer.

Other

**1557:** The housing land requirement in the Structure Plan is fundamentally flawed and requires to be revised prior to progression of the local development plan

**1619:** Identification of sites carried forward from the previous plan, the status of these, and their effect on the effective supply should be made clear in the policy.

**604, 1112, 2698:** The incorporation of the Supplementary Guidance (with changes) within the Policy was called for.

**Modifications sought by those submitting representations:**

No specific allocation of part of Rural Housing Market Area allowance

**180, 182, 2253, 2651:** Additional sites in the Rural Housing Market Area are required.

**281, 547, 548, 1826, 1832, 1853, 1873, 1874, 1883, 1884, 1887, 1888, 1895, 1898, 1899, 1904, 1905, 1906, 1907, 1924, 1931, 1932, 1933, 1934, 1982, 2117, 2144, 2148:** The windfall site allowance should be abandoned. The remaining unallocated units should be allocated to the Rural Housing Market Area Local Growth and Diversification Area sites which are deliverable.

**1019, 1020, 2076, 2077, 2079, 2080, 2081, 2083, 2102, 2104, 2105, 2106, 2107:** Reduce the reliance on windfall housing to approximately 5 to 10% by either increasing allocations in existing settlements or increasing housing numbers on local development plan allocations.

**604, 1568, 1577:** Reference to 25% windfall should be removed and that portion of housing brought forward through the development plan.

**1020:** Proposals for augmenting the supply through additional allocations in a range of locations are made (these are referred to in the relevant settlement schedule 4).

**1112:** The 25% figure should be reduced.

**1439, 1462, 1473, 1474, 1654, 1982, 2143, 2699:** Reference to 25% windfall allowance should be removed and that portion of housing brought forward through development plan allocations.

**2666:** Change Local Growth (Rural Housing Market Area) 2007 to 2016 allocation from 3238 to 4200, and Local Growth (Rural Housing Market Area) 2017 to 2023 allocation from 3269 to 4000.

**2668:** Replace the statement on delivering 25% through non-allocation with "All of the housing allowances are contained within settlements including sites required by the Structure Plan for housing within the local growth and diversification areas".

**2154:** Include identified sites in preference of non allocation of sites to enable a 25% contribution from windfall sites. This will ensure table 1 of schedule 1 meets the structure plan required allocation.

**2156:** Changes to the Development in the Countryside policy are required.

**206:** The words "rural areas" in the penultimate paragraph should be removed and replaced with "Rural Housing Market Area".

Use of the Development in the Countryside Policy to deliver housing in the Aberdeen Housing Market Area

**189, 398, 1568, 1577, 1599, 2870:** Additional sites are required in the Aberdeen Housing Market Area Local Growth and Diversification Areas.

**1463:** Non-allocated growth in the Aberdeen Housing Market Area Local Growth and Diversification Areas should specifically be allowed.

**1393, 1394:** Additional allocations should be made by removing the 25% non-allocations in the rural growth and diversification areas.

Third Phase Allocations and ensuring an effective supply, and the draw down mechanism

**604, 1613:** Exclude the 'draw down' provision and include 2017-2023 as allocated sites.

**604:** Include a new part of the Policy to accommodate the safeguarding of sites for residential development for the period 2024-2030.

**915;** Policy should be extended to accommodate the safeguarding of sites for residential development for the period 2024-2030.

**1112:** Remove the wording from the final paragraph: " In a small number of cases we may use supplementary guidance to promote sites for development beyond 2023." Replace this with '*The development plan will be the mechanism used to promote sites for development beyond 2023 to provide communities with the certainty they need.*'

**1393, 1394:** Produce a scheduled programme of housing delivery in order to test the policy.

**1386, 1394, 1470, 1638,;** Trigger mechanism needs to be modified and additional effective sites are required in order to ensure the draw down mechanism is useful.

**1665, 1686:** For large single sites, housing allocations should be made in one period 2007-2023 with phasing determined by supplementary guidance.

**1682:** Draw down mechanism scenarios need to be extended to: 1. To accommodate housing release for major infrastructure delivery; 2. Where construction period of the relevant infrastructure is of such a duration that development of a location or phase of development earmarked for 2017-2023 needs to commence prior to 2017 to enable the houses to be delivered within the 2017-2023 period.

**1682:** It needs to be made clear that actual planning permissions will be granted, where appropriate, for the early release of phases.

**1939:** Additional Supplementary Guidance should be introduced to detail the locations of and circumstances to direct the future growth for third phase allocations in all Housing Market Areas and Strategic Growth Areas.

**2142:** Unless compelling evidence on why a departure from national policy is justified, the phrase “ or can be shown through the action program, me to be capable of becoming effective” should be deleted.

**2142:** The policy should be rephrased to clearly express any difference in approach the Council will take in ensuring the maintenance of 5 and 7 year housing land supplies.

**2142:** The final paragraph of the Policy should be deleted and supporting text changed to ensure that sites of more than local impact are included in the Plan or in subsequent plans and not only in Supplementary Guidance. Post 2023 sites which are intended to be taken through this Plan should have been identified in the MIR or already be subject to examination as a result of other representations.

Other

**604, 1112, 2698:** In terms of the scope and format of the policy and its supplementary guidance, the Supplementary Guidance (with changes suggested by these respondents referred to under issues above) should be incorporated within the Policy.

**1619:** Other ALP sites carried forward and the status of these and their effect on the effective supply should be made clear within the Plan.

**Summary of responses (including reasons) by planning authority:**

Overview

Policy 5 provides the principles and overarching key policy approach for the supply and maintenance of an effective five year supply of housing land, and provides a framework for detailed policy contained in supplementary guidance.

Schedule 1 of the plan (issue 25 *New housing allocations*) provides a detailed breakdown of the new allocations proposed by this plan to meet the housing land requirement detailed in Figure 8 (p17) of the Structure Plan.

No specific allocation of part of Rural Housing Market Area allowance

The development in the countryside policy is one of the major changes brought about by this plan and provides a greater opportunity for housing than was allowed under the previous approach. For more information, see Issue 8 *Development in the countryside*.

The policy accords with paragraphs 72 and 75 of Scottish Planning Policy. Compliance with paragraph 75 in terms of the maintenance of a 5 year effective land supply is covered under the section ‘Third Phase allocations’ below.

The policy complies with Scottish Planning Policy paragraph 72 as a sufficient amount of land on a

range of sites has been allocated to provide the minimum of 5 years effective supply at all times. The structure plan housing allowance which is 22% higher than the housing requirement (figure 8 of the structure plan) has been allocated in both Housing Market Areas. In the rural housing market area 12% of the structure plan's schedule of housing allowances is forecast to come through small sites which have not been allocated in the plan. This gap is made up for by an allowance for rural housing. The housing land audit 2010 figure 10, paragraph 5.32 shows that between 2005 and 2009, 754 small sites were completed in the rural housing market area. This is an annual average of 151 units, almost all of which were delivered on unallocated land in rural locations, through a less favourable policy approach towards housing in the countryside, which has been applied by the Aberdeenshire local plan. The plan has not allocated 946 units (12%) in the rural housing market area over 10 years to specific sites. An annual completion rate through such sites of only 95 units per year would be required through the relaxed policy towards housing in the Rural Housing Market Area to meet the deficit in allocations. If anything this is a very cautious approach which provides a generous supply of housing through a relaxation of the policy towards housing in the countryside.

In terms of the issue of viability of rural housing developments, the expected delivery rates are viable. Individual and small scale permissions in rural areas are much more likely to be completed than speculative planning applications.

Paragraph 84 of Scottish Planning Policy states that the majority of allocations should be made in settlements but "*Authorities should also set out the circumstances in which new housing outwith settlements may be appropriate, particularly in rural areas.*" Paragraph 94 goes on to state "*Development plans should support more opportunities for small scale housing development in all rural areas.*" This is the strategy which has been followed in the plan and cognisance of this is taken in the strategy towards housing allocations in the rural housing market area's local growth and diversification area.

The policy does not misinterpret paragraph 81 of Scottish Planning Policy. Windfalls are accounted for (see issue 025 *Housing Allocations*). However, the expectation that at least 12% of the rural housing market area's local growth and diversification area allowance will be delivered on unallocated sites is not a reliance on 'windfall,' it is a realistic component of the allocations strategy.

The allocations strategy adopted does not reduce the certainty for local communities. Delivery of housing on small non-allocated sites already provides around 150 units per year, allowing for around 95 per year will not reduce certainty of where development will take place. The development industry and infrastructure providers have been deeply involved in the allocations process and will continue to be involved through the action programme in terms of identifying the locations for development.

In terms of the strategy being "unsustainable" see Issue 8 *Development in the countryside* and Issue 29 *Overall Spatial Strategy*. Smaller sites will continue to be delivered in settlements. A recognition that a proportion will be delivered on non allocated sites will not reduce the likelihood of smaller allocated sites being developed.

The policy states that 25% of sites required for development for housing in the local growth and diversification areas will be met through the development in the countryside policy. The supplementary guidance states that an "estimated allowance of up to 25% of all development in the rural housing market area" will be "generated under the policy development in the countryside." However, the full allocation has been provided in the Aberdeen housing market area portion of the local growth and diversification area and that the gap in the rural housing market area is 12%. The text supporting the policy requires minor modification to detail this.

Under allocation has not been done to avoid controversy, but to provide a realistic model of the proposed housing land supply.

#### Use of the Development in the countryside policy to deliver housing in the Aberdeen housing market area

As discussed above, the full allocation has been provided in the Aberdeen housing market area. This is in line with the overall spatial strategy, which provides less encouragement to non allocated

growth in the areas which are more accessible to Aberdeen City. There was no intention to provide 25% 'headroom' in the Aberdeen housing market area portion of the rural growth and diversification area. This headroom is provided by the allowances required by the structure plan as clarified above. However, permissions which are made through the development in the countryside policy in the Aberdeen housing market area will provide further contributions and flexibility to the housing requirement. It is not expected that all proposed sites will make it to adoption, but compensatory sites will be identified as and when they are required during the examination process. The structure plan allowances are higher than the structure plan requirement. There is no need and it would be inappropriate to allocate significantly above the structure plan housing allowances at this stage, and would result in a plan that does not comply with the structure plan.

Third phase allocations, ensuring an effective supply and the draw down mechanism

Supplementary guidance is appropriate because where the likelihood of delivery of third phase allocations is highest, such as at Kintore and Elsick, the site boundaries have already been allocated at a sufficient size to account for this. A firm commitment in all areas is not appropriate given that Scottish Planning Policy paragraph 72 requires local development plans to allocate the land requirement only up to year 10 from the predicted year of adoption of the plan. The sites at Elsick and Kintore are of strategic importance and have been identified at this stage. Supplementary guidance will only be used for other sites if the requirement is only of local importance.

The structure plan does not require a three phase allocation in the local development plan. By the time of the 2024 to 2030 period there will be a newly adopted structure plan governing such allocations anyway, so specific numeric allocations may have been of little use. Infrastructure planning has been carried out in all cases with a strong focus on the likelihood that the scale and locations envisaged by the structure plan will take place in phase 3, (see Issue 029 *Overall spatial strategy*). Aberdeen City may have allocated 3 phases, but it does not mean that Aberdeenshire should have. Rate of development may be faster, or slower, in some areas and sufficient flexibility requires to be retained to allow for an appropriate response in 5-10 years time.

Locations where housing and infrastructure development are likely to be required in the third phase have been allocated at Kintore and Elsick. Masterplans and design frameworks should be drawn up with cognisance of this. Developers of other sites where they predict additional allocations in future phases have been encouraged to detail where phase 3 allocations would fit with their plans for phases 1 and 2. Actual permissions on Phase 1 and 2 allocations can be made together, where it is agreed by the Council and, where appropriate, the Strategic Development Plan Authority that it is appropriate. Further detail will be provided in a subsequent supplementary guidance on early housing land release which will be produced upon the adoption of the plan following consultation with the development industry.

The allocations strategy in Aberdeenshire is appropriate, considering amongst other things the level of infrastructure provision required and the level of development to overcome these in each location. The importance placed on, and the mechanisms employed to ensure the delivery of, the spatial strategy have been discussed in this paper. The early release mechanism will be appropriate on larger sites especially where it has been shown through the action programme that the need for early release is necessary to fund infrastructure delivery elsewhere. Where a site has constraints which cannot be overcome and an entirely new allocation is required, this will become apparent through the action programme over the first phase of the plan. Allocations can be drawn down from sites within the same housing market area and wherever possible in the same strategic growth area. At the time of the next call for bids for the subsequent local development plan (around 2013) new sites will be identified for inclusion. However, in the meantime there will be a generous supply of land in a range of locations to meet the structure plan housing requirement.

The release trigger will be used in the first phase of the plan if it is required. The action programme and housing land audits will provide a scheduled programme of housing delivery. There is no need to use it immediately and there is no need to allocate an additional 5,000 houses. This figure is based upon the respondent's opinions of allocations and their deliverability.

The action programme will be used to show sites that are effective or capable of becoming effective



according to its programme of delivery. This will be reflected in the audit on an annual basis. This will highlight where a 7 year supply is unlikely to be maintained and will allow 2 years preparation to allow other sites to become effective. The 7 years supply is required in order to guarantee the five year minimum. The term "capable of becoming effective" could be removed in the context of maintaining a minimum effective 5 year housing land supply, but the action programme will be able to demonstrate sites which are capable of becoming effective by detailing how and when constraints will be lifted.

Other

The structure plan was approved by ministers in 2009 and provides an up-to-date and realistic picture of housing land requirements. As the local development plan requires to conform to the structure plan, any review of the allocations would necessitate review of that plan.

On sites carried forward, this information has been made clearer in the supplementary information provided for issue 025 *New Housing Land Allocations*. This is appropriate for the examination, but the figures provide a snapshot at a point in time should form part of the plan upon adoption. For the incorporation of the supplementary guidance within the plan, this is a request which has been made for a number of policies and is dealt with through Issue 002 *Process and Format*.

**Any further plan changes commended by the planning authority:**

It is suggested that the following change is made:

The policy should be changed to detail that the full allocation has been provided in the Aberdeen Housing Market Area portion of the local growth and diversification area.

**Reporter's conclusions:**

1. The following conclusions should be read alongside those in Issue 25 on Schedule 1: New Housing Allocations. Both Issues were informed by discussions at a hearing session held on 15 September 2011.

**Housing requirement**

2. The proposed Aberdeenshire Local Development Plan should be consistent with the provisions of the structure plan. Although both a housing requirement and allowance is set by the approved Aberdeen City and Shire Structure Plan, Scottish Planning Policy requires that sufficient land is available to meet the housing requirement for each housing market area in full.

3. Figure 8 of the structure plan provides the housing requirements for both the Rural Housing Market Area (RHMA) and the Aberdeen Housing Market Area (AHMA) over three periods (2007 to 2016; 2017 to 2023; and 2024 to 2030).

4. The structure plan has been approved by the Scottish Ministers. This examination has no remit to either question the figures or delay the examination until the production of the replacement Strategic Development Plan.

5. The proposed Aberdeenshire Local Development Plan allocates land to meet the first two periods up to 2023. The housing requirement for the RHMA over this period is 9,724 units (6,367+3,357). This housing market area is solely situated in Aberdeenshire. The requirement for the AHMA is 32,118 (19,773+12,345). This housing market area covers both the whole of Aberdeen City and its environs in Aberdeenshire.

6. The housing need and demand assessment (HNDA) of 2010 identifies a housing need of 59,090 between 2006 and 2031 across the two housing market areas. It also confirms that the Strategic Housing Partnership endorsed the adoption of a high growth population and household strategic forecast scenario as the basis for assessing housing demand and need, and assumes that



population and household growth will be higher than the 2006-based projections. These forecasts underpin the structure plan, and are illustrated in figure 7 of the structure plan.

### **Housing allowance**

7. Over and beyond the housing requirement the structure plan also provides housing allowances to help deliver an increase in homes above the 2,200 being built each year in 2007, and to allow development at the rates targeted in the structure plan. It also takes account of the Scottish Government's desire, at that time, to see a 40% increase in new house building across Scotland, and forecasts of population and households through to 2030.

8. The structure plan allowance for the RHMA in the first two periods is 11,500 (800 Huntly-Pitcaple; 900 South of Drumlithie-Laurencekirk; 1600 Peterhead-Hatton; 8,200 Local Growth). The allowance is therefore 1,772 units above the requirement for this housing market area, or 18% higher.

9. The allowance for the AHMA in the first two periods is 38,250 (26,500 Aberdeen City; 2,500 Inverurie-Blackburn; 4,600 Portlethen-Stonehaven; 2,300 Ellon-Blackdog; 2,350 Local Growth), 6,132 units above the requirement, or 19% higher.

10. The council refers to a figure of 22% in relation to the housing allowance over the housing requirement. This wrongly relates to the total housing allowance over the three periods in both housing market areas of 72,000 against the housing requirement of 56,304. The allowance is actually 15,696 units above the requirement, or 28% higher. This figure is useful in identifying the overall generosity of the structure plan allowance which is well above the HNDAs high growth forecast.

11. A generous allowance is therefore provided over and above the housing requirement. However, the structure plan acknowledges in paragraph 4.17 that although a generous supply of land is provided for new housing not all of it is expected to be built within the relevant plan period. This may be especially true in the current economic situation where the average build rate over the city region is now almost 1,200 a year compared to the 2,200 being built in 2007 and the 2,500 target of the structure plan for 2014.

### **Existing effective capacity (2007)**

12. In addition to the generous housing allowance, the structure plan provides information on the effective land supply in 2007 when 4,118 units were available in the RHMA and 8,157 units in the AHMA, of which 5,114 were located in Aberdeenshire. The potential contribution from effective sites at this period was substantial and could help meet housing demand in the short term.

### **Effective housing land supply**

13. The 2010 housing land audit identified a 4.4 year housing land supply in the RHMA and a 2.5 year supply in the AHMA. Scottish Planning Policy requires at least a five year effective housing land supply to maintain a generous supply of land for housing at all times. Although the supply is lower in the housing market areas at present, paragraph 6.1.3 of the audit confirms that the figure is based on the most recent structure plan housing requirement which is considerably higher than the previous structure plan (NEST) and reliant on the new local development plans in Aberdeenshire and Aberdeen City to meet its housing need. It is noteworthy that the draft 2011 audit, (which again did not take account of new allocation through the local development plans,) indicated a rise in the housing land supply to 5.3 years in the RHMA and 2.7 years in the AHMA. On adoption of the local development plans the effective land supply will be significantly augmented by the new allocations to meet, and probably exceed, a five year supply without the need to allocate further housing at this stage.

### **Housing range and choice**

14. The proposed Plan allocates land for housing on around 220 sites in 106 settlements over the first two structure plan periods. Of these 41 allocations are made in the strategic growth areas, half of which are allocated in a single phase. Around 50 allocations are proposed for local growth in the AHMA and some 130 are proposed for local growth in the RHMA. Of the 220 allocations around

170 are proposed for less than 50 units. A range and choice of housing allocations has therefore been proposed without the need for further housing allocations.

### **Interim findings**

15. In recognition of the above, the following findings have informed the remaining conclusions:

- A substantial effective housing supply was available in both housing market areas in 2007.
- The structure plan housing requirement was based on a high growth scenario.
- The structure plan allowance in both housing market areas would provide almost 20% generosity over the housing requirement.
- The allowance was provided in a different economic climate when high build rates were envisaged.
- An effective 5 year housing land supply can be maintained.
- The proposed Plan provides a range and choice of housing sites.

### **Local growth - Rural Housing Market Area**

16. The structure plan allowance for local growth in the RHMA is 4,200 units in the first period, and a further 4,000 in the second period.

17. The proposed Plan allocates 3,238 units in the first period and 3,269 in the second, an allocation of 1,693 units below the allowance (21% over the two periods). A revised housing land allocation paper was submitted to the examination and updated for the hearing session, identifying a revised figure 907 units below the allowance (11% over the two periods). However, recommendations made through this examination would increase the figure to 1,227 units below the allowance (15% over the two periods). A modification is required to clarify this change in position from the 25% figure stated in the Plan.

18. The council suggests that the gap in the housing allocation would be met by the development of *small sites* (those containing up to 4 units). Paragraph 61 of Scottish Government Planning Advice Note 2/2010 on Affordable Housing and Housing Land Audits states it is for planning authorities to consider how to take account of the contribution from small sites towards meeting the housing land supply. The supply from small sites may be regarded as providing flexibility over the housing land requirement, but it is not limited solely to that purpose. The predicted contribution from small sites can be used to meet housing allocations where sufficient evidence and a realistic judgement of delivery are provided.

19. In some local authorities the contribution from small sites can be significant. In Aberdeenshire small sites have provided an average of 140 units each year within the local growth RHMA. This average is taken from the housing land audit figures over the period 2006 to 2010 and was given further substance at the hearing where the council indicated a consistent average of 140 over the past decade.

20. An annual contribution of 102 units between 2012 and 2023 (1,227 unit shortfall divided by 12 remaining years) would provide sufficient housing to meet the shortfall in the local growth RHMA allocation. Data from 2006 to 2010 shows variation with a low of 109 units (2007) and a high of 170 (2009). The council acknowledges that market conditions would influence the rate of delivery from small sites annually. However, it is unlikely that small sites would contribute less than the required minimum to meet the outstanding shortfall, especially when considered against the 598 units already provided in the period 2007 to 2010 (125 units per year). And, when considered against the proposed Development in the Countryside Policy which is less onerous than its adopted Aberdeenshire Local Plan equivalent, it is more likely that the contribution from small sites will provide additional housing supply over the already generous allowance.

21. There is a shortfall in the allocation to meet the allowance for local growth in the RHMA. However, this shortfall can be met by the predicted and sufficiently evidenced contribution from small sites. There is insufficient evidence to suggest that this approach would fail to promote the development of rural communities; support the structure plan strategy to focus new housing in or as an extension to existing settlements in the local growth and diversification area; or that infrastructure

could not cope with the development of small sites. In the unlikely event that the Plan failed to deliver the full allowance, those sites allocated through the Plan would still meet the housing requirement for the RHMA as a whole.

22. The development of small sites has contributed to the Aberdeenshire housing supply for a significant period of time and there is no evidence that this approach is inherently unsustainable. A level of certainty is also provided to interested parties to determine where development may occur on small sites by reading the provisions of the Development in the Countryside policy. On this basis, no further allocations are required in the local growth RHMA.

**Local growth - Aberdeen Housing Market Area**

23. The allocations take into account new proposals and windfall developments consented since 2007, not counted in the existing effective supply stated in the structure plan. Paragraph 62 of planning advice note 2/2010 states that, “windfall sites arise unexpectedly and are by definition not part of the planned housing supply.” However, it goes on to state, “these sites should count towards meeting the housing land requirement only once planning permission has been granted for residential development and it is considered effective or is being developed.” All the windfall developments since 2007 have planning permission and are considered effective. In this respect, it is also of note through Issue 57 that a windfall contribution at Castle Meadows (Ellon) would contribute over 200 further units to the land supply in the AHMA.

24. The council response is clear that where the plan states, “we have not included 25% of the sites required by the structure plan for housing” this relates solely to the local growth RHMA allocation, not the AHMA. The proposed Plan should be modified accordingly to clarify this situation.

25. The structure plan allowance for local growth in the AHMA is 1,000 units in the first period and 1,350 units in the second period. The proposed Plan shows an allocation of 1,000 in the first period and 1,354 in the second period. However, updated figures submitted to the examination show allocations of 1,047 and 1,331. The Plan therefore provides an allocation above the allowance over the two periods combined. The recommendations made through this examination remove a further 128 units over the two periods resulting in an allocation 100 units below the allowance. However, the contribution from Castle Meadows means that the allocation for local growth would meet and exceed the generous housing allowance, which would remain at some 6,000 units over the housing requirement for the AHMA. The requirement has been met and a substantial generosity provided. No further allocations are needed on this basis.

**Third phase allocations**

26. Scottish Planning Policy (paragraph 72) requires local development plans to allocate land to meet the housing land requirement up to year 10 from the predicted year of adoption. The proposed Plan was expected to be adopted in 2011 (development plan scheme 2010) but will now be adopted in 2012. It makes allocations in both the first period (2007-2016) and the second period (2017-2023) of the structure plan. The third period or phase (2024-2030) goes beyond the 10 year term required by Scottish Planning Policy. Furthermore, although allocations would aid future investment decisions, the structure plan provides no requirement for a single local development plan to provide the full housing allowance of all three phases.

27. As clarified at the hearing session, it is the council's intention to make the third phase allocations as part of the next review of the local development plan. Third phase allocations would not be made through supplementary guidance. Site-specific supplementary guidance in masterplan form may be produced with indications of future development beyond 2023 to give some certainty in areas which require significant investment at an early stage. As written, it could be read that further allocations would be made through supplementary guidance contrary to the guidance of paragraph 97 of Scottish Government Circular 1/2009 on development planning. The plan is misleading in this respect. A modification is therefore required for clarity.

**Tandem planning applications**

28. In truly exceptional circumstances, paragraph 5.5 of the structure plan confirms that planning

applications can come forward in advance on sites identified for development for the period 2017 to 2023. This would allow masterplanned sites a degree of certainty when developing an area over a longer period. No change to the proposed Plan is required to make this process explicit.

**Ensuring an effective supply and the draw down mechanism**

29. One of the main concerns raised in representations is the reliance on single large-scale allocation within the strategic growth areas, particularly the Stonehaven-Portlethen, Inverurie-Blackburn, and Huntly-Pitcaple corridors. Large-scale allocations are required to provide strategic infrastructure, which has been lacking in Aberdeenshire for some time. However, the concern of representations relates to the deliverability of such allocations in the current economic circumstances and the need to provide infrastructure in advance of housing completions.

30. This aspect was explored through several hearing sessions. On the basis of these discussions, and the submissions/representations, recommendations are made to delete allocations in Inverurie and Huntly. Alternative allocations have been recommended for inclusion which are considered to be effective in Inverurie, resulting in a loss of only 32 units from the Inverurie to Blackburn Strategic Growth Area and Aberdeen Housing Market Area allowance. This minor loss would not harm the delivery of the spatial strategy in the strategic growth area or, when considered with the local growth allocation, substantially impact on the generous allowance in the AHMA.

31. No alternative suggested through representations was found suitable to replace the units lost in Huntly. This means that 145 units are lost from the Huntly to Pitcaple Strategic Growth Area and RHMA allowance. Despite this loss, the allocation in the RHMA combined with the contribution from small sites would allow a significant generosity over the housing requirement to remain. Allocations are also made in Inch within this strategic growth area and development could still come forward at Huntly during the first plan period through the draw down mechanism if constraints were overcome. The council may also wish to review allocations in this area at the next local development plan review. I therefore do not find the spatial strategy in this area or the overall strategy to be compromised.

32. There is no direction in the structure plan as to what form the allocations in the strategic growth areas should take. However, there is a requirement to provide sustainable mixed communities and meet the significant infrastructure costs through development. Delivery of large-scale allocations would allow sufficient economies of scale to provide the required infrastructure and create sustainable mixed communities.

33. It is also suggested in representations that there is a lack of choice of sites to draw down from if the full five year effective housing land supply is not provided. The annual housing land audit identifies the existing housing land supply in each housing market area. The action programme accompanying the proposed local development plan will programme the actions required to deliver development in partnership with the development industry and key agencies to enable sites to become effective. This document will be regularly updated online and published bi-annually.

34. If a five year effective land supply is not provided at any stage then the proposed plan is clear that the allocations identified for the period 2017-2023 could be released. This would compensate for any shortfall and help maintain the required five year effective housing land supply. Sites would not necessarily need to be drawn down from a particular strategic growth area or locality, as the requirement would be to maintain an effective housing land supply over a whole housing market area, not a more limited geographical area. This approach would ensure a wide choice of potential sites were available if needed. The actual mechanism for drawing down sites from the second period will be set out in supplementary guidance (currently the proposed *SG Housing 2: Housing land allocations 2017 to 2023 and early drawn down*) and non-statutory planning advice. It was clarified at the hearing session that any draw down would require authorisation from the planning authority and the Strategic Development Plan Authority. This approach is also explicit in paragraph 5.5 of the structure plan. Following the conclusions in paragraph 13 above, no further allocations are required to maintain an effective housing land supply.

35. The requirement of Scottish Planning Policy is for local development plans to ensure a minimum of five years effective land supply at all times. The text of policy 5 should therefore be modified to reflect this requirement.

**Existing Aberdeenshire Local Plan housing proposals**

36. The incorporation of adopted Aberdeenshire Local Plan housing proposals into the proposed local development plan is addressed in Issue 25.

**Incorporation of supplementary guidance**

37. Representations to the proposed Aberdeenshire Local Development Plan seek the inclusion of detail from supplementary guidance on housing land allocations and early draw down into the Plan.

38. Issue 2 addresses the format of the proposed Plan and the use of supplementary guidance. In relation to policy 5, the proposed Plan provides a broad approach to housing delivery in Aberdeenshire. The policy is concise and the Plan is focused on delivering its vision and spatial strategy, an approach in accord with 2009 regulations on development planning. The policy is clear in its objectives and provides the circumstances in which housing land supply would be maintained. The supplementary guidance would form part of the development plan. There is therefore no need to incorporate the supplementary guidance into the Plan.

**Reporter’s recommendations:**

Modify the proposed Plan by:

1. Replacing the fourth paragraph of the reasoned justification for Policy 5 Housing land supply with the following:

“Not all of the housing allowances are contained within settlements. Due to the unpredictable nature of housing development in rural areas, we have not allocated sites to meet the full Structure Plan allowance for housing in the local growth and diversification part of the Rural Housing Market Area. We expect to deliver these through the development in the countryside policy.”

2. Replacing policy 5 housing land supply with the following:

**“Aberdeenshire Council will support the development of housing in line with the spatial strategy of the structure plan as set out in part 4 “The spatial strategy” of this document.**

**At all times we will maintain a five-year supply of land for housing that is effective. If a seven-year supply cannot be maintained, we will draw down extra land from future allocations (2017-2023), to ensure we can maintain a five-year effective housing land supply and deliver the spatial strategy.**

**We publish the way we will do this separately in the following supplementary guidance:**

*SG Housing 1: Housing land allocations 2007 to 2016*

*SG Housing 2: Housing land allocations 2017 to 2023 and early draw down*

**In order to assist the long-term masterplanning of areas for development, we may bring forward site-specific supplementary guidance which would indicate development opportunities beyond 2023.”**

3. Replacing the final sentence of the reasoned justification for policy 5 housing land supply with the following:

“In this small number of cases, we may use supplementary guidance to indicate development opportunities beyond 2023. These will be subject to review through the next local development plan.”



<b>Issue 13</b>	<b>Policy 6: Affordable Housing</b>	
<b>Development plan reference:</b>	Section 5. Policy 6 (p11)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Audrey Noble (72)  Portlethen &amp; District Community Council (580, 1122)  Emac Planning LLP on behalf of Stewart Milne Homes (605, 613)  Barton Willmore on behalf of Stewart Milne Homes (958, 1077)  Scottish Property Federation (1014)  Strutt &amp; Parker LLP on behalf of Faskally Investments (1017)  Turley Associates on behalf of The Stonehaven South Consortium (1083, 2132)  Homes for Scotland on behalf of Grampian Housebuilders Committee (1112, 1118)  Turriff &amp; District Community Council (1123)  Halliday Fraser Munro on behalf of Deveron Homes Ltd (1368, 1369, 2159, 2166)  Wallace Planning Ltd on behalf of Barratt East Scotland &amp; Dunecht Estates (1400)  Bancon Developments (1445)  Halliday Fraser Munro on behalf of Frank Burnett Ltd (1662)  Ryden LLP on behalf of Stewart Milne Homes (1813)  Ryden LLP on behalf of Claymore Homes (1828, 2121)  Ryden LLP on behalf of Buchan Properties (1836)  WYG Planning &amp; Design on behalf of GL Residential Ltd (1955, 2047)  BLUE Planning &amp; Development on behalf of Matthew Merchant (1981)  Scotia Homes Ltd (1985)  Strutt &amp; Parker LLP on behalf of The Millbank Regeneration Joint Venture (2076)  Strutt &amp; Parker LLP on behalf of Aberdeen Endowments Trust (2077)  Halliday Fraser Munro on behalf of Deveron Homes Ltd &amp; Aberdeenshire Housing Partnership (2158, 2160)  Philip Dean (2243)  Montgomery Forgan Associates on behalf of Taylor Wimpey/The Mitchell Partnership (2638, 2642)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken for meeting need for affordable housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>72, 1017, 2076, 2077:</b> Support the Policy.</p> <p><u>Format</u>  <b>1112, 1118:</b> The scope of the Supplementary Guidance is such that it should be included in the Policy, in line with Circular 1/2009 (see also Schedule 4 Scope and Format of the Plan).</p> <p><u>Reference to 'at least' 25% affordable housing</u>  <b>605, 613, 1368, 1369, 1981, 2158, 2159, 2160, 2166:</b> There were concerns that the policy requires "at least 25% affordable housing" when this is not justified by Scottish Planning Policy. It states that " new residential development <i>may</i> contain <i>up to</i> 25%" (paragraph 88). The 25% seems to be used as a minimum rather than a benchmark.</p> <p><u>Settlement Strategy</u>  <b>958, 1368, 1369, 2158, 2159:</b> The strategy of heavily weighting the affordable housing requirement to certain settlements means the plan strategy to meet the structure plan housing requirement could be significantly compromised, as development in these locations will be difficult to deliver.</p>		



Existing Sites

**1955, 2047:** Clarity is required with regard to whether the policy applies to all new developments including 'existing sites'.

Housing Allocations

**605, 613, 1083, 1400, 1445, 1662, 2132:** The requirement for greater than 25% affordable housing in settlements is indicative of insufficient housing allocations in those locations.

Context

**1445, 1813, 1828, 1836, 2121:** The Local Development Plan Main Issues Report did not consider affordable housing as a main issue. However, the Proposed Plan is significantly different from the Aberdeenshire Local Plan (2006), because an approach of varying requirements by settlement is now used. The Structure Plan (page 22) indicated a requirement of 20-30% across the area.

**2243:** The Main Issues Report Monitoring Statement revealed that the Aberdeenshire Local Plan (2006) policy had been largely unsuccessful in achieving its objectives. The Proposed Plan policy hardly alters the previous approach and will be just as unsuccessful in delivering affordable housing and mixed communities.

**1123:** The policy will not deliver affordable housing.

Viability of approach

**605, 613, 958, 1014, 1077, 1083, 1112, 1118, 1368, 1369, 1400, 1445, 1662, 1813, 1828, 1836, 1981, 1985, 2121, 2132, 2158, 2159, 2638, 2642:** The approach does not comply with Scottish Planning Policy and Planning Advice Note 2/2010, which require local authorities to consider development viability through affordable housing policies and the cumulative effects of other developer contributions. The approach taken will paradoxically lead to a greater requirement for affordable housing by stifling development and pushing up the house prices of developments which do occur. The supplementary guidance recognises this, but the Policy does not. The supplementary guidance should be incorporated within the Policy.

**580, 1122:** There is no need for an "escape clause" within the policy. "Unless we say otherwise" seems to allow *carte blanche* for anything to happen within this policy.

**Modifications sought by those submitting representations:**

Reference to 'at least' 25% affordable housing

**605, 613:** The Policy reference to "at least 25% affordable housing" should be removed. Change this to "*new housing development may contain up to 25% affordable housing where this is justified by the HNDA.*"

**1368, 1369, 2158, 2159, 2160, 2166:** Wording should be changed to read "*new residential development may contain up to 25% affordable housing where justified by the HNDA.*"

**1981:** "*new residential development should normally contain up to 25% affordable housing...*".

Housing allocations

**605, 613, 1083, 1400, 1445, 1662, 2132:** Ensure sufficient land is available to meet all housing requirements in line with Scottish Planning Policy and Planning Advice Note 2/2010: in some cases this will mean additional allocations in settlements.

Context

**2243:** Major change to housing allowances is required with encouragement for far greater level of private development of small unsubsidised homes, especially in rural areas.

Viability of approach

**605, 613, 958, 1014, 1077, 1083, 1112, 1118, 1368, 1369, 1400, 1445, 1662, 1813, 1828, 1836,**

**1985, 2121, 2132, 2158, 2159, 2638, 2642:** Amend the policy to provide sufficient flexibility that will allow viability considerations to influence the actual percentage which can be achieved with regard to other planning gain requirements and viability.

**Summary of responses (including reasons) by planning authority:**

Overview

Policy 6 provides the context for Aberdeenshire Council's approach to ensuring that housing development meets the needs of all sectors of the population. The policy is supported by detail contained in supplementary guidance (SG Affordable Housing 1: Affordable Housing). The policy has used the case made in the Housing Needs and Demand Assessment as a justification for a benchmark level of affordable housing in all developments. The supporting text to the policy also highlights that providing housing without public subsidy is a legitimate means by which a proportion of the development can be made "affordable". Affordable housing was an issue highlighted in the Main Issues Report (p39). The Housing Needs and Demands Assessment has been certified as being "robust and credible".

Format of the Policy

These objections essentially ask for this issue to be dealt with as it has been in the past. However, the Government has specifically introduced a new Act and new Regulations to change this, deliberately simplifying what the Local Development Plan itself has to contain (see paragraph 39 of Circular 1/2009).

As discussed in Issue 2, there is a fundamental change in the way that the new Act requires plans to be set out. Circular 1/2009 "Development Planning" (paragraph 96) allows for supplementary guidance to contain detailed policies where the main principles are already established. In addition paragraph 97 advises that "items for which financial or other contributions, including affordable housing, will be sought, and the circumstances (locations, types of development) where they will be sought" should be included in the plan. The approach adopted is legitimate insofar that Policy 6 establishes the main principles of the approach to affordable housing, including from what type of development it should be secured; the Schedule 4 of the plan of the Local Development Plan provides information on the locations; and the supplementary guidance contains the detailed policy.

Reference to "at least" 25% affordable housing

25% is identified by Scottish Planning Policy as a "benchmark" for affordable housing (paragraph 88) (Cambridge English Dictionary: Benchmark:- "a level of quality which can be used as a standard when comparing other things"). This advice is taken forward in the plan, as need at this level is justified by the Housing Needs and Demands Assessment 2010 and the Structure Plan (Target point 5, p22). Scottish Planning Policy also states: "If a different percentage is required locally, justified by the housing need and demand assessment and identified in the local housing strategy and development plan, then the 25% benchmark does not apply". Schedule 4 of the Local Development Plan, "Affordable housing requirements", sets out the justification for locally varying this figure, both to a higher and lower level. 25% has been used as a benchmark, but is varied according to local needs.

Settlement strategy

Those areas where a proportion higher than 25% is required can be justified by observed need, and by the objective within the Structure Plan relating to the creation of sustainable mixed communities (p21 and paragraph 4.26). Affordable housing can be provided through construction of homes without public subsidy, so the availability (or non-availability) of public sector finance does not impose an artificial constraint on development. The weighting referred to by respondents may be an artefact caused by expressing the affordable housing requirement as a percentage: a large percentage of a relatively small allocation may be required to make an appreciable impact on the levels of need identified in the settlement. It is not the case that a high affordable housing percentage would result in a large number of affordable houses, if the allocations are themselves small; and, since most developers of proposed sites have registered their deliverability (after taking account of these requirements) there is no reason to believe structure plan housing requirements

will be compromised.

Existing sites

The policies of the plan apply to all new developments, unless a specific exception has been made. In all cases sites “inherited” from the previous local plan are dealt with using the affordable housing standards applicable to that plan. The affordable housing requirement only applies to developments identified in Schedule 1 of this plan.

Insufficient housing allocations

This policy sets out the intention to apply varying requirements to target areas where need is greatest. Some settlements have been allocated housing on the basis of providing higher levels of affordable housing.

In the nine settlements where an affordable housing need greater than 25% has been required four are in areas of “local need and diversification”, where specific allocation has been made to enable development of affordable housing. In Fraserburgh, Westhill, Aboyne and Banchory large allocations have been made to address affordable housing needs.

In Peterhead, Ellon, and Inverurie substantial allocations have actually been made for other strategic purposes (1,515 houses, 985 houses and 1667 houses respectively). It serves no purpose to further increase these allocations to account for the high demand for affordable housing in these settlements, especially in the context of a requirement for sustainable mixed communities. In Stonehaven other constraints limit the scale of housing that is desirable within the community (see issue 44).

In Inch modest allocations are proposed due to infrastructure constraints (see Issue 32) resulting in 70 new dwellings in the plan period. Inch has an exceptionally high “any choice” waiting list for a settlement of its size and the provision of 21 affordable houses in the settlement does not even meet one third of the “first choice” needs.

Context

As noted above, the Main Issues Report did consider affordable housing (p39) and the proposal to use supplementary guidance for policy detail was suggested at this time (see Issues and Actions, Volume 1 Policies and strategy p65). Following the publication of the Main Issues Report, at the point when preferred sites and settlements had provisionally been identified, the first figures on varying needs by settlement, along with other developer contribution requirements, were identified via the Future Infrastructure Requirements for Services Group in order to inform developers’ deliverability statements.

The existing Local Plan accepts that a blanket approach to affordable housing is undesirable and proposed (Appendix 7 section 3, p379) a methodology to deliver a more selective approach. This plan simply takes these principles forward and is more explicit about how housing need influences the final affordable housing requirement. Thus greater certainty is provided to the development industry.

The policy content of the plan remains much as it was in the Aberdeenshire Local Plan, and it is only on the issue of delivery that things have changed: the explicit requirement for a minimum affordable housing contribution and the emphasis given to provision without public subsidy. This is why this plan should be more successful in meeting need than previous plans. Unless the affordable housing element is delivered, the proposals would be contrary to both the structure plan (in delivering sustainable mixed communities) and to the Local Development Plan strategy.

Viability of approach

Paragraph 87 of Scottish Planning Policy states “Policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding”. This is recognised by the detailed policy content of SG Affordable Housing 1 “Affordable Housing”, which recognises the need for this flexibility, in expecting the specific allocation to be set

with regard to market and site circumstances. The affordable housing policy will help to achieve sustainable mixed communities as required by the structure plan, and will only stifle development if the industry chooses not to subscribe to the shared vision of that plan. In contrast, by encouraging housing developers to consider all price points and all markets within the products they are selling, additional development will be encouraged that would not take place otherwise.

As discussed in issue 2, it is entirely appropriate for supplementary guidance to set out detailed policy where, as is the case in Policy 6, the main principles are already established.

The phrase in the policy “unless we say otherwise” does not represent a generic “escape clause” to allow for the avoidance of the contribution refers particularly to elements of the plan but refers to specific elements of the plan where these exceptions are noted.

**Conclusion**

This policy is an appropriate response to the affordable housing issues in Aberdeenshire that accords with both Government and Structure Plan policy. It also provides a mechanism whereby past failures in the provision of affordable housing from development can be avoided. It places the emphasis equally on the private sector to use variations in house type and size to provide sufficient affordable housing to meet the needs of the whole community in the pursuit of sustainable settlements.

**Any further plan changes commended by the planning authority:**

No further changes are proposed.

**Reporter’s conclusions:**

1. The conclusions and recommendations set out below should be read alongside those of Issue 28 on the provisions of schedule 4. Both Issues were informed by a request for further information and discussions at a hearing session held on 16 September 2011.

**Format of the policy**

2. Representations to the proposed Aberdeenshire Local Development Plan seek the incorporation of detail from supplementary guidance on affordable housing into the Plan.

3. Issue 2 addresses the format of the proposed Plan and the use of supplementary guidance. In relation to policy 6, the proposed Plan provides a broad approach to affordable housing delivery in Aberdeenshire. The policy is concise and the Plan is focused on delivering its vision and spatial strategy, an approach in accord with 2009 regulations on development planning. The policy is clear in its objectives and provides the circumstances in which affordable housing would be sought. As is explained in Issue 2, the supplementary guidance will ultimately form part of the development plan. There is therefore no need to incorporate the supplementary guidance into the Plan.

**Reference to ‘at least’ 25% affordable housing**

4. Representations seek the rewording of policy 6 to replace reference to the provision of “at least 25%” with “may contain up to 25%” or similar. Paragraph 88 of Scottish Planning Policy states that “the benchmark figure is that each site should contribute 25% of the total number of housing units as affordable housing.”

5. Various definitions of ‘benchmark’ were cited in the council’s response and at the hearing session. However, no definition given implies a maximum. A figure could be above or below a benchmark if justified. “At least” indicates a minimum. This is not the intention of the council, as schedule 4 of the Plan provides a standard 25% figure with settlement based percentages set above and below the 25%. The wording “at least” was simply written to emphasise the need for affordable housing in Aberdeenshire. Its inclusion is superfluous and should be deleted.

6. “May contain up to” indicates a maximum. Paragraph 88 of Scottish Planning Policy also states that the 25% benchmark figure does not apply if a different percentage is required locally, where justified. The findings on the justification for the council’s approach to affordable housing are set out below and in Issue 28. In any event, if justified a figure could be above or below the 25% benchmark. For that reason, the inclusion of the words, “may contain up to” should not be inserted. The policy should be reworded to require a standard 25%, unless otherwise justified.

7. A representation is also concerned about the term “unless we say otherwise”, as no escape clause should be provided. The wording refers to the provisions of schedule 4 and the settlement statements, and not specifically to exceptions. However, there will be circumstances where exceptions arise and a different proportion of affordable housing would be acceptable, as discussed at the hearing session. This approach is acknowledged to some extent by the supporting text to policy 6 but also in the proposed supplementary guidance on the subject. For clarification, a further change to the supporting text should be made to acknowledge where exceptions may be acceptable.

**Settlement strategy and viability of approach**

8. The council suggests that the level of affordable housing contribution sought is accepted by developers, as evidenced through their deliverability statements. However, the hearing session clarified that developers confirmed site deliverability on the basis of a standard 25% affordable housing contribution, not a variable proportion. A variable proportion was not subject to discussion at the Main Issues Report stage or the subject of any consultation prior to the publication of the proposed Plan.

9. Although only required in nine settlements, promoters of sites in these locations argue that a requirement over 25% could result in an allocated site being unviable and consequently undeliverable and ineffective, especially having regard to the cumulative impact of contributions for strategic infrastructure and other contributions.

10. The nine settlements of Fraserburgh, Peterhead, Ellon, Inch, Inverurie, Westhill, Stonehaven, Aboyne, and Banchory are identified to contribute almost 6,500 houses between 2007 and 2023, including over 2,000 affordable homes. The allocations cover both housing market areas and are found in the local growth and diversification area and all but one strategic growth area. If these sites were no longer viable, then the potential loss to both the provision of market housing and affordable housing would be significant, resulting in a real threat to the implementation of the overall spatial strategy and the creation of sustainable mixed communities.

11. The council argues that although the proportion of affordable housing may appear high, the number of affordable units sought on any one site is low. However, in respect to site deliverability, seeking a proportion of affordable housing above the 25% may lead to any site becoming unviable.

12. Other affordable housing options are available to promoters of housing land than those reliant on public funding, such as discount sale, and these could allow more flexibility in delivery of market and affordable housing, but, as confirmed at the hearing session, are not feasible in all instances. It is also the case that the supporting text to policy 6 and the proposed supplementary guidance on affordable housing provide flexibility in the percentage required, where justified and taking account of development viability. However, the provision of a higher requirement within the Plan (in schedule 4) provides an expectation of delivery, with a lower proportion being an exception. To address this, Issue 28 recommends that the ‘requirement’ term be changed to ‘target’ to illustrate that it is an objective, and to provide further flexibility in the delivery of affordable housing.

13. Scottish Planning Policy is clear in paragraph 87 that, “policies on affordable housing provision should be realistic and take into account considerations such as development viability and the availability of funding.” Scottish Government Planning Advice Note 2/2010 also confirms that, “the capacity of developments to bear a range of costs will also vary. Landowners and developers need to assess all cost implications at the earliest possible stage.” A letter from the Chief Planner dated 15 March 2011 also stresses the importance of removing constraints to the development of housing



in the current economic climate and suggests that planning authorities consider whether a contribution of 25% or more is likely to be deliverable.

14. The development plan should provide certainty and a reasonable evidence base to promote affordable housing contributions. As advised in Planning Advice Note 2/2010 on Affordable Housing and Housing Land Audits and covered in Issue 28, there has been insufficient opportunity for promoters of housing land (and affordable housing providers) to comment on the change in policy approach or respond to issues of viability. However, as per my conclusions on Issue 28, the policy, schedule 4, and supplementary guidance provide sufficient flexibility to respond to individual circumstances. The flexibility, and potential to draw down housing sites if required, would allow the provision of market and affordable housing to implement the spatial strategy and take into account development viability.

#### **Existing sites**

15. The council confirms that the provisions of policy 6 would only apply to those sites allocated in schedule 1 (and presumably windfall sites). There are relatively few existing sites previously allocated in the adopted Aberdeenshire Local Plan without planning consent. However, the affordable housing requirement for each of these would be calculated and considered at the time of application. No change to the proposed Plan is required to make this explicit.

#### **Insufficient housing allocations**

16. Representations suggest that the requirement for a higher proportion of affordable housing in the nine settlements is indicative of insufficient housing allocations in these locations. Further housing combined with a lower affordable housing requirement akin to 25% is sought.

17. In relation to the provision of affordable housing, the Housing Need and Demand Assessment of 2010 confirms that affordability pressures in both housing market areas have become severe. It notes that the structure plan has already responded to this issue by enabling a generous supply of new housing sites to come forward. Furthermore, it also notes that land is only one factor in the provision of affordable housing and that it is important the industry is willing and able to take up these opportunities and increase the level of new house completions.

18. An approach of the council might have been to allocate more housing in the nine settlements but, as concluded in Issues 12 and 25, there is sufficient land to meet, and significantly exceed, the housing requirement in both housing market areas. The settlements where the affordable housing proportion is higher than 25% are already provided with significant housing allocations or are constrained in their ability to provide more land for housing either by the spatial strategy, or infrastructure or physical constraints. The result of deleting the requirement for a proportion above 25% would be to decrease the anticipated number of affordable housing units delivered in these settlements. However, there is an identified threat to the delivery of the housing allocations in these locations while following the higher proportion. I have balanced the need for affordable housing provision against possible harm to the implementation of the spatial strategy and find that no further housing allocations are required in these locations to meet the demand for affordable housing.

#### **Context**

19. The proposed Plan provides a headline affordable housing percentage of 25% and variation in the proportion sought in certain settlements through schedule 4. It is here that the proposed Plan provides a key change from the approach of the adopted plan, which responded to specific proposals. The fact that the provisions of policy 6 are not to be applied to existing housing sites further indicates a change in approach. The change provides more certainty to developers and could result in a higher achievement of affordable housing than the previous 12%. This aspect should be commended. However, the change in approach should have been subject to discussion at the main issues report stage, which in turn would have informed development viability and helped secure delivery of the spatial strategy.

20. Although limited consultation and viability analysis was undertaken the policy, supplementary guidance and schedule 4 (as amended) provide sufficient flexibility to accommodate and respond to



individual circumstances if the affordable housing target in an individual settlement, on a single site, could not justifiably be provided. On this basis, I find that no change is required to policy 6 other than to delete reference to 'at least' and provide further clarification on justified exemptions.

**Reporter's recommendations:**

Modify the proposed Plan by:

1. Replacing the wording of the text in the policy box for policy 6 affordable housing with:

**Aberdeenshire Council will support development that helps to meet the needs of the whole community. We will do this by providing levels and types of affordable housing that are appropriate to the area, as justified and addressed in the current Housing Need and Demand Assessment, the Local Housing Strategy and our Affordable Housing Outcome Statement. To help us meet the need for affordable housing in Aberdeenshire, new housing development must contain 25% affordable houses, unless we say otherwise in schedule 4 or in supplementary guidance. The way we will do this is set out in the following:**

*SG Affordable Housing 1: Affordable housing*

2. Replacing the final supporting paragraph of policy 6 on page 12 with:

We will take a flexible approach to deliver the numbers and types of housing to those in the greatest housing need over the course of the plan. The contribution sought from a particular development will be dependant on many factors, such as an assessment of relevant housing information at settlement level, and of open market conditions and site circumstances, including site development costs and viability.

Affordable housing can be provided by developers in a variety of ways, including providing housing without public subsidy. To keep to the other aims of the plan, including delivery of sustainable mixed communities, it is important that we provide a range of house types to suit the differing needs of each community, wherever possible, on each housing site. In exceptional circumstances set out in supplementary guidance, an off-site or commuted sum may be acceptable.

<b>Issue 14</b>	<b>Policy 7: Other Special Housing Needs</b>	
<b>Development plan reference:</b>	Section 5. The Policies Policy 7 (p12)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Jackie Stewart on behalf of Bruce Developments (289)                  emac Planning LLP on behalf of Stewart Milne Homes (606, 2693)                  Homes for Scotland on behalf of Grampian Housebuilders Committee (1118)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken for developments relating to housing for special and particular needs.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>289</b> : The policy would encourage undesirable people in the proximity of sites and would have a negative impact on landscapes. At a time of spending restraint, it is inappropriate for local authorities to be involved in financing sites and the requirements of gypsies and travellers.</p> <p><b>606, 2693:</b> Sites for Gypsies and Travellers should be identified specifically within the Proposed Plan), and not left to Supplementary Guidance settlement statements (<i>see 'Scope and Format of the Plan' Schedule 4</i>). This will ensure sites have been scrutinised within the Development Plan process and provides certainty to Gypsies and Travellers as well as residents of settled communities and purchasers of housing in newly proposed communities.                  The policy should be reworded to ensure the prevention of Gypsy and Traveller sites being sited alongside new residential developments.</p> <p><b>1118:</b> Special housing developments should not be allowed in locations that adversely affect residential areas.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>289:</b> Alter policy by removing reference to the need for provision of Gypsy Travellers sites.</p> <p><b>606:</b> Identify Gypsy Traveller sites within the Proposed Plan. Reword policy. Specific wording which prevents Gypsy Traveller sites being sites alongside new residential developments.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>Overview</u>                  Gypsy Travellers are a multiply deprived group with special housing needs for which Scottish Planning Policy specifically requires consideration (paragraph 90). Policy 7 provides the basis for supplementary guidance to set out policies about small privately owned sites, while the settlement statements identify suitable locations for meeting the needs of Gypsies and Travellers.</p> <p><u>Issues arising</u>                  The structure plan requires that we consider development that meets the needs of the whole community (Page 21) and specifically refers to Gypsy/travellers (paragraph 4.27).</p> <p>Specific sites for Gypsy travellers involve the allocations of small areas of land that do not impact on the spatial strategy of the wider plan area and so are a legitimate concern for supplementary</p>		

guidance (Circular 1/2009 paragraph 96).

Funding for Gypsy traveller facilities is usually available from the Scottish Government, and does not impact locally. Costs associated with managing unauthorised encampments can be very high and there are economies to be made in investing in specific sites.

Specific locations have been identified in supplementary guidance that meet the needs of Gypsy/travellers to access services such as schools and healthcare within settlements, but acknowledge the sensitivity of co-location with the settled community. In general such sites are required to be considered within the holistic masterplanning of large developments.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. Scottish Planning Policy states that development plans should address the housing needs of sections of the community such as Gypsies and Travellers. It considers that planning authorities should identify suitable locations for meeting the needs of Gypsies and Travellers.
2. An aim of the approved Aberdeen City and Shire Structure Plan is to help build sustainable mixed communities, while an objective of this plan is to make sure that new development meets the needs of the whole community, including the specific needs of Gypsies and Travellers.
3. The most recent Housing Needs and Demand Assessment notes that the Scottish Government considers Gypsies and Travellers as a distinct ethnic group. It recognises that although there is a relatively small Gypsy/Traveller population (0.1% in Aberdeen City and Aberdeenshire), recent research has identified that this group has a distinctive housing requirement which needs to be addressed. The assessment also identified a need for the City and Shire to investigate the possibility of sharing transit sites.
4. Policy 7 of the proposed Plan aims to ensure the adequate provision of special-needs housing, including provision for Gypsies and Travellers. The policy supports special-needs housing in settlements but is clear that any proposal should respect the character and amenity of the surrounding area, which would include the amenity of existing and future residents.
5. To fulfil the aims and objectives of the structure plan, and meet the housing need for Gypsies and Travellers in accessible areas, there may be circumstances where sites are developed in close proximity or integrated with existing or proposed housing sites. This may be appropriate as part of a masterplanned site. In any event, there are sufficient safeguards within the proposed Plan and within planning and environmental legislation to protect residential amenity.
6. There is no requirement in Scottish Planning Policy or elsewhere for sites to be identified in the local development plan. The proposed supplementary guidance on gypsy and traveller sites provides additional criteria to those contained in policy 7 of the Plan to assess any such proposals. This is an appropriate response, as supplementary guidance can be used to identify small areas of land that do not impact on the spatial strategy of the wider area. Furthermore, when adopted, the supplementary guidance would form part of the development plan.
7. Proposed policy 7 is sufficient and appropriate and should remain unaltered.

**Reporter's recommendations:**

No modifications.

<b>Issue 15</b>	<b>Policy 8: Layout, Siting and Design of New Development</b>	
<b>Development plan reference:</b>	Section 5. The Policies: Policy 8 (p12)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Norman P Lawie Limited (251) The Scottish Wildlife Trust (532) Wallace Planning Ltd on behalf of National Grid Property (570) Democratic Independent Group, Aberdeenshire Council (602, 616) Emac Planning LLP on behalf of Stewart Milne Homes (607, 617, 618, 621, 622, 626, 2694, 2696, 2697, 2702) Scottish Wildlife Trust (867) BLUE Planning &amp; Development on behalf of Brodie Countryfare Ltd (929) Strutt &amp; Parker LLP on behalf of Faskally Investments (1024) Homes for Scotland on behalf of Grampian Housebuilders Committee (1112, 1118, 2731, 2732, 2733) Wallace Planning Ltd on behalf of Barratt East Scotland &amp; Dunecht Estates (1391) Bancon Developments (1440) Halliday Fraser Munro on behalf of Barratt East Scotland &amp; Drum Development Company (Stonehaven) Ltd (1489) Paul &amp; Williamsons LLP on behalf of Elsick Development Company Ltd (1664) Halliday Fraser Munro on behalf of CALA Management Ltd (1827, 1842) Ryden LLP on behalf of Claymore Homes (1830, 2123) Ryden LLP on behalf of Buchan Properties (1837, 2114)</p>	<p>Ryden LLP on behalf of Dunecht Estates (1873, 1874) Ryden LLP on behalf of Baker Street Properties (1919, 2151) Ryden LLP on behalf of Mr R Ironside (1923, 1924, 2145) Scottish Renewables (1947) Scottish Environment Protection Agency (1979) BLUE Planning &amp; Development on behalf of Matthew Merchant (1981) BLUE Planning &amp; Development on behalf of Station Garage (1983) Scotia Homes Ltd (1985) Strutt &amp; Parker LLP on behalf of The Millbank Regeneration Joint Venture (2076) Strutt &amp; Parker LLP on behalf of Aberdeen Endowments Trust (2077) Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2102) Strutt &amp; Parker LLP on behalf of BMF Group (2104) Strutt &amp; Parker LLP on behalf of Kincardine Estate (2106) Strutt &amp; Parker LLP on behalf of Monymusk Estate (2107) Scottish Government (2142) Halliday Fraser Munro on behalf of Deveron Homes Ltd &amp; Aberdeenshire Housing Partnership (2157, 2162) Mark Calder (2216) Susan Bennett (2218)</p>	
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken for the control of design in new developments, including compliance with Climate Change legislation, the use of masterplanning, and open space requirements.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Support</u> <b>1985:</b> Policy 8 generally supported. Pleased to see that more importance is being placed on improving the standards of design in all new development.</p> <p><u>Use of Supplementary Guidance</u> <b>607, 626, 1112, 1118, 1440, 2702, 2731, 2732, 2733:</b> Object to the policy due to the lack of detail contained within it, and this being provided by the 11 pieces of non-statutory supplementary guidance. Circular 1/2009 states that Development Plans must contain detailed policies where the main principles are established. The supplementary guidance should then cover the detailed justification or methodologies that are referred to within the Local Development Plan policy.</p>		

Reference to a list of supplementary guidance with no policy context is completely inappropriate and will not provide the level of certainty required by the planning guidance. One respondent states that the Plan should set out the Council's policies on design and physical form of development rather than make reference to a commitment to good design, or development (**607**).

**618, 2696:** A very simple policy context for the Council's preferred approach to the layout, siting and design of new development should be contained within the Proposed Plan as policy. Supplementary Guidance Layout, Siting and Design 2: Layout, siting and design of a new development should be deleted. Or the supplementary guidance should be retained if there is a suitable policy context against which to assess proposals in the Local Development Plan.

**622, 2694:** This Local Development Plan must provide clear policy direction and be consistent with objections lodged elsewhere to the Supplementary Planning Guidance.

**1118, 2731:** The balance between simplification and the provision of a useful planning network is not correct in terms of this policy and the Proposed Plan. Not enough information or clear policy direction has been provided, with the detail being found in the supplementary guidance. The respondent also feels there is too much critical policy within the supplementary guidance.

**1440:** Concerned that the supplementary guidance can be amended, deleted and replaced without the same level of scrutiny that the Local Development Plan policy is given.

**617, 2697:** The principles of masterplanning have to be clearly set out and included within Policy to ensure that they are fully tested at Examination. Currently Supplementary Guidance Layout Siting and Design 1: Masterplanning outlines a process for masterplanning rather than the principles that will be applied. The problem with a very brief policy context in the Proposed Plan, then producing Supplementary Guidance to better describe that policy, is that there is in reality actually no overall policy context for the Supplementary Guidance to draw upon. Designing Places (page 35) clearly states that an effective Proposed Plan will set out concisely the local authority's priorities in relation to design, leaving the detail to be provided in Supplementary Guidance documents.

**1118:** Whilst detailed material relating to masterplans should be contained within supplementary guidance, there is currently insufficient appropriate context within the Local Development Plan, and so the entire masterplanning policy should be included within the main Local Development Plan (see Issue 2).

**2157, 2162:** Design standards are not set out in the policy, with the supplementary guidance not being prescriptive enough. The justification which follows the supplementary guidance refers to Designing Streets and Planning Advice Note 67: Housing Quality. However, it does not detail how Government guidance and policy has been distilled into guidance at a local level.

**1979:** No objection to this general policy. Comments have been made on the associated supplementary guidance and request that these are fully considered and the Plan modified accordingly.

**621:** The Proposed Local Development Plan does not provide clear policy direction with regard to public open space. It should be included as a policy within the Proposed Plan to give it the weight of importance that it deserves.

## **Climate Change**

### Climate Change Act and supplementary guidance

**251, 602, 616, 2216:** The proposed Local Development Plan does not comply with the requirements of the Climate Change (Scotland) Act 2009, because two respondents state a single fixed reduction is quoted instead of specifying a reducing scale of climate change emissions from all new buildings (**602, 616**). Another respondent states that the carbon neutrality section is out of date (**251**). One respondent (**2216**) states there is nothing in the plan relating to predicted carbon dioxide emissions which should, according to the Act, be reduced by at least 30%.

**2218:** One respondent feels that Supplementary Guidance Layout, Siting and Design 11: Carbon neutrality in new development should not be in the supplementary guidance and should be part of the Proposed Local Development Plan.

Use of low and zero- carbon-generating technologies to reduce carbon emissions

**1118, 1489, 1664:** There is no definition of “zero-carbon generating and other low carbon technologies”, and targets should not be set over the life of the plan (up to 2023). It should be clear that developments will be considered or assessed on their carbon emission standards and technologies against the current Building Standards at the time of the planning application. One respondent feels it is inappropriate to fix the basis for assessing developments, and the Local Development Plan needs to avoid prescribing standards which may conflict with relevant building standards/regulations which will apply at the time of construction of the development (**1664**).

**2142:** The policy is unclear about what specified proportion of carbon dioxide emissions will be saved through the use of low and zero-carbon generating technologies, and how this proportion will rise over time, as required by the Climate Change Act. It also appears to allow the use of non-generating low carbon technologies (e.g. insulation) to avoid these emissions, which is not the requirement in Section 72 of the Act. The energy efficiency of new buildings required by building standards will increase within the plan period, and an option could be for the Local Development Plan Policy to refer to building standards as a means of addressing the Act's requirement, to avoid a specified and rising proportion of emissions. But this does not obviate the need to require low and zero-carbon generating technologies, which is not required by building standards. The policy does not have to refer to all new developments; Section 72 of the Act only requires new buildings to avoid the proportion of projected greenhouse gas emissions. But the Scottish Government are not opposed to Aberdeenshire Council going further in this regard if they wish. The Local Development Plan or Supplementary Guidance should set out the approach for alterations and extensions to existing buildings, including historic buildings, and to circumstances where there are demonstrable technical constraints to available technology, in accordance with paragraph 44 of Scottish Planning Policy.

Use of low and zero- carbon-generating technologies in residential developments

**1118, 2731:** The use of low and zero-carbon generating technologies is not appropriate in new residential developments. The building design, materials, insulation, siting, orientation and construction have the potential to offer a more effective approach to CO2 reductions.

**1112:** The home building industry is fully supportive of the sustainability agenda in Scotland, particularly the need to reduce the energy consumption and limit further growth in carbon emissions. Homes for Scotland's view, however, is that the home building industry is already vastly outrunning other sectors in its effort to reduce carbon.

**Masterplanning**

Protecting environmental features

**532, 867:** The policy should ensure that the sensitive environmental features of a site are retained in the layout, siting and design of new development, avoiding the situation of these being considered post site clearance. The reduction of greenhouse gas emissions can also be achieved by careful masterplanning and through ensuring the layout, siting and design of a new development is not car dependent.

Approval of masterplans etc at Local Area Committees

**929, 1981, 1983:** Support the use of Masterplans, Development Frameworks and Development briefs as a means of improving the standard of design of new developments. The respondents object to the requirement that these design tools are agreed in advance by the Local Area Committee. Quality of design is now a material consideration which can warrant the refusal of planning permission. There seems to be no justification for this agreement in advance of design tools by the Local Area Committee which can significantly delay proposals going through the planning system.



Public consultation

**1024, 2076, 2077, 2102, 2104, 2106, 2107:** Support the need to improve design in new development. However, respondents do not feel it is appropriate for the Local Development Plan to introduce a level of public consultation that goes above and beyond the level of public consultation as required by the Town & Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

**Open Space**

Open space requirement

**1391, 1489, 1830, 1837, 1873, 1874, 1919, 1923, 1924, 2114, 2123, 2145, 2151:** The requirement for 40% of open space for each site area is unreasonably high and with other developer requirements will make developments unviable. Some respondents also feel it will have a detrimental impact on land values in Aberdeenshire (**1830, 1837, 2114, 2123**).

**1391, 1489, 1827, 1842, 1873, 1874, 1923, 1985, 2145:** There is no justification or evidence for the 40% of open space for each site area requirement. The Council only have a draft Parks and Open Space Strategy at this stage which does not currently meet the requirements of Scottish Planning Policy. Some respondents also state that the open space requirement conflicts with other planning policy aims, such as the efficient use of land, the provision of a range and choice of housing sites and types and achieving design quality (**1873, 1874, 1923, 2145**). Some respondents state the Fields in Trust (formerly national Playing Fields Association) standard of 6 acres of open space should be applied for every 1000 people for major developments over 50 units, as this would be an appropriate evidence base to use (**1489, 1827, 1842**).

**1985:** The implication in the policy wording is that the 40% open space requirement will apply to each site, which is misleading and may result in inappropriate areas of open space being made available in developments that really do not need such an allocation.

**1112:** It is the quality of open space that should be the focus, not the quantity.

**1024, 2076, 2077, 2102, 2104, 2106, 2107:** Object to the 40% open space requirement as it goes above and beyond any Government guidance, and will likely result in the under-provision of housing; and more focus, particularly in rural areas, should be directed to providing central, multipurpose, open space and improving/enhancing existing provision where possible.

**1830, 1837, 1873, 1874, 2114, 2123:** The 40% requirement of open space for the whole of Aberdeenshire is too generic. Some areas will end up with an over supply where it is not required, and under supply in other settlements where demand is higher. It should be targeted to communities with an identified shortfall.

Maintenance of open space

**1830, 1837, 2114, 2123:** The policy and the associated supplementary guidance fail to state the type of open space that should be provided by development. Increasing the amount of open space will also add to the problem of maintenance of open space areas. To alleviate this problem it has been suggested developers lodge bonds with local authorities, but concern is raised with this option due to it being costly and has yet to be proven to be effective.

**Use of Section 75 Agreements and bonds, including maintenance of open space**

**1664:** Raises concern with the final sentence in the box of Policy 8 which indicates that the Council may use Section 75 Agreements and bonds to secure the results of the policy on a continuing basis. The matters this policy covers are not necessarily appropriate for a legal agreement and should be able to be addressed through condition. This sentence appears to provide policy and thus statutory approval for the Council to request a Bond from landowners/developers in a variety of circumstances, but it is not clear what purpose the Bond serves.

**Other**

Contaminated land

**570:** The issue of contaminated land is too important to be left solely to supplementary guidance. The aim of this policy would be to bring contaminated land back into use, thereby effectively reducing the number of sites within Aberdeenshire, whilst ensuring public health and safety is not compromised.

Inclusion of “all development”

**1947:** Object to the use of the wording “all development” in Policy 8. This is to avoid development such as larger renewable energy projects being expected to comply with policies and guidance which are clearly written for urban/domestic situations.

**Modifications sought by those submitting representations:**

Use of Supplementary Guidance

**607, 1440:** Each supplementary guidance under this policy to be made into their own policy in the Local Development Plan.

**621, 622, 626, 1112, 1118, 2218, 2694, 2702:** Respondents feel certain supplementary guidance should be included as policy in the Local Development Plan.

**626, 2702:** The content of Supplementary Guidance Developer Contributions 2: Access to new development must be included in the Proposed Plan as policy rather than within the supplementary guidance. In addition to being made a policy, it should be relocated from the ‘Developers Contributions’ section into the ‘Layout, Siting and Design of New Development’ section. This is due to it being a detailed design matter.

**617, 2697:** The principles for masterplanning should be clearly set out within Policy 8 of the Proposed Plan. Supplementary Guidance Layout, Siting and Design 1: Masterplanning should be deleted.

**618, 2696:** Include the Council’s preferred approach to the layout, siting and design of new development within the Proposed Plan. Delete Supplementary Guidance Layout, Siting and Design 2: Layout, Siting and Design of a New Development. Or it can be retained as supplementary guidance, but only on the basis that a suitable policy context has been put in place in which proposals can be assessed against.

**1440:** Further detail needs to be incorporated into Policy 8, as currently it offers nothing which a proposal can be assessed against, other than a link to supplementary guidance which may not be subject to the level of scrutiny that a Local Development Plan is required to undergo by statute.

Climate Change

**251, 602, 616, 2216, 2218:** Delete the penultimate paragraph of Policy 8, which is the final paragraph of page 13 in the Proposed Plan.

**602, 616, 2218:** Addition of a new Policy 9 as undernoted and renumbering of subsequent policies to comply with Section 72 of the Climate Change (Scotland) Act 2009: “Policy 9 reducing greenhouse-gas Emissions from New Buildings” – “All new buildings must reduce the predicted carbon dioxide emissions standard. After 2012 the reduction must be at least 60 per cent, after 2014 the reduction must be at least 90 per cent, and after 2016 the reduction must be 100 per cent (no emissions)”. One respondent states the policy should read: “All new buildings must reduce the predicted carbon dioxide emissions by at least 30 per cent beyond the 2007 Building Regulations carbon dioxide emissions standard. After 2012 the reduction must be at least 60 per cent, after 2014 the reduction must be at least 90 per cent, and after 2016 the reduction must be 100 per cent (no emissions).”

**1489:** Delete from the second last paragraph in the box of Policy 8: “We will assess this on the basis of the installation and operating of zero-carbon generating and other low carbon technologies in the approved design for the specific development”.

**2142:** Change paragraph 3 of Policy 8 to meet the requirements of Section 72 of the Climate Change (Scotland) Act. This includes: Specifying the proportion of greenhouse gas emissions that need to be avoided; Identify at least one step in this proportion within the plan period so that, over time, new buildings avoid a rising proportion of emissions; Require the achievement of this emissions avoidance through the operation of low and zero-carbon technologies, as opposed to 'zero carbon generating and other low carbon technologies' as stated in the proposed policy (i.e. the low carbon technologies must be generating technologies too).

#### Masterplanning

**607, 617, 2697:** The Proposed Plan must set out the Council’s vision for how the area will develop and summarise the most important features of the area’s character and identity. It should therefore set out key design policies and how the planning process should deal with design such as specifying where urban design frameworks and masterplans are needed and in what circumstances a development brief should be prepared. The plan should also specify what degree of detail will be expected in planning and design guidance, what level of detail is required for different stages of the planning application process, and when design statements are needed. It should also specify which areas or sites need guidance with the status of supplementary guidance and how that guidance should be prepared.

**532, 867:** There should be reference to new development ‘working with the grain of nature’ so that the sensitive environmental features of a site are retained in the layout, siting and design of any new development. When reference is made to Supplementary Guidance Layout, Siting and Design 11: Carbon neutrality in new development with regard to the Climate Change (Scotland) Act 2009, in the final paragraph of page 13 in the Proposed Plan, Supplementary Guidance Layout, Siting and Design 1: Masterplanning, and Supplementary Guidance Layout Siting and Design 2: Layout, siting and design of new development should also be referenced, as greenhouse gas emission reduction can also be achieved by careful masterplanning and through ensuring the layout, siting and design of a new development is not car dependent.

**929, 1981, 1983:** Remove reference to “previously agreed” development frameworks, masterplans and/or development briefs.

**1024, 2076, 2077, 2102, 2104, 2106, 2107:** The words, “...appropriate public consultation...” (1<sup>st</sup> paragraph) should be amended to read, “...public consultation in line with the hierarchy of development...” for clarity and the avoidance of doubt.

#### Open Space

**1024, 1112, 1391, 1489, 1827, 1830, 1837, 1842, 1873, 1874, 1919, 1923, 1924, 1985, 2076, 2077, 2102, 2104, 2106, 2107, 2114, 2123, 2145, 2151:** Delete the 40% requirement for open space in each site, from the final paragraph of the policy. Some respondents feel this provision should be replaced at a lower level of 30% (**1024, 2076, 2077, 2102, 2104, 2106, 2107**). One respondent would also like the whole policy deleted (**1391**).

**1830, 1837, 2114, 2123:** The open space contribution should remain as per the extant Local Plan at 40 sq.m. per unit which increases where there is a specific need identified. This would be similar to the affordable housing policy which identifies areas of specific need and allocates contributions accordingly, stating the type of open space to be delivered. This would ensure the right type of open space is delivered to the right area.

#### Use of Section 75 Agreements and bonds, including maintenance of open space

**1664:** Any need for a Bond should be covered through discussions pursuant to Policy 9 and not pursuant to Policy 8. This matter should be omitted from Policy 8.

**Other**

**570:** Insert a new Policy 15 Contaminated Land to read: “We will approve development on land that is contaminated, or suspected of contamination, subject to other policies, if: (1) The necessary site investigations and assessments are undertaken to identify any actual or possible significant risk to public health or safety to the environment, including possible pollution of controlled waters, that arise from the proposals, and (2) Effective remedial action is taken to ensure that the site is made suitable for the new use, in scale with the nature of the proposal. There may however be situations where the anticipated benefits of remediation are significant enough for them to take priority over other policy objectives and a high value end use is essential to make remediation viable.”

**1947:** Replace the words “all developments” with “where appropriate, developments should.”

**Summary of responses (including reasons) by planning authority:**

Overview

Policy 8 provides a context for a number of elements of supplementary guidance that aim to improve the location, siting and design of new developments. The policy contributes to a number of the objectives of Scottish Planning Policy, and especially those relating to climate change, open space, flooding and design.

The policy is appropriate and sufficient for the purposes of the aims and objectives of the Structure Plan. The development of the policy was informed by the paper *Issues and Actions Volume 1 “Objectives, Policies and Strategy”* (P50-52), which was informed by the Main Issues Report consultation.

The support for improved design is welcomed.

Use of Supplementary Guidance

These objections essentially ask for this issue to be dealt with as it has been in the past. However, the Government has specifically introduced a new Act and new Regulations to change this, deliberately simplifying what the Local Development Plan itself has to contain. (see para. 39 of Scottish Planning Policy)

The policy is both appropriate and sufficient for the purposes of masterplanning and providing sufficient detail for supplementary guidance. Scottish Planning Policy, paragraphs 85 and 256 allows supplementary guidance to address issues such as design. The Council’s position on the level of detail within the policies and supplementary guidance is discussed below. Furthermore, *Designing Places* makes reference to the “development plan” in the context of providing a design vision for the area, not specifically the Local Development Plan, so it includes the role of supplementary guidance.

It is not necessary to duplicate advice on design standards when they are appropriately set out in *Designing Streets* and Planning Advice Note 67: Housing Quality.

The Scottish Environment Protection Agency’s comments on the supplementary guidance do not result in any change to Policy 8.

**Climate Change**

Climate Change Act and supplementary guidance

The policy interpretation of section 72(3F) in the Climate Change (Scotland) Act 2009 is both sufficient and appropriate, as it sets out the principles of reducing greenhouse gas emissions in new development and uses supplementary guidance, *SG LSD11 Carbon neutrality in new development*, to set out the detail. The supplementary guidance is part of the development plan, and it is not necessary to have all the detail contained in the Plan itself (e.g. to specify the proportion of greenhouses gas emissions that will be avoided in Policy 8). It is argued by some respondents that much of the detail in supplementary guidance should be part of the plan. However, the concise

nature of Policy 8 conforms to Circular 1/2009 (paragraphs 39 and 93 to 99) in so far as it clearly sets out the plan's intent for the layout, siting and design of new development, and uses supplementary guidance to set out the detail on how new development would meet Policy 8. The Council's position on the level of detail within the policies and supplementary guidance is discussed further in Issue 2: *Process and format*. It concludes that to introduce additional material from the supplementary guidance into the policies would result in a plan that would not be concise, and could lead to interpretation that some elements were of greater importance or weight than others. Instead a clear distinction is provided between principles and details.

Including targets to reduce greenhouse gas emissions in Policy 8 risks pre-empting what future building regulations will require, especially as they continue to be revised. The advantage of providing much of the detail in supplementary guidance rather than in the plan is that it can be amended when this becomes necessary.

However, in light of the comments received on Policy 8 on climate change, an alternative solution to delivering the Climate Change (Scotland) Act 2009 could be considered to assure both the Structure Plan objective on Sustainable development and climate change (page 16), and paragraph 44 in Scottish Planning Policy. However, going into specific detail risks writing a policy that could become outdated by amendments to Building Regulations before the plan is reviewed. It is more appropriate that the supplementary guidance, which is part of the local development plan, provides much of the detail, which can be kept up-to-date and remain relevant to national policy and legislation.

Use of low and zero- carbon-generating technologies to reduce carbon emissions

A glossary is proposed as planning advice. Supplementary guidance LSD11 "Carbon neutrality in new developments" has been amended to provide definitions of low and zero carbon generating technologies.

In the policy zero-carbon generation technologies are referred to in addition to low-carbon generation technologies to focus developers' attention on reducing greenhouse gas emissions as much as possible. Supplementary guidance LSD11 prioritises the use of non-generating technologies to reduce carbon emissions in Appendix 1 rather than low and zero carbon generating technologies. Therefore, to promote the generation of on-site low and zero generation technologies more prominently in supplementary guidance LSD11, and to specify the proportion of carbon emissions to be saved by these technologies, reference has been made to the proposed sustainability labelling for building standards. This requires new buildings to include low or zero carbon generating technologies.

The Scottish Government's support for referring to all new developments in the policy rather than only 'new buildings' is welcomed.

Supplementary Guidance LSD11 sets out the approach for alterations and extensions to existing buildings and the circumstances where there are demonstrable technical constraints to available technology, in accordance with paragraph 44 of Scottish Planning Policy.

Use of low and zero- carbon-generating technologies in residential developments

The Climate Change Act refers to all new developments, which includes houses. The policy would not conform to the Act if houses were excluded from the policy.

The comments expressed by Homes for Scotland (1112) are noted. Aberdeenshire Council would welcome a hearing to resolve objections to this issue.

**Masterplanning**

Protecting environmental features

The point raised in relation to the need to retain sensitive environmental features is noted, but it is more appropriately addressed in Policy 11 Natural Heritage. The principle of Policy 8 is to focus on design, and to avoid duplication of policy advice, issues affecting natural heritage (or landscape

character) are sufficiently dealt with in separate policies in their own right. All new development has to conform to the policies and supplementary guidance in the plan, where necessary.

The contribution good layout and design can make to reducing carbon emissions by maximising the use of public transport is noted. The spatial strategy identifies the most appropriate locations for development that would be less dependent on the car along key transport corridors (i.e. the strategic growth areas).

#### Public consultation and approval of masterplans etc at Local Area Committees

Development frameworks, masterplans and development briefs will be used to inform decisions on the appropriateness of a proposal for development. Therefore, they require to be subject to community engagement, like the development plan, and be approved prior to their use to assist in determining a planning application. The intention is that the approach to these issues is resolved before detailed design work starts, not after a planning application is submitted with all the design work already done. It should therefore ease the process of applying, not slow it down; and it should avoid much frustration and abortive work.

#### **Open space**

##### Open space requirement

The *Parks and Open Space Strategy* (see paper apart, January 2011) identifies that on average open space within settlements ranges between 35% and 45%. This strategy drew upon a full quantitative and qualitative audit of open space across Aberdeenshire in 2008, in accordance with original requirement in Scottish Planning Policy 11: *Open space and Physical Activity* (now the combined Scottish Planning Policy). Supplementary guidance SG LSD5: *Open space*, paragraph 3, sets out the nature of “open space”. Respondents may not have considered that this can include elements of urban design which are generally required by other statutes, such as sustainable urban drainage systems, other elements of Scottish Government Policy, such as “play streets”, core paths, and Woodlands for People, low maintenance and community based features such as allotments, as well as formal recreation areas. In light of this, and the existing level of open space within settlements, the percentage of the open space requirement for major developments is appropriate and sufficient.

Regarding the viability issue/under provision of housing numbers, all the allocations have been increased to account for the 40% open space requirement.

The need to focus on identifying quality open space is welcomed, and the hierarchy and standards (type) of open space required for each scale of development is provided in Appendices 1 and 2 of the *Parks and Open Space Strategy*.

#### **Use of Section 75 Agreements and bonds, including maintenance of open space**

The *Parks and Open Space Strategy* provides a flexible approach to how open space is maintained, and the use of bonds is only one option. Bonds and section 75 agreements can be used for any purpose (e.g. open space, remove contaminates) and are mentioned in the policy, as it provides the context to implement the supplementary guidance.

#### **Other**

##### Contaminated land

Land contamination is not a major issue in Aberdeenshire and it does not require the priority sought. Other policies in the plan support development on brownfield sites, including Policy 3 *Development in the countryside*. Supplementary guidance LSD10 *Contaminated land* sets out when it would be appropriate for development to occur on contaminated land in support of its re-use.

##### Inclusion of “all development”

Policy 8 applies to all development. For instance, proposals such as wind farms will have an impact depending on their location, siting and design (e.g. loss of open space, impacts on paths, affected by flooding or erosion, affect hazardous or contaminated land). However, not all 11 elements of supplementary guidance listed under Policy 8 will be relevant or applicable to every type of



development.

**Conclusion**

None of the modifications proposed are supported. The policy already provides an appropriate and sufficient level of detail on the layout, siting and design of new developments in Aberdeenshire. However, in light of the comments received on Policy 8 on climate change, some changes have been made supplementary guidance LSD11.

**Any further plan changes commended by the planning authority:**

No change to the plan is proposed.

The following changes have been made to Volume 3C Supplementary Guidance: Policies:

The supplementary guidance SG LSD 11: *Carbon neutrality in new development* has been amended as follows

Break up the first paragraph and add new text:

“A. We will approve new development intended for human occupation, subject to other policies, if:

- 1) the predicted carbon dioxide emissions are reduced by at least 30% beyond the 2007 building regulations’ carbon dioxide emissions standard; AND
- 2) it is demonstrated that it will achieve a Bronze rating under Section 7 of the building standards Technical Handbook.”

Add at the end of the first paragraph in the justification text, “and requires new buildings to achieve a sustainability label (minimum Bronze) as set out in Section 7 of the building standards Technical Handbook.”

Add a new paragraph, after the first paragraph in the justification text “Reducing emissions through the location, siting, design, orientation, materials and insulation to create an energy efficient building are important factors. However, new developments must also meet the requirements of Section 72 of the Climate Change (Scotland) Act 2009, and install low and zero-carbon generating technologies from renewable resources (e.g. wind, solar or district heating scheme). To achieve a bronze rating a new building must include some low or zero carbon generating technology within the compliance calculation.

Add a new sentence at the end of the third paragraph in the justification text: “All new buildings must reduce the predicted carbon dioxide emissions by at least 30 per cent beyond the 2007 Building Regulations carbon dioxide emissions standard. After 2012 the reduction must be at least 60 per cent, after 2014 the reduction must be at least 90 per cent, and after 2016 the reduction must be 100 per cent (no emissions).”

In Appendix 2, amend the documents listed under *References and further reading*.

**Reporter’s conclusions:**

**Use of supplementary guidance**

1. The Town and Country Planning (Scotland) Act 1997 (as amended) confirms the meaning of “development plan”. In section 24 the Act states that the meaning includes the provisions of any strategic development plan (if within such an authority), any local development plan, and any supplementary guidance issued in connection with either aforementioned plan. Section 22 of the Act provides the process for the adoption and issuing of supplementary guidance. Thus, the Act gives significant weight to the use and content of supplementary guidance processed through this statute.

2. Regulation 27(2) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 states that supplementary guidance adopted as part of the development plan, “may only deal with the provision of further information or detail in respect of the policies or proposals set out in that plan and then only provided that those are matters which are expressly identified in a statement contained in the plan as matters which are to be dealt with in supplementary guidance.”

3. Planning Circular 1/2009 on development planning advises that, “Scottish Ministers’ intention is that much detailed material can be contained in supplementary guidance, allowing the plans themselves to focus on vision, the spatial strategy, overarching and other key policies, and proposals.” Providing there is an appropriate context in the local development plan, suitable topics for supplementary guidance include detailed policies where the main principles are already established.

4. Representations to the proposed Aberdeenshire Local Development Plan seek the inclusion of detail from supplementary guidance on eleven topics (masterplanning; layout, siting and design of new development; house extensions; infill development; public open space; public access; community facilities; flooding and erosion; hazardous development; contaminated land; and carbon neutrality in new development) into the Plan.

5. Issue 2 addresses the format of the proposed plan and the use of supplementary guidance. In relation to policy 8, the proposed plan provides recognition that good design is a product of a complete and effective design process covering a range of factors. The policy is positive in that it supports new development on allocated sites, where it conforms to design guidance. All development is to be assessed using appropriate standards set out in supplementary guidance, which the council is committed to delivering.

6. Policy 8 provides a broad approach outlining the council's main principle of achieving high-quality design in Aberdeenshire. The policy is concise and the Plan is focused on delivering its vision and spatial strategy, an approach in accord with the regulations.

7. The Scottish Government’s statement on Designing Places advises what design details should be contained in development plans. It advises that an effective plan will set out concisely the local authority’s priorities in relation to design, leaving the detail to be provided in guidance documents. Designing Places was published in 2001 before the amended Act. It refers to the development plan, which now includes supplementary guidance. The approach in policy 8 is consistent with this policy document.

8. The Plan omits mentioning Designing Streets and Scottish Government Planning Advice Note 67 on housing quality but the principle of achieving high-quality design incorporates the provision of quality streets and housing. Policy 8 is sufficient without direct reference to these documents. In any event, these documents remain material considerations when determining planning applications.

9. Policy 8 is clear in its objectives and approach. The supplementary guidance would form part of the development plan, which is appropriate in the context of the amended Act, regulations and circular. There is therefore no need to incorporate the supplementary guidance into the Plan.

**Climate change**

10. A hearing session held on 8 September 2011 informed the conclusions below.

11. Representations seek compliance with the provisions of The Climate Change (Scotland) Act 2009. Separately, recognition of carbon neutrality targets set and agreed by the council is also sought.

12. Section 72 of the Climate Change (Scotland) Act 2009 inserts section 3F into the Town and Country Planning (Scotland) Act 1997 (as amended) as follows: “A planning authority, in any local development plan prepared by them, must include policies requiring all developments in the local

development plan area to be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.”

13. The explanatory text to the Climate Change (Scotland) Act confirms that local development plans must contain greenhouse gas emissions policies to ensure that *all new buildings* are designed to contribute to energy efficiency by the installation and operation of low and zero-carbon generating technologies.

14. Scottish Government Circular 1/2009 on development planning, which was published six months before the Climate Change (Scotland) Act, does not include matters concerning climate change in its list of matters which should be included in local development plans, and not in supplementary guidance. Scottish Planning Policy (paragraph 44) follows the requirement of section 72 but also observes that policies should accord to standards, guidance, and methodologies of building regulations.

15. Proposed policy 8 provides a statement that all new developments are required to produce ever-lower proportions of greenhouse gases, assessed on the basis of the installation and operation of zero-carbon generating and other low carbon technologies in the approved design. Supplementary guidance SG LSD11: Carbon neutrality in new development would require new development intended for human occupation to achieve at least a Bronze Active rating under section 7 of the building standards Technical Handbook. This standard requires carbon savings to be met through the installation and operation of low and zero-carbon generating technologies.

16. The council agreed at the hearing session that the policy should refer to all new buildings not all new developments to be consistent with the Act. The council also conceded that the wording should be revised to include low and zero-carbon generating technologies, as low carbon non-generating technologies alone would not meet the requirements of the Act. Accordingly, these changes are recommended.

17. Although representations seek the inclusion of a means to avoid a specified and rising proportion of greenhouse gases, none provide a specified or rising proportion to insert into the policy.

18. The council made concessions at the hearing session but was unable to recommend a specified proportion for incorporation in the Plan. Reference was made to the proposed (as amended) supplementary guidance which requires new buildings to meet the building regulations Bronze Active sustainability label. The council suggested that the requirement could be changed to the more stringent Silver Active label in the future, providing a rising level to be met. However, these labels only apply to dwellings and the building standards are reviewed on a regular three year basis. Thus, any reference to a set standard/label may become obsolete as a consequence of changes in future building standards reviews before the Plan can be reviewed itself, unlike supplementary guidance which could respond to change more quickly. Consequently, the council and representees attending the hearing were reluctant to include such a standard in the Plan.

19. Others at the hearing suggested a figure consistent with the council’s commitments to carbon neutrality by 2016, starting with 30% and rising to 100% by 2016. However, as noted in the hearing session, these figures do not relate solely to the installation and operation of low and zero-carbon generating technologies but all means of avoiding greenhouse gas emissions, including insulation and other energy efficiency measures.

20. An argument pursued at the hearing was that the requirement is solely for a policy to be included in the Plan and that an appropriate response to changing building standards would be to provide the detail of any proportions in supplementary guidance. One interpretation is that the wording of section 72 (or 3F) does not require that a specified and rising proportion is stated in the local development plan but only that policies must be included which set such a requirement.

Although this approach does not meet the expectations of the representation by the Scottish Government, the examination has been provided with no evidence which would allow a specified and rising proportion to be included into the Plan. It would be unsafe and inappropriate to insert such a specific requirement in the Plan without the evidential basis for doing so.

21. A policy is provided in the local development plan which requires all new buildings to meet the requirements. The specified and rising proportion of projected greenhouse gases to be avoided by the installation and operation of low and zero-carbon generating technologies could be set out in supplementary guidance, as the topic and the principles of climate change and a need to avoid greenhouse gases are raised in the local development plan, setting out an appropriate context for supplementary guidance to follow.

22. In the absence of any specified or rising proportion, an appropriate and pragmatic response would be to amend the text accordingly and provide the details of how to avoid a specified and rising proportion of greenhouse gases from new buildings in supplementary guidance, which would ultimately form part of the development plan alongside the local development plan and would be scrutinised by Scottish Ministers before adoption, with equal weighting in planning decisions. This approach is not ideal but will allow the Plan to proceed without undue delay.

23. Separately, representees requested a new policy on reducing greenhouse gas emissions from new buildings following the targets set out in approved Aberdeen City and Shire Structure Plan and committed to by the council following their The Bigger Picture report. The draft supplementary guidance refers to The Bigger Picture and the council's commitment to ensuring carbon neutral buildings by 2016. However, I consider it would be appropriate to include a statement of the council's intent within the Plan to demonstrate further compliance with their climate change duties.

#### **Masterplanning**

24. Policy 8 requires development to go through a complete and effective design process to allow high-quality development. Applicants should therefore respond to the environmental constraints and attributes of each site and its surroundings. The development plan should be read as a whole, and other policies within the local development plan make suitable provision for the protection and enhancement of both the natural heritage and landscape. Therefore, no reference to development 'working with the grain of nature' is required.

25. As suggested by the Scottish Wildlife Trust, greenhouse gas savings can be made through the layout, siting and design of development and not solely through the installation and use of zero and low-carbon generating technologies. The council has acknowledged this by reference to the use of other low carbon technologies in development design (insulation and orientation for example). No reference to SG LSD 1 or 2 is therefore required in the climate change supporting text. However, I consider the intent of the council could be made more explicit and a change is recommended.

26. Policy 8 supports development on sites allocated in the Plan, where they conform to a previously agreed development framework, masterplan and/or development brief. Brodies Countryfare Limited suggests the deletion of the words "previously agreed", as waiting for such agreement can lead to complication and delay in the planning process. This part of the policy only applies to those sites allocated in the Plan. The intent of the council is clearly stated that any required design document should be agreed in advance. Such a statement would allow any potential developer to anticipate the requirement and plan for it alongside any other pre-application requirements. It is appropriate for the council to have a level of control over such design documents, as they are dynamic and ultimately help determine the design of developments built. The wording should therefore remain.

27. The policy also requires developments to be assessed using a process that includes appropriate public consultation. Representations seek additional wording to avoid additional consultation requirements which go beyond those set in regulation. The policy is therefore proposed to read, "appropriate public consultation in line with the hierarchy of development".

28. No consultation requirements are set out in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, as suggested in representations. The Town and Country Planning (Scotland) Act 1997 (as amended) requires a proposal of application notice 12 weeks in advance of the submission of planning permission or planning permission in principle for national and major applications, as defined by the above regulations and its associated circular. Such a notice sets out the applicants proposals for consultation. The council can suggest amendments to suggested consultation where these are reasonable. Consultation may not be required for some developments, for instance those which fall outwith the hierarchy thresholds, or could be modified to accommodate circumstances. The wording within the Plan is therefore sufficient and appropriate. It should remain unchanged.

29. Although not summarised by the council, representations also suggest that areas which may have a masterplan, produced as supplementary guidance with a statutory basis, should be specifically identified. The introduction to the policies section of the local development plan states that the council may produce other supplementary guidance to support the Plan, but will only do so if identified within a policy. Scottish Government circular 1/2009 on development planning allows detailed material to be contained in supplementary guidance, including masterplans, where there is an appropriate context in the local development plan. It also only allows supplementary guidance to cover topics specifically identified in the local development plan as topics for supplementary guidance.

30. There is reference in policy 8 that the council “may produce additional supplementary guidance for specific sites, to provide a statutory basis for putting the masterplans into practice.” However, this statement is unspecific in that no actual sites are identified and is indefinite in that an action *may* occur rather than *will* occur, as is the terminology used when the council refers to any other piece of supplementary guidance. The statement provides a level of uncertainty as it is not known which sites may have masterplans prepared for them. On balance, I find that there is insufficient information to provide an appropriate context for supplementary guidance. Designing Places signals that significant weight should be given to non-statutory design guidance where it has been through a consultation process. This approach could be pursued by the council in putting masterplans into practice.

#### **Open space**

31. The representations raised in relation to the provision of open space are fully addressed in Issue 16.

#### **Use of Section 75 Agreements and bonds, including maintenance of open spaces**

32. Elswick Development Company requests the deletion of the use of bonds to secure the results of applying policy 8 on a continuing basis. The council dismisses this suggestion as the use of bonds is one of several options to secure the maintenance of open space, as set out in the Parks and Open Space Strategy. However, in reference to a similar request in Issue 16, albeit to the content of supplementary guidance, the council agrees that bonds are no longer required under the revised Strategy. Therefore, the reference to bonds should be deleted.

33. The representation from Elswick Development Company also refers to the use of conditions to ensure the proper layout, siting and design of development as opposed to a legal agreement, which may not be appropriate in all circumstances. Indeed, Scottish Government Circular 1/2010 on planning agreements suggests, “Where a planning permission cannot be granted without some restriction or regulation the planning authority should firstly consider whether the restriction or regulation can be achieved by the use of a planning condition. Planning conditions are preferable to a planning or other legal agreement, as they are simpler and can potentially save time and money.” Consequently, I find that reference should be made to the use of conditions within the policy.

#### **Contaminated land**

34. National Grid Properties Limited suggests that contaminated land should have a separate policy as it is too important to be left solely to supplementary guidance. A policy is suggested which aims to bring contaminated land back into use. Circular 1/2009 on development planning does not



identify contaminated land as a matter which should explicitly be included in the local development plan. Proposed policy 8 provides a sufficient and appropriate 'hook' to the supplementary guidance on contaminated land, and the draft guidance is positive in its support for the re-use of contaminated land, where appropriate. As the supplementary guidance would, when adopted, form part of the development plan there is insufficient justification to recommend contaminated land is provided with a stand-alone policy.

**Use of “all development”**

35. The policy does apply to all developments but only those elements which are relevant to the particular proposal. A wind turbine application would not be subject to the supplementary guidance on infill development for instance, but the issues of accessibility and layout may be appropriate. It would be for the council at the application stage to consider the standards which reasonably apply to an application. For that reason, “all developments” should remain.

**Reporter’s recommendations:**

Modify the proposed Plan by:

1. Replacing the paragraph beginning **All new developments are required...**with:  
**All new buildings are required to produce ever-lower proportions of greenhouse gases through their siting, layout and design, and the installation of appropriate technologies. Supplementary guidance will provide a standard to achieve the council’s target of carbon neutrality by 2016; a process to enable savings to be demonstrated; a specified and rising proportion of greenhouse gases to be avoided through the installation and operation of low and zero carbon generating technologies for all new buildings; and any exceptions.**
  
2. Replacing the sentence beginning **In furtherance of SG LSD1, we may...**with:  
**In furtherance of SG LSD1, we may produce additional design guidance or planning advice for specific sites, to provide a basis for putting the masterplans into practice.**
  
3. Replacing the sentence beginning **We may also use section 75 agreements...**with:  
**We may also use section 75 obligations or conditions, as appropriate, to secure the results of applying this policy on a continuing basis.**



<b>Issue 16</b>	<b>Public Open Space</b>	
<b>Development plan reference:</b>	Section 5. Policy: Policy 8 Layout siting and Design of new development, (specifically last sentence of the supporting text) (p14) Supplementary Guidance LSD65: Public Open Space	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Kemnay Community Council (218)  Emac Planning LLP on behalf of Stewart Milne Homes (607, 621, 2695)  BLUE Planning &amp; Development on behalf of Brodie Countryfare Ltd (929)  Strutt &amp; Parker LLP on behalf of Faskally Investments (1024, 2086)  Dr Colin Millar (1044, 1046)  Homes for Scotland on behalf of Grampian Housebuilders Committee (1112, 1118)  Wallace Planning Ltd on behalf of Barratt East Scotland &amp; Dunecht Estates (1391, 1401)  Bancon Developments (1440, 1464)  James Benton (1513)  Paull &amp; Williamsons LLP on behalf of Elsick Development Company Ltd (1676)  Halliday Fraser Munro on behalf of CALA Management Ltd (1827, 1842)  Ryden LLP on behalf of Claymore Homes (1830, 1831, 2122, 2123)  Ryden LLP on behalf of Buchan Properties (1837, 2114)  Ryden LLP on behalf of Dunecht Estates (1873, 1874)  Ryden LLP on behalf of Mrs L Bodie &amp; Mrs E Halkett (1892)  Ryden LLP on behalf of Mary Singleton (1912)  Ryden LLP on behalf of Baker Street Properties (1918, 1919, 2151, 2152)  Ryden LLP on behalf of Mr R Ironside (1922, 2146)  Ryden LLP on behalf of Mr &amp; Mrs Goodwin (1930)  Ryden LLP on behalf of Aboyne Castle Farms (1938)  BLUE Planning &amp; Development on behalf of Matthew Merchant (1981)  BLUE Planning &amp; Development on behalf of Station Garage (1983)  Scotia Homes Ltd (1985, 2202)  Strutt &amp; Parker LLP on behalf of BMF Group (2079)  Strutt &amp; Parker LLP on behalf of Mr B Cowie (2080)  Strutt &amp; Parker LLP on behalf of Kincardine Estate (2081)  Strutt &amp; Parker LLP on behalf of The Millbank Regeneration Joint Venture (2083)  Strutt &amp; Parker LLP on behalf of Monymusk Estate (2084)  Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2085)  Paths for All (2139)  Montgomery Forgan Associates on behalf of Strategic Land (Scotland) Ltd (2631)  Emac Planning LLP (2689)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The requirement for all developments to provide at least 40% for open space functions.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Deletion of the requirement and use of a different standard</u>  <b>1391, 1401, 1440, 1464, 1513, 1892, 1912, 1918, 1919, 1922, 1930, 1938, 2146, 2151, 2152, 2689:</b>  These respondents request deletion of the requirement for 40% of major sites to be allocated as open space. There was a lack of any evidence base during the objection period; there is found to be no justification or explanation for an increase on earlier standards, which the reporter into the previous Local Plan found to be adequate. There will be a risk to the viability and deliverability of sites, especially with other infrastructure and community requirements. Land values will be affected, and density requirements of 30dph cannot be achieved. Maintenance is already an issue, and increased costs will become a burden to homeowners, who have not supported this; or to the Local</p>		

Authority when budgets are tight. It is more important to improve quality, suitability and access to existing space. There are concerns that rigid application of 40% will lead to refusal of applications that exceed allocated housing numbers. The requirement conflicts with other policy aims, such as efficient use of land, good design and sustainability and fails to make a distinction between urban and rural areas.

**1676:** objects to the 40% requirement, sharing many of the above concerns and advising it will lead to urban sprawl. Hard landscaping can equally be part of the public realm.

**607, 621, 1112, 1118, 1830, 2114, 2123, 2695:** These respondents share many of the concerns listed above, but specifically request that the Plan reverts to the earlier requirement of 40 sqm per unit. It is contended that masterplanning and consultation with local communities on a site by site basis would be preferable. The SPP refers to quality: it is preferable to have smaller areas, used by residents, than large areas which attract antisocial behaviour. The SPP states that specific requirements should be set out: neither Policy 8 nor SG do this. Some objectors suggest that a retention of the 40sqm, increasing this where a specific need is identified, comparing such a tailored approach with that taken to affordable housing. There is a concern of oversupply.

**1827, 1842:** These respondents request that the 40% requirement be removed, citing many of those concerns above, and that this be replaced with the 6 acre standard. Alternatively, an evidence base should be provided.

**1985, 2202:** These respondents suggest that the 40% requirement be replaced with a reference in the Plan for the need to have an audit of open space. This may result in lower percentage (say, 30%) being more fitting.

**929, 1981, 1983, 1837, 1873, 1874, 2631:** Citing many of the above concerns, but with this emphasising a need for flexibility. Aberdeenshire is largely rural and most residents have relatively easy access to rural areas, so a one size fits all approach is inappropriate. Policy should be targeted and related to assessment of existing provision. Requirement needs to reflect nature of sites and of the development. Rigidity prejudices masterplanning.

**1024, 1985, 2079, 2080, 2081, 2083, 2084, 2085, 2086:** Repeating many of the above concerns, but with a suggestion that overall provision may need to be lowered. Focus should be on providing central multipurpose space and improving existing. Such a high requirement might have been acceptable with an audit. Or, 40% may be acceptable if private gardens were included – but clarification needed on this point.

Other issues associated with the supplementary guidance

**1831, 2122:** These respondents raise specific concerns about the H1 site in Fraserburgh, which will be required to deliver 40% open space, in addition to site R4 also included in land holdings(See issue 96, Fraserburgh)

**1938** states that site M1 at Aboyne will need to be increased to 19.66 ha in order to accommodate residential densities, should 40% open space provision be required for the site.

**929, 1985, 2202 and 2114:** Respondents raised specific concerns over the requirement for bonds, which together with the high overall requirement for open space could render sites unviable. Bonds are effectively a development land tax, and should meet para 11 of Circular 1/10; issues of taxation are a matter for government and not the LDP (**929**). The provision of bonds will be particularly difficult during an economic downturn.

**218, 2079, 2080, 2081, 2083, 2084, 2085, 2086:** All respondents are concerned at the lack of Appendix 3 referred to in the Supplementary Guidance, as well as, in the case of 218, Appendices 1 and 2. There is confusion over what the Open Space Strategy is, where it can be accessed, and the fact that presentation to Committee appears to be awaited.

**2079, 2080, 2081, 2083, 2084, 2085, 2086:** All advise that the words ‘protected/identified’ should be inserted before open space in Part B of the SG, otherwise windfall developments could be inhibited. A definition of open space in the glossary would assist.

**2139:** encouraged by 40% but finds importance of role of open space for wellbeing of communities has not been highlighted.

**1044, 1046:** seek a strengthening of the plan for protection of existing open space for general public access. Specific concerns in relation to Strathburn Park (P2), Inverurie.

**2079:** refers to inconsistency of wording between the SG and the Plan itself.

Part B

**2079, 2080, 2081, 2083, 2084, 2085, 2086:** All advise that the words ‘protected/identified’ should be inserted before open space in Part B of the SG, otherwise windfall developments could be inhibited. A definition of open space in the glossary would assist.

**Modifications sought by those submitting representations:**

**1391, 1401, 1440, 1464, 1513, 1892, 1912, 1918, 2146, 2151, 2152, 2689:** Delete 40% requirement for open space

**1676:** Delete the requirement to have 40% of all major development sites provided as open space. Amendment to refer to public realm.

**607, 621, 1112, 1118, 1830, 2114 and 2123, 2695:** Replace requirement for 40% of sites to be set aside for public open space with the Aberdeenshire Local Plan (extant) requirement of 40sqm per unit.

**1827, 1842:** Replace 40% requirement with 6 acre standard, or provide evidence base.

**929, 1981, 1983:** SPG Policy SG LSD5 Public Open Space should be amended as follows:

*“A. We will approve new **housing** development, subject to other policies, if...”*

*“2) The area of public open space meets one of the following criteria:*

*i) in the case of major **housing** development (of 50 or more dwellings) **it may be appropriate and depending on site circumstances that up to 40% of the site could be provided for open space; or the developer must demonstrate that the site is a constituent part of a development framework or masterplan in which up to 40% of the overall land is provided for open space.”***

**1985, 2202:** Determine percentage of open space after an audit of successful towns in Aberdeenshire. Reference to 40% in the text to be replaced with need to have an audit.

Para 7 of reasoned justification to read:

*In most cases delivery of open space in accordance with the standards and its long term management is likely to be secured through a limitation the planning application, together with the use of conditions. For this purpose Section 75 agreements or arrangements under other statues will be used.*

Wording of paragraph 5 of the reasoned justification to be changed to:

*The open space requirement for each development will be made up of a combination of compulsory and discretionary elements depending on the potential needs of the site, and the most appropriate way of complementing and improving on what already exists. Areas identified as open space must*

*be well located within an overall framework of local open space, properly maintained and designed for this purpose.*

Additional paragraph added to the reasoned justification saying:

*Open space frameworks are an important tool to use to direct the appropriate location of open space in each settlement. Developers will be encouraged to show how the open space provided is proposed to fit into the framework. Specifically, the location of landscaped areas or tree belts should not be used to surround an allocated site or development area and thereby make the future extension of the settlement difficult to achieve, unless this forms part of the landscape framework plan.*

**1837, 1873, 1874, 2631:** Add request to introduce flexibility into open space requirement.

**1024:** replace words ‘appropriate public consultation’ (1<sup>st</sup> para) with ‘...public consultation in line with the hierarchy of development.’

Ensure that any areas where further SG is prepared is referenced in this draft of the Plan to ensure a statutory basis.

Remove requirement for 40% provision of open space and replace with a lower level of provision (perhaps 30%).

**2079, 2080, 2081, 2083, 2084, 2085, 2086:** Clarify whether private gardens are included. If not reduce to, say, 30%. Include this clarity either in the SG subject to consultation or in the Strategy, and delete which ever is no longer required to avoid duplication.

Amend Part B to provide clarity that it applies to ‘protected areas’.

**218, 2079, 2080, 2081, 2083, 2084, 2085, 2086:** Clarify reference to Appendix 3, or insert Appendix 3. (218)

**1831, 2122:** Clarify whether site H1 in Fraserburgh will be expected to deliver 40% open space.

**1938:** requests site M1 in Aboyne to be increased to 19.66 ha should 40% open space requirement remain.

### **Summary of responses (including reasons) by planning authority:**

#### Overview

The supporting text to Policy 5 notes the requirement for at least 40% of each site area to be required for various open space functions. The Supplementary guidance SG LSD5 “Public Open Space” supports Policy 8 “Layout siting and design of new development”. The supplementary guidance provides greater clarity as to the implementation of this requirement at different scales.

#### Deletion of the requirement or use of a different standard

During the period for lodging objections to the Local Development Plan, the proposed revised standards and hierarchy of open space types was available on the Council’s website. Civic space is also included in the requirement, such that all of the public realm is relevant to the 40%.

Since the setting of open space standards in the previous local plan, a number of key additional issues have emerged, which further justify the move away from existing standards. These include: climate change and flooding, SUDS design, local food production, provision of non-motorised access, biodiversity decline and the inclusion of ‘streets for people’. Scottish Planning Policy may make specific reference to “quality” of open space, but there are also environmental and functional objectives that can be met through land classed as “public open space”. The most appropriate response to this range of objectives is a functions-led approach, allowing discretion and flexibility according to site characteristics, rather than a requirement for standards at each location, such as

promoted by the “six acre standard”. The 40% therefore encompasses very much more than the previous 40sqm, being a tool to deliver a holistically designed, ‘working landscape’ of public space, such that economic, environmental and social benefits can all be realised.

An Open Space Strategy, based on a very extensive audit, had already been subject of public consultation between February and April 2010. This was approved by Aberdeenshire Council in January 2011. The issues detailed in the draft, which constituted a large part of the justification both for the function led approach and the level set, remained unchanged.

The audit of open space was carried out in late 2008, and feedback from communities gathered in 2009. Although the local feedback contributed to the approach taken, it was most informative with regard to existing provision in each settlement. The proportions of open space found in settlements that already function well also informed us in setting the new standard proposed of 40%.

Research undertaken in preparation of the Open Space Strategy suggested current open space provision in Aberdeenshire towns ranges between about 13% and 55%, with those settlements considered to be good examples having in the area of about 40% (Aboyne 49%, Banchory 52%, Blackburn 44%, Drumlithie 34%, Fordoun 34%). This was considered alongside advice from the TCPA contained in their Ecotowns Worksheet, to which Barratts, Redrow and others contributed. Whilst this recommended a level of 40% green infrastructure for ecotowns and all urban extensions, the Aberdeenshire approach is distinct, in that it does not include garden ground, but does cover all civic (grey) space and access links.

Initial establishment of open space in proposals is the responsibility of the developer or landscaping contractor; if landscaping dies it should be replaced. Various models for future maintenance can be considered, but the functional approach proposed results in substantial open space elements being maintained at a very basic level (such as SUDS ponds, woodlands for people) or managed by the community themselves (such as allotments). The Local Authority has no duty to takeover the maintenance of greenspace in any new development. However, Aberdeenshire Council will take on the maintenance of those areas they are responsible for, such as burial grounds and schools. In areas where a degree of formal maintenance is required, arrangements may be made with a third party, such as a private maintenance company, the Local Authority on a fee paying basis, or with input from the local community and volunteers.

Our approach favours a holistic view of sites at masterplanning stage and flexibility during early stage negotiations, in keeping with a modernised approach. What is critical is to deliver the functions required. However, if the 40% requirement were not clearly defined, it would be difficult for development management to provide a robust reason for refusal when one or several of the functions were not met.

The Planning Officers Society response to a National Playing Fields Review of the Six Acre Standard (date not available from the Society, but around 1999-2000) advised that frequently urban authorities failed to meet the uniform standard, and that it should be revised and replaced with standards more appropriate to local characteristics. The review was carried out over a decade ago, but key concerns raised by the Planning Officers Society still stand. The Supplementary Guidance allows for a holistic approach, flexibility in tailoring open space to individual site characteristics, and addresses some of the key concerns raised.

Urban sprawl is a result of poor site layout and design. Policy 8 “Layout, siting and design of new development” provides the means to ensure open space is appropriately considered within developments.

With regard to concerns regarding viability, all the land allocations made already taking into account the increased open space requirement. This results in a net density of 22 dwellings per hectare, which is comparable to the previous local plan. Impact on land value will be offset by the creation of substantially more valuable properties.



There is a danger in interpreting Scottish Planning Policy’s requirement for ‘efficient use of land’ (paras. 39, 77 and 80) in terms of only built structures: the concept should be understood in terms of a site’s efficiency in delivering ecosystem services. In a rural area, there is no reason why a site of 60 houses could not include within it relatively little green space in the form of traditional parks and play spaces – providing its streets met the requirements of ‘Designing Streets’; that it could be adequately drained; and that it enabled non motorised access throughout. In such a situation greater emphasis could also be put on biodiversity and amenity woodland.

Fundamental to this plan is the restriction of numbers of houses built to that which has been the subject of public debate in the proposed plan, and which has been designed to use available infrastructure. This plan provides very limited opportunities for exceeding allocated housing numbers, and such applications would be contrary to the plan.

A flexible, tailored approach is appropriate in the case of non-major applications, and this is where detailed findings of the audit are most useful. However, on larger sites, strategic land use considerations need a higher profile. The concept of oversupply of open space is not qualified, and it is unclear how this would disbenefit a community. Notwithstanding concerns regarding increased antisocial behaviour, “Benefits of Green Infrastructure” (Report to Defra and CLG, October 2010) presents extensive evidence as to how green space makes a substantial contribution to community cohesion, and can lower crime levels.

Other Issues

As noted above site areas in Fraserburgh and Aboyne have been calculated to incorporate sufficient open space.

Bonds are no longer required under the revised Strategy, thus an amendment as requested by respondees 1985 and 2202 under paragraph 7 of the justification is reasonable.

Appendix 3 is no longer part of the Open Space Strategy.

Part B Protection of open space

It is accepted that additional clarity is required in the term “open space” used in the first paragraph of part b of the supplementary guidance.

**Any further plan changes commended by the planning authority:**

No changes are proposed to the plan.

The following changes have been made to the supplementary guidance SGLSD 5 “Public Open Space”:

Replace reference to Appendix 3 in the Justification to the SG with reference to ‘The Annexe to the Strategy...’

Introduce “public” before “open space in the first paragraph of part B; and

Introduce the following paragraph to the end of the reasoned justification: “ Loss of parks, play areas and other elements of public open space, such as those listed in the hierarchy set out in Appendix 1 of the Aberdeenshire Parks and Open Space Strategy, is under usual circumstances to be avoided, but may be acceptable when a greater community benefit results. Otherwise proposals for the redevelopment of public open space should be considered as potential allocations in future development plans to allow sufficient scrutiny and debate.”

**Reporter’s conclusions:**

1. For clarification, the remit of this examination is to consider unresolved representations to the



proposed local development plan. Therefore, those concerns about the content of the supplementary guidance on public open space are not addressed in these conclusions.

2. In considering the issue of open space, the following conclusions also address the representations referred to and summarised in Issue 15 on the matter. In relation to development viability and land values, further information was submitted by the council and respondents, which has informed the following conclusions.

3. An objective of the approved Aberdeen City and Shire Structure Plan is to ensure development maintains and improves the region's important natural assets, including open space.

4. Paragraph 154 of Scottish Planning Policy requires local development plans or supplementary guidance to set out specific requirements for the provision of open space as part of new development and make clear how much, of what type and quality, and what the accessibility arrangements are. In line with Scottish Government Circular 1/2009 on development planning, it is therefore acceptable for the principle of open space provision to be established in the proposed Aberdeenshire Local Development Plan and allow the detail to be left to supplementary guidance.

5. The proposed Plan states that 40% of a development site is expected to be needed for open space. This is in contrast to the adopted Aberdeenshire Local Plan which set a standard for open space provision based on 40 square metres per house.

6. The council's main issues report identified the adequacy of open space standards as an important issue. It noted that an open space strategy was being developed, which would provide localised and up-to-date advice on the standards of open space required from development. The subsequent Issues and Actions report of May 2010 stated that supplementary guidance would be prepared to identify open space requirements for new development.

7. An audit of open space in Aberdeenshire evaluated settlements with over 200 inhabitants. Published in 2008, it established that settlements comprised on average between 35% and 45% open space. The more recent Aberdeenshire Parks and Open Space Strategy of 2011 aims to provide good quality and fit for purpose open space. It promotes a functions-led approach to the provision of open space in new developments and requires 40% of all 'major' sites be earmarked as public open space. It states that the areas of all major bid sites to the local development plan were increased to accommodate the open space provision.

8. Although a higher standard is being set by the proposed Plan, a distinction can be drawn between the definitions of the open space being sought now as opposed to that required by the adopted plan. The definition in the open space strategy is now "any open space which provides, or has the potential to provide, environmental, social and/or economic benefits to communities, whether direct or indirect, within and around urban areas. It includes greenspace and hard landscaped areas with a civic function, as well as aquatic open spaces." This now includes more elements within the public realm. Consequently, areas of water capture, water features, burial grounds, community food growing areas, and neighbourhood streets designed to appropriate standards could all be included in the definition. Therefore, minor changes to development proposals to accommodate new street design or the other public realm elements, would increase the proportion of open space on a development site. A further distinction can be drawn in that the statement in the proposed Plan applies to all development, not just housing.

9. The main issues report did not highlight the provision of public open space as a significant change from the adopted plan, refer to a change in approach, or provide any evidence to support the change to the functions-led approach now envisaged. Granted, the report was published before the open space strategy, but could have referred to the findings of the open space audit. As it came without prior warning, it is therefore understandable that respondents are aggrieved by the proposed Plan's expectation of a 40% provision. Their concerns about viability of development and conflict with the provision of sustainable development are addressed below.

10. There is some evidence that there are both social and monetary benefits to be gained from the provision of good quality open space. However, the evidence submitted relates more closely to urban situations and the regeneration of previously degraded open spaces. It is not fully relevant to the provision of open space in new development, or to Aberdeenshire, where as a rural area there are more opportunities to access open space both within and outwith settlements.

11. A principal aim of the local development plan and Scottish Planning Policy is to provide sustainable mixed communities, where a mix of house types and affordable housing are to be provided. In providing a suitable density for development and a range of house types, there may not be the opportunity to provide the open space envisaged and provide sustainable developments.

12. As stated by the council, efficient development relates to how the land is used and could include better use of open space, such as shared streets. However, the council has also stated that the open space expectation would result in development at 22 houses per hectare, a figure well below the minimum density of 30 per hectare required by the structure plan for housing development in strategic growth areas.

13. Contrary to the council's argument, there is insufficient evidence to support the view that any impact on land value as a consequence of providing at least 40% open space would be offset by an increase in property values. Furthermore, although proposals may have been increased in area to accommodate open space, such a provision may lead to unsustainable development patterns, which do not comply with Government objectives or the requirements of the structure plan.

14. The 40% figure is stated in the open space strategy and relates to the findings of the open space audit. I note, however, that although the proposed supplementary guidance on the provision of open space is more prescriptive, the statement in the proposed Plan is an expectation, not a requirement. In light of the above findings, I conclude that the statement should be amended but should continue to refer to the 40% expectation. It should refer to the functions-led approach, ensure a definition of "open space" is clarified, and provide some flexibility to accommodate site and settlement characteristics.

**Reporter's recommendations:**

Modify the proposed Plan by:

1. Replacing the final sentence of policy 8 beginning "For parks, allotments, playing fields..." with:

"We will generally expect at least 40% of each development site to be devoted to good quality open space, as defined in the glossary. As set out in supplementary guidance, in each case the actual proportion will take account of the location, function and characteristics of the development proposal and site; the function of the open space proposed; and, where appropriate, the function and characteristics of existing open space in the area."

2. Including a definition of open space in a glossary to the local development plan.

<b>Issue 17</b>	<b>Policy 9: Developer Contributions</b>	
<b>Development plan reference:</b>	Section 5. Policy 9 (p14)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Emac Planning LLP on behalf of Stewart Milne Homes (608, 610, 623, 626, 628, 630, 2700, 2701, 2702, 2703)</p> <p>BLUE Planning &amp; Development on behalf of Brodie Countryfare Ltd (929)</p> <p>Scottish Property Federation (1014)</p> <p>Strutt &amp; Parker LLP on behalf of Faskally Investments (1025)</p> <p>Homes for Scotland on behalf of Grampian Housebuilders Committee (1112, 1118)</p> <p>Bancon Developments (1441, 1466)</p> <p>Paull &amp; Williamsons LLP on behalf of Elsick Development Company Ltd (1683, 1686)</p> <p>Ryden LLP on behalf of Dunecht Estates (1873, 1874)</p> <p>Scottish Renewables (1947)</p> <p>WYG Planning &amp; Design on behalf of GL Residential Ltd (1955, 2047)</p> <p>Scottish Environment Protection Agency (1979)</p> <p>BLUE Planning &amp; Development on behalf of Matthew Merchant (1981)</p> <p>BLUE Planning &amp; Development on behalf of Station Garage (1983)</p> <p>Strutt &amp; Parker LLP on behalf of The Millbank Regeneration Joint Venture (2076)</p> <p>Strutt &amp; Parker LLP on behalf of Aberdeen Endowments Trust (2077)</p> <p>Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2102)</p> <p>Strutt &amp; Parker LLP on behalf of BMF Group (2104)</p> <p>Strutt &amp; Parker LLP on behalf of Mr B Cowie (2105)</p> <p>Strutt &amp; Parker LLP on behalf of Kincardine Estate (2106)</p> <p>Strutt &amp; Parker LLP on behalf of Monymusk Estate (2107)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken for securing contributions towards facilities made necessary by development.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Detailed developer contributions policy should be included in the plan</u></p> <p><b>1979:</b> No objection in principle to this general policy. However, it is requested that comments made in relation to supplementary guidance should be fully considered and the Plan modified accordingly (see issue 2).</p> <p><b>608, 623, 626, 628, 630, 1441, 1466, 1112, 1118, 2700, 2701, 2702, 2703:</b> Representations sought to ensure that detail of the policy is included in the plan rather than in Supplementary Guidance Policies (see issue 2). The Local Development Plan must provide clear policy direction. It would ensure scrutiny at examination and in conformity with para 29 of Circular 1/10 Planning Agreements and ensure accordance with Circular 1/2009. The use of and reference to supplementary guidance with no appropriate policy context within the proposed plan is not acceptable. In this context the main principles relating to developer contributions need to be established in the Local Development Plan, and an appropriate connection made to the guidance, with supplementary guidance only used for further information or detail in accordance with para. 94 of Circular 1/2009. Too much emphasis placed on Supplementary Guidance Developer Contributions 1 (1441, 1466).</p> <p><b>608, 610, 623, 626, 628, 630, 2700, 2701, 2702, 2703:</b> An awareness and properly examined and tested policy approach through the proposed plan should enable all involved to be aware of the likelihood of planning agreements and associated requirements being sought.</p>		

Legitimacy of the approach promoted

**929, 1981, 1983:** All Circular 1/10 (para 11) policy tests should be met before contributions are sought to overcome obstacles to granting of planning permission, and with willingness of all relevant parties.

**929, 1981, 1983:** Representations oppose introduction of a development land tax through the Local Development Plan without public consultation or governmental legislation to support this approach.

**929, 1981, 1983:** National and local taxation should be prescribed by Government, and not by Local Development Plans in the absence of legislation to support the imposition without of land taxes without agreement.

**1025, 2076, 2077, 2102, 2104, 2105, 2106, 2107:** Concern raised and objection given to the justification wording under Policy 9. Clarity is requested in relation to which Act developer contributions could legally be delivered under and how, through the planning system, contributions could be sought under non-planning legislation (see issue 27).

The nature of developer contribution requirements

**1683, 1686:** Concern is raised that the policy enables the council to apply a formula to any development to justify a contribution. It is claimed that this is planning gain tax by the back door and not what national guidance in Circular 1/2010 anticipates.

**1683, 1686:** Objection to the Council asking for both local and regional items from developers. The policy suggests local and regional items are separate from contributions required due to the development, which is further planning gain tax. The policy gives too wide a scope to request contributions from sites. Example is provided of Elsick contributing to strategic transport interventions in Aberdeen City. All contributions must be linked to the impact which a particular development has on particular infrastructure (see issue 27).

**1947:** Contributions from developers should only be sought where necessary in order to 'restrict or regulate the development or use of land' and should not be sought to finance unrelated projects or to subsidise the costs of existing infrastructure shortfalls. Amendments to the supporting policy text are suggested.

Impact on Viability

**608, 623, 626, 628, 630, 1014, 1112, 1118, 1441, 1466, 2700, 2701, 2702, 2703:** Concern raised that the cumulative burden and levels of contributions being sought may render a number of developments unviable, particularly in the current economic climate.

A realistic approach to developer contributions must be formulated, ensuring the viability of developments is maintained, to enable the aims of the Structure Plan to be delivered (1466).

Other issues

**626, 2702:** In addition to Supplementary Guidance Developer Contributions 2 moving to the status of policy within the plan, it is felt that its content would be better dealt with under the policy section covering Layout, Siting and Design of New Development (see issue 15).

**1014:** Where contributions are deemed necessary, local authorities need to be flexible in how they are implemented and collected.

**1014, 1025:** Support for identification of likely key facilities and infrastructure (see issue 27).

**1873, 1874:** Highlighting the type and scale of infrastructure required is an improvement on previous plans. However, it fails to provide clarity needed to inform the land owner and the development industry on the scale of contributions anticipated (see issue 27).

**1955, 2047:** Clarity is sought in relation to the application of the policy with regard to 'existing sites', which are omitted from schedule 3 (see issue 27)) and the extent to which they will be required to

contribute. It is stated that it would be unreasonable to apply additional contribution requirements to existing allocations in the extant adopted Local Plan, as this may prejudice development viability and the sites' delivery.

**1112, 1118:** Representations seek for requirements for developer contributions to take account of available capacity within existing infrastructure and not to be used where there is no direct link with the development or where it is too remote to be considered reasonable. Reference to Circular 1/2010 (para 29) is made in support of this argument. Inclusion of paragraph to Policy 9 is requested.

**1112, 1118:** Suggestion is made that the council employ a Development Negotiator.

**Modifications sought by those submitting representations:**

**1955, 2047:** Clarity sought in relation to the application of the policy with regard to 'existing sites' and the extent to which they will be required to contribute.

**929, 1981, 1983:** Delete Policy 9 – Developer Contributions and associated Supplementary Guidance. Replace with a policy reflecting current Government Guidance including Planning Circular 1/10, Planning Agreements.

**1025, 2076, 2077, 2102, 2104, 2105, 2106, 2107:** Seek contributions in line with planning guidance and legislation only.

**1683, 1686:** Policy 9 requires to be redrafted to ensure compliance, in practice, with the requirements of Circular 1/10.

**1873, 1874:** In all cases it must be recognised that contributions will be governed by the terms of Circular 1/10.

**608, 623, 626, 628, 630, 1112, 1118, 2700, 2701, 2702, 2703:** Supplementary Guidance Developer Contributions 1-4 be included in the plan as policy rather than supplementary guidance.

**1441, 1466:** The policy statement relating to developer contributions should be incorporated in detail within the Local Development Plan.

**626, 2702:** Supplementary Guidance Developer Contributions 2 should be relocated into the policy section of Layout, Siting and Design of New Development.

**608, 610, 623, 626, 628, 630, 2700, 2701, 2702, 2703:** Introduce specific policy measures which recognise the difficulty in imposing over-onerous financial constraints on housing sites.

**1947:** Amend paragraph 1, bulletpoint 2 of supporting policy text to read "providing off-site facilities if, as a result of proposed development, the existing facilities will be placed under extra pressure that results in additional requirements or has a negative impact on those facilities."

**1112, 1118:** Request inclusion of paragraph to Policy 9:

*"Planning agreements will not be used to resolve existing deficiencies in infrastructure or to secure contributions to the achievement of wider planning objectives which are not strictly necessary to allow permission to be granted for the particular development."*

**Summary of responses (including reasons) by planning authority:**

Overview

Policy 9 sets the main agenda for the reasonable requirement of contribution towards public



facilities, and the requirements in relation to access, water and waste infrastructure. It is supported by four pieces of supplementary guidance, which detail the criteria under which developer contributions will be sought for public facilities, the criteria where a proposed new road access will be acceptable, the necessity for adequate water and waste water drainage, and the requirement for a site waste management plan for all new developments. The main elements for which developer contributions will be required are shown in Schedule 3 (see Issue 27).

Developer contributions policy was examined in depth at the Aberdeenshire Local Plan Examination (Issue 50, p208). The proposed expansion of this policy to include contributions to cumulative regional impacts (as promoted by paras 16 and 17 of Circular 1/2010) was a “main issue” within the Main Issues Report (see Issues and Actions “Developer contributions”). The majority of respondents supported the concept of up-front funding, and it was generally felt that this is a fair approach for developments of all sizes.

Detailed developer contributions policy should be included in the plan

These objections essentially ask for this issue to be dealt with as it has been in the past. However, the Government has specifically introduced a new Act and new Regulations to change this, deliberately simplifying what the Local Development Plan itself has to contain. (see para. 39 of Scottish Planning Policy)

These objections essentially ask for this issue to be dealt with as it has been in the past. However, the government has specifically introduced a new Act and new regulations to change this, deliberately simplifying what the LDP itself has to contain. Circulars 1/2010 (para. 29) and 1/2009 (paras. 96 and 87) both support the approach used. Circular 1/2010 specifically identifies that the “Broad principles.... should be set out in the.... local development plan, and be subject to scrutiny or examination”. Circular 1/2009 also refers to broad principles and is specific about what should be included in the development plan (Schedule 3 provides the “items for which financial or other contributions ...will be sought, and the circumstances (locations, types of development) where they will be sought”). The approach adopted is appropriate as the detail of the policy has been previously examined, it is a “tested policy approach”, and there has been no material change in the interim. Sufficient context is provided by the introductory text of the policy.

Site specific developer contributions are published in the settlement statements as supplementary guidance and provide the function of making those involved aware of the likelihood of requirements being sought.

Legitimacy of the approach adopted

Circular 1/2010 only applies to agreements made under section 75 of the Town and Country Planning (Scotland) Act 1997. Agreement can be reached without the need for a section 75 agreement and so in those cases the constraints imposed by the circular do not apply. Paragraph 7 of the Circular confirms this point. However, the policy tests in para 11 of the circular remain relevant and are met through the full application of the policy and its associated supplementary guidance.

In Aberdeenshire the principle of developer contributions has been established by the conclusions of the Aberdeenshire Local Plan Examination and subsequent practice. In the light of over 5 years of practice and numerous appeal decisions it is not now reasonable to argue that developer contributions are in some way illegal or a tax. In any case this would be a matter for the courts. Contributions may be delivered by a unilateral undertaking, a contract, or to discharge conditions placed on development: specific legal context is not required.

The nature of developer contribution requirements

When read in conjunction with the associated supplementary guidance, the policy complies with Circular 1/2010. As anticipated by Circular 1/2009 (paragraph 96), further supplementary guidance is proposed to show the methodology for the calculation of the exact levels of developer contributions (Proposed Plan, Schedule 3, p34 Para 2). The supplementary guidance is clear that contributions can only be requested for elements that would otherwise have been unnecessary, or which have been provided in anticipation of that need. Cumulative regional requirements are no



different from site specific requirements: both are necessary for the development to go ahead. The cumulative impact of new developments can be identified and apportioned; it is unrealistic to argue that an existing shortfall nullifies the need for intervention. In essence development should not make the existing situation worse, and in order to avoid doing this infrastructure may be required that also resolves the existing problems.

Viability of development

Public authorities are not in a position to subsidise the real cost of development. It is unrealistic to suggest that public bodies will make the scale of investments required to allow development to take place without recouping a proportion of the land value. The scale of allocations has been planned to ensure that there is sufficient value in sites to deliver the infrastructure required. When confirming viability developers were asked to assume the private sector would provide the total cost of infrastructure investments.

Other Issues

SG developer contributions 2 relates to the provision or improvement of public infrastructure, which may also require formal agreement with the Council. It is appropriate to retain the policy within Policy 9.

Further supplementary guidance is proposed on the exact methodologies for calculation of developer contributions. This could also usefully consider issues of implementation and collection. This will also provide greater clarity for landowners. These are matters of detail best left to supplementary guidance.

It is accepted that existing sites, for which land purchase on the basis of residual value calculations has already been undertaken, should not be subject to the cumulative requirements identified in Schedule 3. This would be unreasonable and could prejudice development. A minor modification could be made to Schedule 3 to clarify this point.

It is a matter of principle that cumulative impacts of all new allocations need to be considered. Existing models where available capacity is used up and the 100<sup>th</sup> house carries a £multi-million cost are not reasonable. Where a cumulative impact is anticipated and noted in the plan all new development should make contribution to this, as a fair and reasonable way of sharing costs both over time and across multiple sites. This also gives the development industry certainty regarding costs, which would not exist if a “first come first served” approach were adopted.

Conclusion

The policy reflects the requirements of Circular 1/2010 in a manner that is consistent with Circular 1/2009. With its associated supplementary guidance it represents a fair and reasonable approach to issues of infrastructure provision in a way that is appropriate and will be sufficient for the purpose.

**Any further plan changes commended by the planning authority:**

No plan changes are commended.

**Reporter’s conclusions:**

**The role of the local development plan versus supplementary guidance**

1. Planning Circular 1/2010: Planning Agreements advises that planning authorities should include policies on the use of planning agreements in their development plans. It is important that developers know what is expected of them, at the earliest stages of the development process, as the requirements of a planning agreement may be critical to the implementation, and even the viability, of a development project.

2. The council is aiming to meet its responsibilities through the terms of Policy 9 and Schedule 3 of the Plan, and the associated supplementary guidance. Those making representations question the

adequacy of the policy and whether it conforms with Circular 1/2010. They also suggest that too much is left to be resolved in supplementary guidance, when it should be in the Plan itself.

3. On the latter point, the appropriate division of material between the local development plan and supplementary guidance is spelt out in Circular 1/2010 and in Planning Circular 1/2009: Development Planning.

4. Planning Circular 1/2009: Development Planning confirms that “*items for which financial or other contributions, including affordable housing, will be sought, and the circumstances (locations, types of development) where they will be sought*” are matters for the local development plan, whereas “*exact levels of developer contributions or methodologies for their calculation*” are matters for supplementary guidance.

5. Planning Circular 1/2010: Planning Agreements states that: “*Broad principles, including the items for which contributions will be sought and the occasions when they will be sought should be set out in the strategic development plan or local development plan, and be subject to scrutiny or examination. Methods and exact levels of contributions should be included in supplementary guidance.*”

6. I am satisfied that the council's approach to set out the broad principles in Policy 9 and list in Schedule 3 the sites and items of infrastructure for which contributions will be sought, is consistent with the terms of the circulars which expect the methodologies and the scale of contributions to be left for supplementary guidance.

#### **The terms of Policy 9: Developer Contributions**

7. However, I consider that there is some substance in the concerns expressed in representations that the terms of Policy 9 (when read with Schedule 3) are too open ended and insufficiently anchored in the principles set out in Circular 1/2010: Planning Agreements. There is legitimate anxiety that the policy as drafted could be used to require a benefit from a potential developer beyond what would be justified by the type and scale of development proposed.

8. Paragraph 11 of the circular states that planning agreements should only be sought where they meet **all** of the following tests:

- necessary to make the proposed development acceptable in planning terms;
- serve a planning purpose and, where it is possible to identify infrastructure provision requirements in advance, should be relevant to development plans;
- relate to the development either as a direct consequence of the development or arising from the cumulative impact of development in the area;
- fairly and reasonably relate in scale and kind to the proposed development and be;
- reasonable in all other respects.

9. Circular 1/2010 represents the Government's up to date position on the matter, and it is appropriate that Policy 9 should reflect the strictures of paragraph 11, regardless of the terms of the equivalent policy in the previous Aberdeenshire Local Plan. I therefore propose to recommend a modification to Policy 9 to clarify the need for planning agreements to meet all of the tests of that paragraph, including the need to *fairly and reasonably relate in scale and kind to the proposed development*. That would allay the fears that the policy might be applied as a form of local taxation. I also propose to add the phrase ‘in cash or in kind’ (which is used in the equivalent supplementary guidance) to Policy 9, to recognise that the developer's contribution might not be a monetary one.

10. Paragraph 19 of the circular advises that: “*Planning agreements should not be used to resolve existing deficiencies in infrastructure provision or to secure contributions to the achievement of wider planning objectives which are not strictly necessary to allow permission to be granted for a particular development.*” Planning authorities are urged in paragraph 20 to understand the implications of a planning agreement on the viability of a development, when applying the ‘scale and kind’ test of paragraph 11. It is necessary that the terms and application of the policy reflect that understanding.

11. The negotiation of phased contributions might be the appropriate response in certain circumstances. That option is alluded to in Schedule 3, which explains that: *“The Local Development Plan action programme provides information on the phasing of development in respect of the infrastructure needs, and we will detail those needs as they are identified through the masterplanning process.”*

**Cumulative impact**

12. Paragraph 11 of Circular 1/2010 acknowledges that there will be circumstances where the cumulative impact of development in the area would justify a planning agreement. However, any such agreement would also require to meet the other tests of the paragraph, including the prerequisite that the agreement is necessary to make the proposed development acceptable in planning terms.

13. The principle of requiring developer contributions to works to mitigate the cumulative impact of developments is accepted in the structure plan. Paragraph 5.8 of the structure plan highlights the need to secure extra contributions in cases where development has wider effects, and cites the third Don crossing as an example of new infrastructure which developers on a range of sites in both council areas would be expected to help pay for.

14. There can therefore be no objection in principle to the council’s intention to ask for both local and regional items from developers, but these requirements will need to be justified on a case by case basis against the tests in the circular. The need for and extent of contributions should relate to the impact that the specific development would have on a particular item of infrastructure. It might be unreasonable, for example, to require a contribution to a road improvement if it could be shown that the development concerned was unlikely to worsen the problem which the improvement was intended to remedy.

**‘Existing sites’**

15. The council recognises that it would be unreasonable to require the developers of ‘existing sites’ – i.e. sites allocated for development by the previous adopted local plan – to contribute towards the cost of regional infrastructure. I agree that it would be unfair to impose a new burden on already ‘committed’ sites, and that paragraph 1 of Schedule 3 should be modified accordingly. The terms of the proposed modification are set out in the report on Issue 27 (likely infrastructure needs).

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

1. Amend the first paragraph of Policy 9: Developer Contributions as follows:

“Aberdeenshire Council will support development, if the developer makes a reasonable contribution, **in cash or in kind**, to public services, facilities and infrastructure and the mitigation of negative effects on the environment, **that fairly and reasonably relates in scale and kind to the proposed development**, and is necessary **to make the proposed development acceptable in planning terms**.”

2. Amend the sentence below the Policy 9 box as follows:

**Planning agreements under section 75 of the Town and Country planning (Scotland) Act 1997 (as amended) will only be sought where they would meet all of the tests set out in paragraph 11 of Planning Circular 1/2010: Planning Agreements. However**, the developer contributions identified may be delivered under **a different statutory provision**. In Schedule 3 of the plan we show the main elements of infrastructure for which we will require a contribution.”

<b>Issue 18</b>	<b>Policy 10: Enabling Development</b>	
<b>Development plan reference:</b>	Section 5. Policies: Policy 10	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ryden LLP on behalf of Mrs L Pirie (371, 2125)                  Ryden LLP on behalf of Jacquelyn Liddell (542)                  Portlethen &amp; District Community Council (580, 1122)                  Scottish Property Federation (1014)                  Ryden LLP on behalf of Dunecht Estates (1873, 1874)                  Claire Martin (2212, 2450)                  Michael Morgan (2291, 2721)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken for enabling developments.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Part 1</b>  <b>1873, 1874:</b> Object to the approach that enabling development will only be permitted for the restoration of listed buildings. This only allows enabling development for listed buildings which are on the Buildings at Risk Register. It penalises owners of listed buildings who have invested in the upkeep of buildings to the point that they are not on the register or at risk of decay or imminent collapse, but are no longer in occupation nor capable of viable occupation as a single residence. As it stands, this policy would encourage the deterioration of such buildings. Allowing enabling development for listed buildings not 'At Risk' would reduce the scale of enabling development required to safeguard the long term integrity of listed buildings.</p> <p><b>Part 2</b>  <b>1014:</b> Support the flexibility of the Council to consider 'enabling development' for certain schemes. This approach will help make rural and regeneration proposals more viable and will encourage development in areas where it is essential to meet public need.</p> <p><b>371, 542, 1873, 1874, 2125:</b> Objection is made to Part 2 of the policy which is restricted to the Regeneration Priority Areas and in exceptional circumstances the rural areas as it is overly restrictive. Part 2 of the policy does not recognise that settlements throughout Aberdeenshire are as likely to lack employment, leisure and tourism facilities as settlements in the regeneration areas and rural areas; and that applying the policy throughout the Aberdeenshire could deliver new facilities. Applying part 2 of the policy throughout Aberdeenshire will increase the amount of employment opportunities available and stimulate the economy, which is a key objective of the structure plan. Applying part 2 of the policy throughout Aberdeenshire would offer a wider variety of employment opportunities throughout the area and reduce commuting. Recent enabling developments in the Aberdeen area would not have been permissible under this policy. These include: Blairs, Ury House, Menie Estate. The perceived benefit of these developments has been acknowledged by the Council and it is illogical to restrict similar development in the future.</p> <p><b>2450:</b> The policy should indicate what constitutes an exceptional case.</p> <p><b>Allocation of Sites</b>  <b>580, 1122, 2291, 2721:</b> There appears to be a catch-all escape clause within the policy, by allowing development on non-allocated sites. There should be no route allowed for non-compliant developments through the system.</p>		

**2212, 2450:** In the case of a site which has been identified as an enabling development allocation in the Local Development Plan, the Policy on Enabling Development cannot be applied because it states that it is only to be applied to newly arising non-allocated sites. This means that those sites already in the plan under enabling development will be subject to no scrutiny under the policy. The case of site H4 in Kemnay highlights an example of an enabling development housing allocation which will not be subject to further scrutiny under the policy. This leaves a dangerous hole in the policy which could be taken advantage of.

**General Issues**

**2450:** The policy should be more restrictive. The use of enabling development should be a one-off opportunity and an application can only qualify for part A or B, and not both.

**Modifications sought by those submitting representations:**

**1873, 1874:** The policy should permit enabling development to secure a new use for the building, regardless of its condition.

**371, 2125:** Policy should be amended to read: " Aberdeenshire Council will support enabling development proposals, subject to other policies, on sites which have not been specifically identified for development in the plan's settlement statement maps in the following circumstances: 1 Where is the only way of retaining a listed building, 2) Where it is the only means of enabling the start up of an employment, leisure, or tourism activity within Aberdeenshire.

**542, 1873, 1874:** Part 2, which seeks to encourage employment, leisure or tourism uses through enabling development should apply throughout Aberdeenshire.

**580, 1122:** Development on non-allocated sites should not be allowed.

**2212, 2291, 2721:** Policy should be altered to clearly apply to housing sites allocated in the plan for Enabling Development.

**2450:** An application should not be able to qualify for both parts A and B of the policy.

**Summary of responses (including reasons) by planning authority:**

Overview

Policy 10 provides the context for Aberdeenshire Council's approach to enabling development. This relates to permitting development which would otherwise be unacceptable in planning terms but for the fact that it brings sufficient public benefit to justify it. The cases in which such development is considered appropriate are for the retention of listed buildings, where there is a significant risk of their loss, and in the regeneration priority area where there are clear economic benefits. The policy is supported by detail contained in supplementary guidance (SG Enabling Development: Enabling Development). The use of "enabling development" was a main issue highlighted in the Main Issues Report (page 27). A range of views were expressed at this time, with most respondents supporting the approach, some with reservations, and others seeking to have it extended, particularly to all listed buildings rather than just those "at risk" (see Issues and Actions Volume 1 p36).

Part 1

Paragraph 114 of Scottish Planning Policy suggests that enabling development may be acceptable where it is shown to be the only means of retaining a listed building. Supplementary guidance clarifies that the building should be on the 'at-risk' register or otherwise be in serious danger of collapse. In all other cases the re-use of listed buildings would be considered as an economic development opportunity in its own rights without the need for enabling development. Regarding the risk of owners deliberately running down listed buildings in order to redevelop them through the policy, there are legal obligations on the owners of listed buildings. A listed building repair notice can be served on the owner where the listed building has been allowed to deteriorate.



**Part 2**

Support for the approach is welcomed.

The restriction of part B to only allow enabling development in pre-identified areas (Regeneration Priority Areas) is intended to compensate for some of the economic disadvantages inherent in trying to develop businesses in these areas, and to support disadvantaged communities. Extending Part B to all areas of Aberdeenshire would defeat the purpose of this part of the policy: not only would it remove the incentive to develop in regeneration areas, but it could remove any incentive to develop within allocated employment areas. Exceptionally, where it is demonstrated that the public benefit is significant, enabling development proposals will also be permitted in the rural housing market area. Significant employment allocations have been made in the Aberdeen housing market area. The impact of the housing element of such developments has also to be considered: Scottish Planning Policy does not promote dispersed housing in accessible and densely populated areas (paragraph 95).

Most of the previous proposals in the Aberdeen housing market area that were permitted as enabling development for listed buildings could still be permitted under the proposed policy. The exception is Menie Estate, but in this case the significant national economic opportunity created was deemed to be a unique material consideration.

It is not possible to define an ‘exceptional case’: it is dependent on the level of public benefit and would be dealt with on a case by case basis.

Allocation of Sites

The nature of enabling development means that it is difficult to identify potential sites for inclusion in the plan. Where possible, and in response to specific bids, sites have been identified in the plan (e.g. Site H4 Kemnay, Sites H2 and H3 Stonehaven). The policy is sufficiently robust to ensure that additional houses are only permitted where there is a clear public benefit that justifies exception to the general development plan policies. The policy only permits the minimum level of development required to enable the retention of a listed building or to enable start-up of employment uses.

Further text will be added to the policy justification to clarify that the policy applies to both allocated and non-allocated sites. Clarification has been added to the related supplementary guidance to ensure that it is clear the policy applies to both allocated and non-allocated sites. This will ensure that sites such as H4 in Kemnay will be subject to the same level of scrutiny.

General Issues

It is unlikely that many proposals will come forward under both Parts A and B. However, there is no reason why a proposal for restoring a listed building could not also include a business start up proposal alongside it, if it is in the appropriate location. Part B is limited to no more than 5 houses, and so the impact of both Part A and B being operated at the same time would not be significant. There is no need to restrict a proposal to only one part of the policy.

**Any further plan changes commended by the planning authority:**

It is commended that text is added to the supporting text to clarify that the policy applies to both allocated and non-allocated sites.

“This policy applies both to sites identified as opportunities during the life of the plan, and to sites identified as allocations within the plan”

This is a minor modification.

**Reporter’s conclusions:**

1. Policy 10 of the proposed Aberdeenshire Local Development Plan supports the development of



unallocated sites where it is the only way to facilitate the retention of a listed building (part 1) or start-up an employment, leisure or tourism activity in Regeneration Protection Areas or, exceptionally, in the Rural Housing Market Area (part 2).

2. The policy applies to unallocated sites. Some allocations in the proposed Plan are made to help something else to occur, which is explained in the relevant supplementary guidance settlement statement. For example, housing proposal H4 in Kemnay is allocated for 77 houses to enable development of the Fetternear Estate (Issue 76 refers). In these instances development has been accepted in principle and a specific allocation made to enable that development to occur. Those allocations have already been accepted by the council through designation in the proposed Plan. It would therefore be inappropriate to require the development proposal for such a site to be re-assessed against the provisions of policy 10. Consequently, the change suggested by the council is not recommended.

**Part 1**

3. The approved Aberdeen City and Shire Structure Plan identifies the built and cultural environment as a valuable resource which should be protected. It requires local development plans, and supplementary guidance where appropriate, to ensure the North East's historic buildings continue to be protected and improved.

4. Paragraph 114 of Scottish Planning Policy states that enabling development may be acceptable where it can be shown to be the only means of retaining a listed building. No other criteria are stated.

5. One representation suggests that the policy is modified to permit enabling development where it is necessary to secure a new use for a listed building regardless of its condition. There may be other material considerations which justify development associated with a listed building, such as the financial burden of the maintenance of an unoccupied listed building. However, such considerations are not mentioned by Scottish Planning Policy and would be more appropriately addressed at the planning application stage as an exception, where each case would be fully considered on its own merits. Furthermore, a listed building left to deteriorate may be at risk of a repairs notice, compulsory acquisition or forced urgent works. These safeguards would reduce the risk of an owned unoccupied listed building deteriorating substantially.

6. It would not be appropriate to widen the scope of the policy, as this would dilute the firm stance of the policy that enabling development is acceptable in only a limited number of circumstances. Part 1 should remain unaltered.

**Part 2**

7. In relation to Regeneration Priority Areas, the structure plan identifies regeneration as a vital part of its spatial strategy, now adopted by the proposed local development plan. It further notes that the priority areas will not meet their full potential without positive investment, and that improvement in the economy, employment opportunities, and the competitiveness of business should play a particular role in these areas.

8. Part 2 of policy 10 provides a positive framework to allow investment on unallocated sites in the priority areas. In exceptional circumstances, which cannot be determined in all instances and therefore should not be explicitly stated in the Plan, there may also be justification for development of unallocated land in the Rural Housing Market Area. This approach is justifiable to provide greater focus on areas outwith the Aberdeen Housing Market Area, which is better located to take advantage of employment and investment opportunities.

9. Extending the policy to allow development on unallocated sites throughout Aberdeenshire would undermine the dedicated focus of the policy on investment in the Regeneration Priority Areas. It would also provide greater opportunities and pressure for unplanned growth on unallocated sites in the Aberdeen Housing Market Area. There is insufficient justification to suggest that the geographical application of policy 10 should be altered.

10. Departures to the current policy approach in the past are identified in representations. There are situations where the provisions of one policy are outweighed by other provisions of the development plan and other material considerations. For instance, the economic, social or environmental advantages of a scheme on unallocated land may outweigh other policy considerations in certain exceptional circumstances. However, these should not be encouraged though policy, as this again would dilute the focus of policy 10 which allows development in only a limited number of circumstances. No change to the policy is therefore proposed relating to existing businesses wishing to expand.

**General issues**

11. For clarification, the remit of this examination is to consider unresolved representations to the proposed local development plan. Therefore, concerns about the content of the supplementary guidance on enabling development are not addressed in these conclusions.

**Reporter's recommendations:**

No modifications.

<b>Issue 19</b>	<b>Policy 11: Natural Environment</b>	
<b>Development plan reference:</b>	Section 5. Policy: Policy 11 (p 15)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Scottish Wildlife Trust (532, 867)                  Scottish Environment Protection Agency (1979, 1980)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken for the improvement, enhancement and protection of natural heritage in the development process.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>532, 867:</b> The policy should set the natural context of the Nature Conservation (Scotland) Act 2004 and emphasise its biodiversity duty; and the date to stop the reduction of biodiversity in paragraph 2 of the introductory text should read "2010" and not "2012".</p> <p><b>1979:</b> The Scottish Environment Protection Agency raises no objection to the policy, but has made a number of comments on the associated supplementary guidance and requests that they are fully considered and the Plan amended accordingly.</p> <p><b>1980:</b> Scottish Environment Protection Agency suggests additional text in the justification text to supplementary guidance <i>SG Natural Environment 2</i>, including reference to the North East River Basin Management Plan.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>532, 867:</b> In Policy 11 include a section on the biodiversity duty of the Council and set the natural context of the Nature Conservation (Scotland) Act 2004.</p> <p><b>532, 867:</b> Replace "2012" with "2010" in paragraph 2 of the introductory text.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>It is appropriate for the plan to emphasise the biodiversity duty of the Planning Authority and a minor modification is proposed to reflect this. Comments on the supplementary guidance <i>SG Natural environment series</i> have been considered by Aberdeenshire Council, but no amendments to Policy 11 result from this assessment.</p>		
<b>Any further plan changes commended by the planning authority:</b>		
<p>In the supporting text of Policy 11, it would be appropriate to include a section on the biodiversity duty of the Council to set the natural context of the Nature Conservation (Scotland) Act 2004:</p> <p>"The Nature Conservation (Scotland) Act 2004 gives all public bodies a duty to further the conservation of biodiversity through direct actions, educating others and raising awareness. To ensure Aberdeenshire Council meet this duty when determining planning applications, this policy will provide for, improve and protect Aberdeenshire's natural environment."</p>		

It would also be appropriate to amend the first sentence in paragraph two in the supporting text of Policy 11, changing “2012” to “2010”.

**Reporter’s conclusions:**

1. For clarification, representations to the supplementary guidance summarised above are outwith the scope of this examination and are therefore not addressed in these conclusions.
2. The Nature Conservation (Scotland) Act 2004 states, “It is the duty of every public body and office-holder, in exercising any functions, to further the conservation of biodiversity so far as is consistent with the proper exercise of those functions.” The text suggested by the council would appropriately refer to and emphasise the council’s biodiversity duty, as requested by the Scottish Wildlife Trust.
3. Reference to the UK’s commitment to stop the reduction of biodiversity by 2012 and not by 2010 is a factual error which needs to be corrected.

**Reporter’s recommendations:**

Modify the proposed Plan by:

1. Inserting a new paragraph in the supporting text for Policy 11 Natural Heritage, as follows:

The Nature Conservation (Scotland) Act 2004 gives all public bodies a duty to further the conservation of biodiversity through direct actions, educating others and raising awareness. To ensure Aberdeenshire Council meet this duty when determining planning applications, this policy will provide for, improve and protect Aberdeenshire's natural environment.

2. Replacing the date 2012 with 2010 in the second supporting paragraph of Policy 11 Natural Heritage.

<b>Issue 20</b>	<b>Policy 12: Landscape Conservation</b>	
<b>Development plan reference:</b>	Section 5. Policies: Policy 12 (p15)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ian Nicol (475, 705)                  Scottish Natural Heritage (579, 1138)                  Strutt &amp; Parker LLP on behalf of Faskally Investments (1026)                  Halliday Fraser Munro on behalf of Deveron Homes Ltd (1368, 1369, 1371, 2159, 2165)                  Halliday Fraser Munro on behalf of Deveron Homes Ltd &amp; Aberdeenshire Housing Partnership (1373, 2158)                  Bancon Developments (1442, 1467)                  Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2102)                  Strutt &amp; Parker LLP on behalf of BMF Group (2104)                  Strutt &amp; Parker LLP on behalf of Kincardine Estate (2106)                  Strutt &amp; Parker LLP on behalf of Monymusk Estate (2107)                  Finzean Community Council (2298)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken for the protection and enhancement of landscapes.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Supplementary Guidance</u>  <b>1026, 2102:</b> Request that the Landscape Character Framework should be included in the plan, to be part of the "map based" plan in line with circular 1/2009.</p> <p><b>475, 705:</b> Suggest that the policies on landscape which contribute towards sustainable development and are fundamental to important environmental considerations in decision making should be in the main Local Development Plan.</p> <p><b>1442:</b> Request that the detailed policy should be in the Local Development Plan, to conform with circular 1/2009 where it states that detailed policies should be in the plan where the main principles are established.</p> <p><u>General Comments</u>  <b>1368, 1369, 2159:</b> There is support for the aim of the policy to promote protection, management and planning of the landscape so we can maintain and improve the overall quality of the landscape.</p> <p><b>1368, 1369, 1371, 1373, 2158, 2159, 2165:</b> The policy is heavily weighted in favour of preservation rather than the integration and use of landscapes and landscaped areas. Landscape can be both preserved but also enhanced through development. This possibility should be investigated on an application by application basis.</p> <p><b>1368, 1369, 2159, 2165:</b> Development opportunities should not be discouraged, but full landscape appraisals should be carried out on sensitive or vulnerable landscapes. It should be noted a development which affects a landscape need not be adverse or negative.</p> <p><u>Landscape Character Assessment</u>  <b>475:</b> The phrase "plan for and promote the improvement and protection of all landscapes in Aberdeenshire by recognising and using landscape character areas" is meaningless. Landscape Character Assessments already classify and describe landscapes but there needs to be a more</p>		

detailed statement as to how they might be used.

**1026, 2102, 2104, 2106, 2107:** Many respondents object to the policy and to the use of the Landscape Character Framework. It is disappointing that the Council have continued to rely on Landscape Character Assessment from 1996 which is now very out of date. The Landscape Character Assessment should have been reviewed and updated in line with new guidance taking into account the current state of the landscape areas to provide a robust and accurate basis for assessing development proposals. It is unclear what the impact of each landscape will be as what the various landscape designations mean is yet to be prepared.

**2298:** As none of the planning and management aspects of the Landscape Character Assessment have yet been identified, it is impossible to use the Landscape Character Assessment as a framework for planning and management.

Areas of Landscape Significance

**475:** Areas of Landscape Significance could be used as a basis for consistent and workable strategy, as Landscape Character Assessments do not state policy or interpret how the classifications might be used.

**579, 1138:** Recognising the value of all landscapes and recognising that some landscapes are worthy of special protection are not mutually exclusive concepts. The use of Areas of Landscape Significance would support this and therefore a greater level of protection to those areas already identified as having special value is suggested.

**1467:** Previous practice, where a proposal affecting an Area of Landscape Significance is supported by analysis or a Landscape visual impact assessment, has been highly effective.

**1467:** Existing landscape designations such as Areas of Landscape Significance, Cairngorms National Park and Sites of Special Scientific Interest exist to protect valuable landscapes and habitats. The policy should relate to, in relevant sequence, international, national and local landscape designations.

Valued Views

**1442, 1467:** Object to the use of valued views: the objector believes that they have been established through objections to development proposals rather than as a genuine consideration of valuable landscapes in Aberdeenshire.

**Modifications sought by those submitting representations:**

**1026, 2102:** The landscape character framework should be included in the plan.

**475, 705:** The policy should be included in the main body of the text and should specifically guide developers as to a) where there are Areas of Landscape Significance, b) what may or may not be acceptable within these areas, and c) point to the need for site specific Landscape and Visual Impact Assessment for specific scale, forms or types of development.

**1442:** The detailed policy should be contained within the plan.

**705:** The plan should include precise boundaries of the Areas of Landscape Significance and Valued Views.

**1026, 2102, 2104, 2106, 2107:** Object to the use of Landscape Character Assessment, and propose that an up to date assessment of current landscape characteristics be used.

**2298:** The statement should be changed to 'The plan cannot be adopted until the value, sensitivity and capacity for change in different landscapes has been identified'.



**475:** Request a more detailed statement as to how Landscape Character Assessments might be used.

**579, 1138:** The policy should be expanded to give greater protection to those Area of Landscape Significance previously identified, but with the recognition that these areas would be subject to review (with SG Landscape 1 to identify the areas on a map).

**1368, 1369, 1371, 1373, 2158, 2159, 2165:** The policy is overly weighted in favour of preservation of landscapes. The possibility of enhancing landscape through development should be investigated on an application by application basis.

**1368, 1369, 2159, 2165:** Development opportunities which may affect the landscape character should not be discouraged but we should ensure full landscape appraisals are carried out for 'sensitive' or 'vulnerable' landscapes.

**1442, 1467:** Object to the use of valued views. The policy should be amended to reflect the sequential importance of international, national and local landscape designations rather than rely on a list of valued views. The onus should be on the developer to provide necessary justification through Landscape and Visual Impact Assessments.

**Summary of responses (including reasons) by planning authority:**

Overview

Landscape was considered as a main issue within the Main Issues Report, and the background to the policy can be found on pages 25 and 26 of the Main Issues Report. The policy approach was outlined in the Main Issues Report, and only one representation in relation to this was received in relation to landscaping rather than landscape impact (see Issues and Actions Volume 1, page 33).

The Aberdeenshire Local Plan (2006) contained four policies on landscape which have been rationalised into one policy. There are no longer National Scenic Areas within the plan area, as these designations lie within the Cairngorm National Park Area. In addition, the 'Areas of Landscape Significance' require to be reviewed, as they relate to ecological as well as landscape value. With these changes, and the requirement of Scottish Planning Policy to take 'a broader approach to landscape than just conserving designated or protected sites', a revised policy has introduced the Landscape Character Framework as a basis for operating the policy, which will consider all landscapes. Practical guidance for the use of this policy will be developed through Planning Advice.

Supplementary Guidance

The format of the plan is considered under issue 2. The layout of the plan is usable and ensures the principles of the policy are given sufficient weighting. It is not supported that the detailed policy should be in the plan (see paragraph 96 of Circular 1/2009).

It is not accepted that the Landscape Character Framework should be part of the plan, as the framework itself does not indicate whether a proposal would be suitable. The framework is the basis for the policy. Circular 1/2009 allows for the detail of the policy to be removed to Supplementary Guidance (paragraph 39).

General Comments

Support for the policy is noted. Development proposals will be required to demonstrate that they are appropriate, and in many cases this will require a landscape appraisal.

Regarding the view that the policy is weighted in favour of preservation: this issue is addressed by the wording in the policy: 'Aberdeenshire Council will plan for and promote the improvement in landscapes...we will also take into consideration particular opportunities...' In other words the policy is not designed to restrict development, but to ensure that the landscape impact is considered in all cases.

**Landscape Character Assessment**

The landscape Character Assessment (LCA) is not out of date: the assessment considers landscape, and not visual impacts. In practice, the assessment provides baseline information to guide landscape change. LCA helps explain what makes landscapes different from each other, without prescribing which landscapes are ‘more important’.

The policy complies with Scottish Planning Policy where it states that ‘all landscapes require consideration and care and different landscapes will have different capacity to accommodate new development’ (paragraph 127).

It is acknowledged that the detailed work on how the landscape framework will be used in practice (the management aspects) has not yet been completed. However, the principle of using the LCA in order to consider the landscape impact of proposals provides a sufficient policy base. A detailed statement on the use of the Landscape Character Assessment will be developed as part of Planning Advice.

**Areas of Landscape Significance**

Areas of Landscape Significance (ALS) are a local designation and carry limited weight in terms of legal status. As current boundaries reflect ecological, as well as landscape considerations (for example, large parts of Deeside are identified due to broadleaf woodland cover), existing boundaries could not be used without review. This would take considerable time. Instead of waiting for a review of ALS, and including them as Supplementary Guidance, it is more beneficial to have only one policy which covers all landscapes and to augment the existing work on landscape character for policy purposes.

The Landscape Character Assessment identifies landscape character types which are sensitive, and in the main these correspond with Areas of Landscape Significance. Particular features in the landscape character type that contribute to “significance” can be highlighted and given particular attention.

Using only Areas of Landscape Significance as the basis for landscape policy dismisses the vast majority of Aberdeenshire’s landscape, all of which is important.

Sites of Special Scientific Interest are not designated for landscape reasons, and it is not valid to use these designations to administer the landscape policy. There are no national landscape designations within Aberdeenshire.

**Valued Views**

Valued views have been established in consultation with Community Councils and from the local knowledge of elected members. They all represent views from public vantage points, such as formal viewpoints and key views. They have not been established through objections to development proposals.

**Any further plan changes commended by the planning authority:**

No further changes are commended by the Planning Authority.

**Reporter’s conclusions:**

1. An objective of the approved Aberdeen City and Shire Structure Plan is to ensure new development maintains and improves the region’s important natural assets. As such, the council is required to take landscape into account when assessing development proposals.
2. The aim of proposed policy 12 on landscape conservation follows this structure plan objective by promoting the protection, management and planning of the landscape in order to maintain and improve its overall quality. All landscapes are to be protected, as each is acknowledged as a

valuable asset and vulnerable resource. The policy does not present a presumption against development but a balanced response to landscape impact and management.

3. Proposed policy 8 on the layout, siting and design of new development requires new development to respond to its surroundings, including the landscape. In order to determine compliance with the development plan, the applicant may wish to submit an appropriate landscape or visual assessment, or the council may request one through the development management process. I find no requirement for this process to be set out in the local development plan.

4. From interpretation of policy 12 and the supporting text, it is apparent that the intention of the council is to recognise landscape character areas. Recognition would include previously identified areas of landscape significance and be informed by the Scottish Natural Heritage's landscape character assessments. Once identified, the council would distinguish each area's value, sensitivity, and capacity for change. This information would then be used to assess any impact from development proposals on the landscape through the development management process. The identified landscape character areas and information on how they would be used in decision-making would be set out in supplementary guidance and planning advice.

5. The approach of the council is consistent with Scottish Government Circular 1/2009 on development planning. The principle of using landscape character areas to inform planning decisions is set out in policy 12, with further detail set out in supplementary guidance, forming part of the development plan.

6. Scottish Planning Policy acknowledges different landscape types and envisages a holistic approach to landscape and natural heritage management. Both statutory and non-statutory designations should be identified in the development plan. In this instance, the council has chosen to show designations in supplementary guidance, an approach which is both appropriate and sufficient to meet Government policy. Landscape designations are not, therefore, required to be shown on the proposals map.

7. This examination has no remit to address issues regarding supplementary guidance. Consequently, the concerns in one representation about SG Landscape 2: Valued Views are a matter for the council to resolve.

**Reporter's recommendations:**

No modifications.

<b>Issue 21</b>	<b>Policy 13: Protecting, Improving and Conserving the Historic Environment</b>	
<b>Development plan reference:</b>	Section 5. Policies : Policy 13 (p16)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mike Heberton (504) Prof Roy Bridges (2256)		
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken for protecting and improving the historic environment.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>504:</b> Given the loss of non-listed traditional granite-built buildings to new development, these should be protected by the policy.</p> <p><b>2256:</b> Requests that the policy should require masterplans to consider the general historic quality of the area, as protection of the historic environment is limited to designated sites.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>504:</b> Add non-listed granite built buildings to the Policy.</p> <p><b>2256:</b> Add at the end of the first paragraph "... improve their value. We shall require that each master plan include consideration of the general quality of the area in question." and amend the second paragraph to "The way we will do this in the case of specific historic environments is published separately..."</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><u>Overview</u> Policy 13 states there is a presumption against development that would have a negative effect on the quality of historic buildings. This is consistent with Scottish Planning Policy (paragraph 112). The policy provides further protection to listed buildings, and non-listed buildings, gardens, designed landscapes and remains of historic importance in supplementary guidance.</p> <p><u>Non-listed granite buildings</u> In Aberdeenshire, traditional granite-built buildings are a common vernacular, and many are listed, or incorporated within a conservation area designation and given specific policy protection by Policy 13 and its associated supplementary guidance. Policy 8 through its associated supplementary guidance <i>SG LSD2: Layout, Siting and design of new development</i>, requires new development to consider sense of place and setting of new development. It would be difficult to extend that protection to all granite buildings without affecting the efficient use of land promoted by Scottish Planning Policy (paragraph 39).</p> <p><u>Masterplans</u> Requiring masterplans to consider the general historic quality of its area is a design issue and is more appropriately considered under Policy 8 <i>Layout, Siting and design of new development</i> and its associated supplementary guidance. Supplementary guidance <i>SG LSD1: Masterplanning</i> sets the</p>		

context on when masterplans are required. Masterplans will be required to consider the general historic quality of the area by identifying what the existing character of the local townscape/historic context is. This is further emphasised in supplementary guidance *SG LSD2: Layout, Siting and design of new development*, which requires the design of new developments to respect its setting in relation to the existing landscape, townscape and neighbouring features. In light of this, it is not necessary to duplicate the requirement for masterplans to consider the general historic quality of the area in Policy 13.

Conclusion

None of the modifications proposed are supported. The policy already provides an appropriate and sufficient level of protection to granite buildings and historic environment within Aberdeenshire.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. Paragraph 112 of Scottish Planning Policy states that “development plans should provide the framework for the protection, conservation and enhancement of all elements of the historic environment.” Paragraph 124 states that “there is a range of non-designated historic assets...which do not have statutory protection. These resources are, however, an important part of Scotland’s heritage and planning authorities should protect and preserve significant resources as far as possible.”

2. Policy 13 of the proposed Aberdeenshire Local Development Plan supports the protection, improvement and conservation of the historic environment and sets a presumption against development that would have a negative effect on the quality of these historic assets. The policy is consistent with the statements quoted from Scottish Planning Policy above.

3. Traditional granite-built buildings are common to Aberdeenshire. Many are either listed or located within conservation areas and therefore provided statutory protection. However, unlisted buildings outwith conservation areas are still afforded a level of protection through Policy 13, where they are found to have value. Consequently, the content of the policy is sufficient and requires no adjustment to satisfy the representation.

4. The policy refers to four pieces of supplementary guidance as the way in which the historic environment would be managed. As stated in one of the representations, this may give the impression that only listed buildings, conservation areas, historic gardens and designed landscapes, and archaeological sites and monuments are given protection through this policy. However, it is clear from the above paragraphs, that the policy affords protection to all historic assets if found to be of value.

5. Any masterplan for an area should demonstrate an understanding of place and its context as set out in Scottish Government Planning Advice Note 83: Masterplanning. The Plan’s policy 8 on the layout, siting and design of new development refers to a broad approach from which high-quality design can emerge. This includes recognising all the factors that influence design, including the historic environment. Supplementary guidance referred to through this policy also requires the design of development to respect its setting. I therefore consider there is sufficient provision within the proposed plan to ensure that each masterplan (or equivalent) includes consideration of the general historic quality of an area. No further amendment to policy 13 is therefore required.

**Reporter’s recommendations:**

No modifications.

<b>Issue 22</b>	<b>Policy 14: Safeguarding of Resources and Areas of Search</b>	
<b>Development plan reference:</b>	Section 5. Policies: Policy 14	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Paul Clark (655)                  Dr Colin Millar (1046)                  Archial Planning on behalf of No Quarry Action Group (1631, 1633)                  Montagu Evans LLP on behalf of The Sluie Estate Trust/David &amp; Richard Strang Steel (1952, 1994)                  Scottish Environment Protection Agency (1979, 1980)                  Strutt &amp; Parker LLP on behalf of Aberdeen Endowments Trust (2077)                  Scottish Government (2142)                  John Askey (2328)                  Peter Reilly (2351, 2414)                  Philip Goodall (2757)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The overarching approach to be taken to safeguard natural resources from inappropriate development.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>2077:</b> Is generally supportive of the policy.</p> <p><u>Areas of search for minerals</u>  <b>655, 2757:</b> The respondents suggest the policy should be amended to remove any reference to the areas of search for minerals. They express concern that the mapping procedure has not been carried out in a thorough way with detailed and consistent reasoning applied. It is suggested that the wording in Policy 14 is unacceptable to residents living in "appropriate areas for large and intrusive developments" (<b>2757</b>) and the areas of search will create blight on property (<b>655</b>). The respondents instead suggest the use of geological maps to enable the impact on the resource to be considered along side other factors when determining planning applications.</p> <p><b>1631, 1633:</b> The respondents suggest removing the last sentence from the introductory paragraph (giving reassurance to local communities they will not be living next to a quarry), as the areas of search for minerals sites 48 and 50 will be adjacent to communities, and the sentence implies mineral extraction is suitable in principle in these areas.</p> <p><u>Transport facilities</u>  <b>1952, 1994:</b> Expresses concern that safeguarded land for transport projects is not blighted as a result of public spending reductions. Suggests the policy should be forward looking and flexible enough to deal with implications arising from public spending reductions on transport projects.</p> <p><u>Waste facilities</u>  <b>1979:</b> The Scottish Environment Protection Agency raises no objection to the policy, but has made a number of comments on the associated supplementary guidance and requests that they are fully considered and the Plan amended accordingly.</p> <p><b>1980:</b> In Supplementary Guidance Safeguarding 8, the Scottish Environment Protection Agency suggests the removal of areas of search for waste facilities, as it does not provide sufficient certainty to developers as to the appropriate locations for such facilities.</p> <p><b>2328:</b> Requests that all references to an incinerator-type plant are removed from the plan.</p>		



Other safeguarding

**2351, 2414:** Expresses concern that policies required for conservation and protection of natural and renewable resources do not sit well with proposals to safeguard areas for major industrial developments. The respondent suggests the policies for areas of search and for safeguarded areas should be better defined in Policy 14.

Alternatives to be safeguarded

**1046:** Requests that existing public open space is protected and conserved under the safeguarding policy, as Supplementary Guidance 5 LSD: *Public open space* appears to only be relevant to housing developments and the provision of open space.

**2142:** The Scottish Government states the plan should facilitate the delivery of national developments, as identified in the National Planning Framework, and requests the addition of non-nuclear baseload capacity at existing power stations within the first paragraph of the policy. To support this, the Scottish Government suggests supplementary guidance should be prepared setting out the background to the national developments to be located in Aberdeenshire and how their development potential is to be safeguarded.

**Modifications sought by those submitting representations:**

**655, 2757:** Delete the areas of search for minerals maps and replace with geological maps of mineral deposits.

**1631, 1633:** Delete the last sentence in the introductory paragraph for Policy 14.

**1952, 1994:** Amend the policy to be forward looking and flexible enough to deal with implications arising from public spending reductions on transport projects.

**2328:** Requests the deletion of facilities in the plan/Policy 14 that would imply an incinerator.

**2351, 2414:** Review the role of and amend accordingly Policy 14, which should reflect the differing levels of control required for areas of search and safeguarded areas.

**1046:** Add a new reference to supplementary guidance on safeguarding to protect and conserve existing public open space for the use of the general public.

**2142:** Add after "woodlands" in the opening paragraph of Policy 14 "and the potential for new non-nuclear baseload electricity generating capacity and associated infrastructure at Boddam".

**1046:** Add a new reference to supplementary guidance on national developments to be located in Aberdeenshire and how their development potential will be safeguarded.

**Summary of responses (including reasons) by planning authority:**

Overview

Policy 14 provides a context for a number of elements of supplementary guidance that provide specific protection or safeguarding for important community assets. The policy contributes to a number of the objectives of Scottish Planning Policy (e.g. see paragraph 37), and especially those with an important role in supporting the achievement of sustainable development and in maintenance of quality of life. Protection is given to land required for specific purposes, such as waste facilities, mineral extraction, maintenance of water and agricultural land quality, and for the delivery of transportation or economic development objectives.

The support for the policy is welcomed.

Areas of search for minerals

The Council's position in relation to the thoroughness and appropriateness of identifying areas of

search for mineral extraction is addressed in the council's response to Issue 24: *safeguarded areas of search for minerals*. The methodology and evidence base used is detailed in the associated submission "Minerals area of search and safeguarding methodology and background (2009)". It is accepted that the study was a "broad brush" sieve mapping desk based assessment and that not all possible constraints were analysed. Some small minerals sites would not have been identified at the grain used in the study. The exercise considered drift geology and social, natural and historic environment constraints, but a professional judgement was applied for issues relating to potential tourism, landscape and settlement impacts. This was undertaken by two officers to ensure consistency and lack of bias.

The issue of blight is noted, but Scottish Planning Policy, paragraph 226 requires planning authorities to have regard to the availability, quality, accessibility and requirement for mineral resources in their area, and identify appropriate areas of search for mineral resources in development plans. There is no text in Policy 14 that is inappropriate: there is a statement of fact as to the content of SG Safeguarding 6, 7 and 8. The last sentence of the text introducing the policy is also reasonable, recognising as it does that in pursuit of wider community objectives some local communities may be disadvantaged. However, a number of areas of search are to be deleted in light of potential impact on communities and designated sites (see Issue 24).

#### Transport facilities

Policy 14 safeguards land identified on the settlement statements for a transport infrastructure project identified in the local and regional transport strategy or in the strategic Transport Projects Review. The policy is not influenced by outcomes of public spending review: even if projects are delayed the land should remain safeguarded. The plan is forward looking and flexible, as it has a 10 year life span and is reviewed every 5 years. Supplementary guidance has even greater flexibility, and could be reviewed if projects are abandoned.

#### Waste facilities

The second paragraph in the justification text of the supplementary guidance, SG Safeguarding 8 "Areas of search for waste facilities", notes that broad areas of search will be identified after the production of supplementary guidance on waste management facilities that are regionally significant by the Strategic Development Plan Authority. This work has not yet been completed. Furthermore, the third paragraph of the supplementary guidance also states that employment land (use classes 5 and 6) is the most appropriate location for waste management facilities. It would be impractical to identify all existing and proposed employment land sites in Aberdeenshire as areas of search. Instead employment land sites are indirectly referred to as areas of search, rather than being illustrated in maps.

Energy-generating facilities are referred to in the second paragraph of the policy, but it does not make specific reference to incinerator-type plants.

#### Other safeguarding

The policy protects resources of all types, whether natural (such as minerals) or economic (such as land for the modern transport system or business land). The policy is clear in its interpretation and it is not necessary to amend the policy further.

#### Alternatives to be safeguarded

Existing public open space within a settlement is protected under part B of the supplementary guidance SG LSD5: *Public open space*. Only part A of supplementary guidance refers to the provision of open space within new development. In light of this, it is not necessary to extend Policy 14 to protect and conserve existing public open space from new development.

It is accepted that the policy should facilitate the delivery of national developments, as identified in the National Planning Framework. However, for clarity, all this means is that the policy should refer to the only non-nuclear baseload capacity power station in Aberdeenshire, between Boddam and Peterhead.

In conclusion, with exception of the minor modifications proposed below, it is not necessary to modify the plan. The policy is an appropriate interpretation of national and regional policy on matters related to the conservation of resources.

**Any further plan changes commended by the planning authority:**

It would be appropriate to make the following modifications to the plan:

Add “the ability of Peterhead power station to expand” to the first sentence of Policy 14.

Add an “R” designation to the settlement statement for Boddam and Proposals Map.

The following text has been added under “Protected Sites” in the settlement statement for Boddam: “Site R1 is reserved for developments related to Peterhead Power Station”.

**Reporter’s conclusions:**

**Areas of search for minerals**

1. Scottish Planning Policy notes that an adequate and steady supply of minerals is essential to support sustainable economic growth. The continuity of supply to meet demand depends on the availability of land with workable deposits having planning permission for extraction, which in turn requires a degree of certainty from development plans. According to Scottish Planning Policy, areas of search, or where appropriate specific sites, should be identified and safeguarded in development plans.
2. Scottish Planning Policy also states that development plans should aim to minimise significant negative impacts from minerals extraction on the amenity of local communities. Extraction should only be permitted where impacts on local communities and the environment can be adequately controlled or mitigated.
3. The council has analysed the opportunities and weighed those against various constraints to identify the proposed 71 mineral search areas shown on the proposals maps of the proposed Plan. The suggestion that these should be replaced by sift maps showing all areas of gravel and sand resources or deleted in their entirety to rely on the development community to come forward with proposals are rejected on the basis that those approaches would lead to an unacceptable degree of uncertainty. A successful plan-led system is an aim of the Scottish Government. It is therefore reasonable for the local development plan to identify appropriate and sufficient areas of search for minerals to provide some certainty to communities and developers, and to enhance efficiency when determining planning applications. This approach is consistent with Scottish Planning Policy.
4. Mineral extraction was an issue addressed in the Main Issues Report. No detailed site mapping of mineral search areas was provided to respond to at that stage. The representations lodged at that stage were generally supportive of the approach being taken by the council and its proposals set out at that time. The 2009 report “Minerals areas of search methodology and background” outlines the wide range of criteria against which the council proceeded to select areas of search for safeguarding and makes reference to the need to satisfy archaeological, natural and built heritage, and community interests.
5. The publication of the proposed Plan provided an opportunity for representations to be made to those areas of search identified more specifically on the proposals maps. The council acknowledges that the methodology and evidence base used to identify areas of search involved a “broad brush” map sieving assessment. This included professional judgement with respect to such considerations as potential tourism, landscape and settlement impacts. Nevertheless, based on the available evidence, the methodology and assessment carried out by the council to determine the areas of search accords with the principles of Scottish Planning Policy and the aim of the approved Aberdeen City and Shire Structure Plan to protect valued assets and resources, balanced against

maintaining a sufficient quality of life for residents.

6. However, representations were made to over half of the 71 proposed areas. These are addressed fully in Issue 24 below, where 28 of those sites are recommended for deletion from the Plan, including sites 48 (South Orrock) and 50 (Balmedie North).

7. The introductory paragraph, or reasoned justification, to policy 14 of the Plan on the safeguarding of resources and areas of search provides the broad principles of why the council wish to safeguard land and identify other areas with potential to promote sustainable economic development. The final sentence provides recognition that those communities outwith areas of search would be afforded a certain amount of reassurance that large and intrusive development is not likely to be granted in their vicinity. Conversely, the sentence could imply that development is accepted in principle within an identified area of search shown in the Plan.

8. Identification in the local development plan could convey that the principle is accepted, an objective of the plan-led system. However, just because a site is identified within an area of search does not mean that consent is *fait accompli*. The council recognises that some communities may be disadvantaged by search areas. All development proposals should be assessed against the provisions of the development plan and other material considerations, which include the safeguarding of amenity and providing controls and mitigation, as stated in Scottish Planning Policy. In conclusion, the final sentence is sufficient and should not be deleted.

### **Transport facilities**

9. Page 28 of the approved Aberdeen City and Shire Structure Plan identifies a range of transport proposals, some of which are acknowledged to be well under way while others are at an early stage. An action programme accompanies the structure plan, which identifies who is to take action on proposals, when this will be needed to happen, and how it will be funded. This allows monitoring and review of proposals, and allows re-appraisal at the time of producing future development plans for the area.

10. Policy 14 provides a safeguard against the loss of any key strategic resources, including sites that may reasonably be required in the future for the delivery of transportation improvements. These safeguards would prevent development of sites while a transportation improvement was regarded as viable.

11. The local development plan will be reviewed at least every five years. Any review would need to take account of the findings of the structure plan's action programme, making requisite changes to safeguarded sites. This should ensure that no land is blighted should a transport proposal be cancelled due to financial or other reasons. In any case, if a proposal was to be cancelled then it would no longer be 'reasonably required'. In those circumstances alternative development of the site might be acceptable. No change is required to the proposed Plan to take account of blight should a proposal fail to be delivered.

### **Waste facilities**

12. Scottish Planning Policy requires all development plans to identify appropriate locations for required waste management facilities, where possible allocating specific sites. Policy 14 provides a platform to safeguard and identify areas for waste facilities. Proposed supplementary guidance on areas of search for waste facilities provides a criterion based framework to assess waste management proposals and indicates that such facilities would normally be sited on existing or planned industrial land.

13. The Scottish Environment Protection Agency does not object to the wording of policy 14 but makes comments on the supplementary guidance, a matter for the council. The supplementary guidance will form part of the development plan, and consequently suitable sites are identified as required by Scottish Planning Policy. No changes to the proposed Plan are required on this basis.

14. One representation requests that all references to energy from waste plants are removed from

the proposed plan. Any new non-nuclear baseload electricity generating capacity and associated infrastructure at Boddam, as identified in the National Planning Framework 2, may incorporate new and refurbished power and heat generating plant. However, there is no reference to this being energy from waste and no such reference is made in the proposed plan. Consequently, no change is required to the text on this basis.

**Other safeguarding**

15. It is suggested that the policy should be better defined to reflect the different levels of control required to safeguard resources and those to identify and safeguard areas for major industrial developments. However, no suggestion is provided on how this would be achieved. Policy 14 is well defined in that it safeguards key strategic resources and provides a platform for the identification of areas of search. The differing levels of control would be fleshed out in the accompanying supplementary guidance, which would form part of the development plan when adopted. No change is required to redefine the levels of control.

**Alternatives to be safeguarded**

16. Policy 8 on the layout, siting and design of new development requires new development to meet the appropriate standards for open space. However, the policy and the remainder of the Plan do not refer to the protection of existing public open space. Open space can be valued on its own and as part of a wider network. Scottish Planning Policy suggests the identification and protection of open space in the development plan. In this context, public open space could be considered as a key strategic resource. Although appendix B of proposed supplementary guidance SG LSD 5: Public Open Space does refer to the protection of open space, it is not clearly signposted in the proposed Plan that the supplementary guidance performs this function. For this reason, and to be compliant with Scottish Government Circular 1/2010 on development planning in providing an appropriate context within the Plan, reference to safeguarding public open space should be made in policy 14. The proposed supplementary guidance could be split or amended to accommodate this change.

17. New non-nuclear baseload electricity generating capacity and associated infrastructure is identified as a national development for Boddam in the National Planning Framework 2. The Scottish Government suggests text to safeguard this opportunity, which closely follows that written in the national document. However, the National Planning Framework 2 would be material in the determination of any application for the identified national development. Therefore, rather than copy the text verbatim, and in the interests of brevity, a modification following the council’s commended change is sufficient and appropriate.

**Reporter’s recommendations:**

Modify the proposed Plan by:

- 1. Replacing the first sentence of policy 14 within the policy box to:

**Aberdeenshire Council will not support developments that sterilise, degrade or otherwise make unavailable key strategic resources, including the water environment, important mineral deposits, prime agricultural land, open space, trees and woodlands.**

- 2. Including ‘SG Safeguarding 9: Open Space’ in the list of supplementary guidance to be produced.

- 3. Replacing the second sentence of policy 14 within the policy box to:

**Other key strategic resources include sites that may reasonably be required in the future for the delivery of transportation improvements, waste facilities, or energy generation, including the ability of Peterhead power station to adapt or expand.**

- 4. Adding an ‘R’ designation to the proposals map to identify reserved developments related to Peterhead Power Station.



<b>Issue 24</b>	<b>Safeguarded Areas of Search for Minerals.</b>	
<b>Development plan reference:</b>	Section 5. Policies: Policy 14 (p16) Proposals Maps (p19-25) Supplementary Guidance SG Safeguarding 7	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mr &amp; Mrs Michael &amp; Linda Pales (11) Aileen Hamilton (18) Jacqueline Christie (23) J Douglas Robertson (24) Mr J Shepherd (28) Aggregate Industries UK Ltd (35) Ron Vinall (36) Castlewood Leisure Ltd (48) Derek Robertson (54) Alastair Donald (59) William Adams (60) Tim McKay (84) Paul Butler (88) James Hay (92) Gordon Penny (137) Michael Sharpe (139) Stephen Vickers (144) Eric Davidson (165, 314) Robert Nicol (167, 192) Ewan Anderson (173) Evelyn Riddell (198) David Wilson (245) Greystone Quarry (246) Norman P Lawie Limited on behalf of Mr Ian Gilbert (253, 255) Dr J K Thompson (293) Margaret Thompson (294) J M Wing (295) R V C Wing (296) W Geddes (297) Ian Denyss (298) W Denyss (299) Evan Denyss (300) Rosemary McKay (301) Robert McKay (302) Mari McKay (303) Lochside Motors (304) Moir Bell (305) B Haggart (306) Edam Lee (308) John Lamb (309) M Laing (310) George Laing (311) Tom Milne (312) Hilary Milne (313) Karen Maxfield (315) Liam Maxfield (316) Jordan Davidson (317)</p>	<p>N Mackay (1307) D Shewan (1309) Mr &amp; Mrs John Hutcheon (1313) David Barron (1314) Malcolm Stone (1316) S Thomson (1317) F Stone (1318) L Hutcheon (1319) Ralph Ross (1320) C Field (1321) J McCulloch (1323) Calum Girdwood (1324) A Higgins (1326) A Hamilton (1327) G Jamieson (1328) J Jamieson (1329) Daniela Woods (1330) Andrew Woods (1331) Richard Meldrum (1333) Daniel Ovall (1334) Johanne Ewan (1335) K A Granull (1336) J Y Silvia (1337) S Mennie (1340) Archial Planning on behalf of J M Gilbert (1579) Archial Planning on behalf of No Quarry Action Group (1627, 1631, 1633) Mark Rae (1691) Marjory Rae (1692) Marina McDonald (1694) Sarah Lawrie (1696) Graham Lawrie (1697) Alison Brand (1698) Gregg Will (1702) Colin Inglis (1706) Alison Bonner (1714) Diane Whyte (1715) Shonaugh Farquhar (1716) Julie Walker (1717) Elaine Nicol (1718) Jackie Murray (1719) Elaine Tait (1720) Aileen McGready (1721) C McLachlan (1722) H Sharp (1723) Diane Massie (1724) Paula Houton (1725) Lynn Montgomery (1726)</p>	



John Thompson (318)	Jess Hunks (1727)
Dorothy Anderson (319)	Helen Godfrey (1728)
M Parker (320)	Steven Godfrey (1729)
Nicola McCombe (321)	S Buchan (1730)
Gary Riddell (322)	J Woodrow (1731)
A Pautti (323)	C Wetherell (1732)
R Forbister (324)	J Bowwer (1733)
Richard Page (325)	K Valentine (1734)
W Rennie (326)	Alison Raffan (1735)
I Rennie (327)	Gordon Raffan (1736)
T Barker (328)	W Murray (1737)
Brian Smith (329)	A Clubb (1738)
F Allardyce (330)	R MacDonald (1739)
Tom Allardyce (331)	J Robertson (1740)
J Orben (332)	Marice McKay (1741)
Sheila Clark (333)	Fiona Ryce (1742)
Allan Clark (334)	Gail Ritchie (1743)
Patricia Ferguson (335)	Abi Hatcher-Davies (1744)
Malcolm Moir (336)	Phil Murray (1745)
Leith Petrie (337)	Mike Macrae (1749)
Sheena Pirie (338)	Elaine Macrae (1750)
James Pirie (339)	Stephanie Moon (1751)
I Hunter (340)	Leona Main (1753)
Sandra Geddes (341)	Kevin Main (1754)
Jane & Derek Cruder (342)	L Millar (1755)
Trevor Ashwell on behalf of A C Watson (348)	S Tawse (1756)
James Lamb (352)	Rob Lawson (1757)
Dr & Mrs Joseph K Thompson (360)	David Carson (1758)
Susan Randall (365)	Pam Moer (1759)
Steven Booth (378)	J Smith (1760)
Stephen Shaw (381)	A Charlton (1761)
William Lippe Architects Ltd on behalf of RMB Developments (415)	C Morgan (1762)
Tom & Fiona Allardyce (423)	Mark Hunter (1763)
Ian Nicol (477)	Alison Munro (1764)
Michael Scott (482)	Frank Moren (1765)
R J McKay (484)	Fozia Rayam (1766)
M McKay (485)	Lynn Morton (1767)
Mr & Mrs David & Christine Brown (512)	Grahame Phipps (1768)
Deborah Breese (521)	Mark Gilbert (1769)
Rosemary McKay (531)	Lenny Wood (1770)
Mari McKay (534)	Alexis Robb (1771)
Ian Burnett (535)	Andrew Florence (1772)
Beverly Costello (544, 545)	Alissa Gilmour (1774)
Ryden LLP on behalf of Bruce Plant (549)	Ian Downie (1775)
Belhelvie Community Council (561)	David Booth (1776)
Christine Knight (569)	Annie Kindness (1778)
Mr & Mrs Allan Clark (575)	Linda Leith (1779)
Scottish Natural Heritage (579)	P B Leslie (1780)
Portlethen & District Community Council (580, 1122)	D Leslie (1781)
James & George Collie on behalf of Michael Allan & Owen Greive (582)	S Lamb (1782)
David Penny (583, 1146)	Tracy Sheppard (1783)
Mr & Mrs Kevin & Lorraine Scott (587)	Paull & Williamsons LLP on behalf of Walter C Cumming (1785, 1788, 1790, 1792)
Reginald Leslie Bolton (588)	Anne Marie Gar (1787)
Peter Townsley (596)	Andrew Clark (1789)
	Keely Harper (1791)
	Paull & Williamsons LLP on behalf of Springhill

<p>Paul Clark (658, 660)          Audrey Walker (719, 660)          David Leslie (721)          Aberdeen Considine on behalf of Mr &amp; Mrs Smurthwaite (722)          Cairness Ltd (723)          Jean Dickinson (828)          David William Dickinson (829)          Mary Harris (837)          David Penny on behalf of John McIntosh (839)          James &amp; George Collie on behalf of Michael Allan &amp; Owen Greive (840)          Elizabeth Bower (842)          David Stewart (864)          Scottish Wildlife Trust (867)          Alexander &amp; Lorraine Hutcheon (900)          Alexander Hutcheon (901)          Alan &amp; Irene Hutcheon (902, 903)          John &amp; Irene Hutcheon (904, 905)          Mike Gillan (906)          Stephen Tate (930, 931, 1248)          David Law (961)          Lyndsey Law (962)          Stephanie Law (963)          Roderick Law (964)          Kenneth Bruce (1062)          Dundas &amp; Wilson CS LLP on behalf of Trump International Golf Links Scotland (1089, 1109, 2075)          Mark &amp; Susan Gruber (1090)          B J Kennedy (1102)          John Buen (1107, 1108)          John Peacock (1115)          Barrie &amp; Shona Beattie (1116)          Barrie &amp; Shona Beattie (1117)          James Innes (1141)          James &amp; George Collie on behalf of Michael Allan &amp; Owen Greive (1157)          Mr &amp; Mrs Torquil Macleod (1209, 1211)          Jennifer Neil (1210)          Eric Stevenson (1252)          Dr Brian R Smith (1258)          Pat Murray (1266)          Carol Cooper (1278)          Trish Freak (1279)          Sarah Miller (1280)          Jack Watt (1281)          Susan Gibson (1282)          Alex Auchinachie (1283)          Kathleen McDonald (1284)          John Burn (1285)          M Kassi (1286)          Barry Ingram (1287)          C Duncan (1288)          Alison Watson (1289)          T MacDonald (1290)          A Ballingall (1291)</p>	<p>Nurseries (Wholesale) Ltd (1795, 1801)          Ryden LLP on behalf of Trustees of the Castle Fraser Estate Settlement 1982 (1851)          Ryden LLP on behalf of Breedon Aggregates Scotland Ltd (1881)          Ryden LLP on behalf of Dunecht Estates (1882)          Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2085)          Strutt &amp; Parker LLP on behalf of Faskally Investments (2086)          Stephen Tate on behalf of Monymusk Estate (2108)          John Thompson (2140)          Steven Webley (2177, 2185, 2337, 2338, 2341, 2343, 2363, 2366, 2369, 2370, 2400, 2401, 2404, 2405, 2406, 2426, 2429, 2432, 2433, 2622, 2623, 2625, 2626, 2627, 2628, 2629, 2630)          Jeannie Rees (2229)          Mark Ogg (2233)          Peter Sheal (2249)          Jamie Ross (2255)          Deborah Wilson (2263)          Sandra Stevenson (2282)          Dr Pat Murray (2290, 2547)          Philip J Murray (2339, 2402, 2481)          Peter Reilly (2351, 2414)          Imants Schneider (2353, 2416)          Michael Stone (2445)          Dr Rhona McKeown (2467)          Philip Goodall (2477)          Ishbel Nicolson (2491)          No Quarry Action Group (2493)          Sophie Stewart (2496)          Norman Davidson (2498)          Elizabeth Davidson (2500)          Andrew Galloway (2510)          George Gray (2511)          Helen Gray (2512)          Ron McCaskill (2521)          Ewan Stewart (2525)          Myra Stewart (2526)          Sarah Stewart (2527)          Vivienne O'Brien (2529)          Karen McDonald (2530)          Joseph O'Brien (2531, 2532)          Frank Peet (2534)          Pamela Carle (2536)          Sarah Bell (2539)          Belhelvie Church of Scotland (2546)          Arthur Nicolson (2549)          Sandra Galloway (2558)          Deborah McGrath (2559)          Jean McLeish (2560)          Cara Roberts (2561)          Ernest Wray (2563)          Natalie Gourlay (2564)</p>
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<p>L Kidd (1292)                  K Andison (1293)                  N Morgan (1295)                  M Pattinson (1297)                  M J Taylor (1298)                  V Fraser (1299)                  K Milne (1301)                  S Fenton (1302)                  J Breytenbach (1303)                  G Webster (1304)                  D Hall (1306)</p>	<p>Rev Dr Paul McKeown (2589)                  Reginald Bolton (2604)                  Vilma Main (2724)                  Malcolm Stone (2747)                  Philip Goodall (2757)                  John Peacock (2768)                  Sarah Peacock (2769)                  Scott Armstrong (2794)                  Siobhan Jaffray (2795)</p>
<p><b>Provision of the development plan to which the issue relates:</b></p>	<p>Areas identified for safeguarding under Policy 14 and SG safeguarding7</p>
<p><b>Planning authority's summary of the representation(s):</b></p>	
<p><u>General comments</u>  <b>253:</b> Table 1 numbers do not relate to map numbers. Table 1 should show map numbers and map refs. Some maps are numbered and others are not. All maps should be numbered.   <b>579:</b> The 71 sites were not subject to consultation in the MIR and the Environmental Report and Tables 3-9 p280-286 do not provide a credible assessment of the 71 sites.   <b>2757:</b> The evidence used to decide on the 71 areas is inadequate and poorly presented, the maps are drawn to follow BGS mapping with very basic and inconsistent comments for the individual areas. Areas of glaciofluvial deposits are not included with no reason for their exclusion.   <u>Additional sites sought to be included</u>  <b>35:</b> With reference to Table 2, the plan for 126 Tom's Forest, Kintore and Corrennie, Tillyfourie is incorrect &amp; Edzell quarry are not allocated. (See maps attached)   <b>246:</b> Greystone quarry received permission in Sept 2007 and an extension for a further three years in 2010 (APP/2010/1036). This should be included in the LDP.   <b>549:</b> Sand and gravel deposits lying north of Ury House, Stonehaven should be safeguarded. Ground investigation study (attached) estimates &gt;3000 tonnes of sand and gravel extend over 30.5 ha.   <b>1579:</b> Include area highlighted on attached map south of Kemnay as it is estimated to include 300,000 to 400,000 tonnes of material.   <b>1881, 1882:</b> Existing consented sites have not been included such as 1. Craigenlow, Dunecht (hard rock quarry with planning permission for 25 years extraction from 1998 onwards) for which workable deposits extend further south. Also 2. Capo, Edzell, 3. Boghead, Mintlaw and 4. Boyne Bay, Portsoy (limestone for agricultural use, with consent expiring 2042 and further reserves). Plans attached of their suggested extent.   <b>2085:</b> Identify the authorised sand quarry at Alastrean as being an area of search and safeguarded area, as it will need to expand within the lifetime of the plan. Include existing minerals extraction sites in the Areas of Search to allow for expansion.   <b>2086:</b> Identify the authorised sand quarry at Nether Park (Appeal Ref P/PPA/110/221) as being an area of search and safeguarded area, as it will need to expand within the lifetime of the plan. Include existing minerals extraction sites in the Areas of Search to allow for expansion.</p>	

**2233:** Zone between existing quarries at Capo and Arnhall would be more sensible. This has sand and gravel and good access. Between area 69 and 71 on the South West side of Edzell Woods is most sensible.

**Areas of Search (Table 1) Sites to be removed**

Site 3 Canterbury, Cornhill

**579:** Concern for Long-established woodland of plantation origin for which no safeguarding or mitigation is proposed and therefore this proposed site cannot comply with Policy 14 and SG Safeguarding 3. The site should be removed or boundary altered.

Site 4 Roughhilly Portsoy

**579:** Concern for Long-established woodland of plantation origin for which no safeguarding or mitigation is proposed and the site therefore cannot comply with Policy 14 and SG Safeguarding 3. Site should be removed or boundary altered.

**11:** Objection to site 4 on the grounds of noise, dust, dirt, lorries, and harm to wildlife.

Site 5 Whitehills west

**579:** Site is within the SG STRL Type 1 Coastal Zone (also adjacent to Cullen to Stakeness Coast SSSI). Therefore, how can minerals development comply with this policy? The site should be removed or boundary altered.

Site 6 Banff West

**1141:** Banff West should be omitted.

**245:** Topography and geology determines the site is unsuitable. A farm lies within the site.

**828, 829:** The area should not change. Quarrying would endanger wildlife and create noise, pollution and destroy amenity and property value.

Site 7 Blackhills, Cornhill

**173:** Site has poor infrastructure.

**381:** Objection to the site unless conditions are imposed relating to roads, junctions, water supply and drainage.

**579:** The Habitats Regulations Appraisal and Scottish Natural Heritage's desk based assessment suggest possible adverse effects on the site integrity of the Reidside Moss SSSI/SAC. Sites likely to impact on Natura sites should either be removed or subject to further appropriate assessment, or protected by further policy restrictions or caveats.

**1102:** Objection to the site, as there is no timescale for restrictions and no notification was given including regarding mineral type. Can trees be planted on the land?

**2282:** Object to site 7 on the grounds that the south part risks polluting the Reidside Moss SSSI and contravening the Climate Change (Scotland) Act 2009; the south part contains badger setts, the majority of the site sloping north would cause significant visual impact; the northern part and south eastern part is quality farmland; gravel resources are believed to be of limited volume and value; farming and residences are not compatible with mineral extraction; the access is poor; and designation would cause blight.

Site 8 Kirkton of Alvah

**59:** The land is classified as AONB so no minerals development would be permitted.

**579:** Concern for Ancient Woodland of semi-natural origin for which no safeguarding or mitigation is proposed. Mineral extraction therefore cannot comply with Policy 14 and SG Safeguarding 3. The site should be removed or boundary altered.

Site 12 New Aberdour west

**348:** Remove areas north of easting 863000 (see map), as this is adjacent to the coastal road, is an AONB, and requires conservation for wildlife and tourism.

**579:** The site is within the SG STRL Type 1 Coastal Zone. Therefore how can minerals development comply with this policy? The site should be removed or its boundary altered.

Site 13 New Aberdour North

**348:** Remove areas north of easting 863000 (see map) as this is adjacent to the coastal road, is an AONB, and requires conservation for wildlife and tourism.

**579:** The site is within the SG STRL Type 1 Coastal Zone. Therefore how can minerals development comply with this policy? The site should be removed or its boundary altered.

Site 14 New Aberdour North

**579:** The site is within the SG STRL Type 1 Coastal Zone. Therefore how can minerals development comply with this policy? The site should be removed or its boundary altered.

**88:** Quarrying should not be permitted due to impacts on tourism, wildlife, property values and mains water supply.

**255:** A buffer distance is required for mineral extraction from existing settlements.

Site 15 Peathill

**521:** Proposed extraction at Peathill and Auchlinn should be excluded from the plan. Peathill should be deleted as it would contravene Policy 4 and SG concerning Development in the Coastal Zone, unsuitable roads infrastructure and impact on the amenity of settlements.

**579:** The site is within the SG STRL Type 1 Coastal Zone. Therefore how can minerals development comply with this policy? The site should be removed or its boundary altered.

**842:** Objection to land being used for quarries.

**2229:** Objection to the site on the grounds of reduction in property value and quality of life.

Site 16 Auchlin

**521:** Proposed extraction at Peathill and Auchlinn is excluded from the plan. Peathill should be deleted as it would contravene Policy 4 and SG concerning Development in the Coastal Zone, unsuitable roads infrastructure and impact on the amenity of settlements.

Site 23 Newmill West

**482:** Objection to the site on the grounds of: devaluation of property; archaeological site; pollution of waterbodies; noise; impact on views and landscape; wildlife disturbance; and inadequate infrastructure.

Site 24 Newmill East

**588:** Land under Parkside Farm is not underlain by sand and gravel but instead till and bedrock. Residences will be affected and oppose quarrying. An attempt to quarry at Newmill West was prevented by a Court injunction. Agricultural land should be preserved.

**2604:** Parkside farm should be removed from site 24. Underlying geology is till, which is not exploitable or endangered. British Geological Survey geologist was contacted to confirm this.

**723:** Site should be removed.

Site 28 Longside

**18.:** B-Listed Millbank House and steading lie within the site; a large area is prone to flooding and

flat lying; access is not suitable.

Site 34 Aberchirder West

**92:** Site is unsuitable due to proximity to dwellinghouses and it is used by geese.

Site 38 Denhead, Dyce

**360:** Is referred to as an 'Area of landscape significance' in the ALDP 2006, and in the Scheduled Monument Records around Parkhill House. The area has a number of woodlands, Scottish Government Policy states that there will be a strong presumption against removal of woodland (p7 Forestry commission – Control of Woodland Removal). Remove site.

**255:** A buffer distance is required for mineral extraction from existing settlements.

Site 39 Fyvie North

**596:** Objection to the site due to: 1. Maps being out of date, 2. Notification inadequate, 3. Loss of landscape heritage (Parkhill House is recorded in the Sites and Monument Record, an Area of Landscape Significance and a Designed Landscape), 4. Loss of woodland as an amenity, 5. Potential damage to the environment and biodiversity.

**579:** Concern for Long-established woodland of plantation origin for which no safeguarding or mitigation is proposed. Extraction at this site therefore cannot comply with Policy 14 and SG Safeguarding 3. The site should be removed or boundary altered.

**165:** Concern regarding site 38.

**575:** The site is an Area of Landscape Significance so should not be quarried. Adverse effects are likely on property value from heavy traffic, dust and pollution; wildlife; and water levels in Bishops Loch.

**1258:** Quarrying will cause damage to hydrology and ecosystems, views, private water supplies and the shared Scottish Water septic tank for Corsehill View. Land within 150m of the burn should be excluded.

**484:** Objection to the site: 50% is planted with trees; and quarries would have adverse effects on protected/endangered species (red squirrels, goshawks, badgers), water bodies, fishery, and amenity (noise, dust, property rental potential).

**485:** Objection to the site on the basis of extensive woodland, and potential impact on badgers, red squirrels and goshawks.

**423:** Concern for the environmental impact on Parkhill: loss of woodland, habitats, traffic, noise, dust, debris. There is no demonstrated need for this site.

**531:** Exclude the site.

**534:** Remove forested areas from the area of search.

**2140:** Objection to development of site 38 for sand and gravel extraction due to the potential: impact on property value, public and private amenity, public safety, restriction on further business and residential developments, impact on road safety and infrastructure, light pollution, surface water management, trees and wildlife. The policy prohibits public access and impacts on rights of way.

**352:** Remove the site, as it contains woodland, habitat and heritage (including some statutory designations) valued for amenity. Includes Parkhead House recorded in the Aberdeenshire Sites and Monuments Record and in the Historic Landuse Assessment as a designed landscape and contains a Tree Preservation Order. Appropriate bodies should be consulted. Should be designated an Area of Landscape Significance. Concern for the impact on water courses (including SSSI),



Rights of Way, wayleaves, accesses, property values, dust, noise, traffic and fragmentation of the community.

**293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 1320:** Site 38 should be excluded: 50% is covered by trees; fauna is extensive and varied with some protected species; the Council already recognises the area's significance; opencast quarrying would destroy habitat, amenity and devalue property within and adjacent.

Site 39 Fyvie North

**378:** Site 39 is unsuitable due to the impact on the environment, views, recreation and wildlife, and impact on the amenity, value and development potential of a house.

**535:** Concern for inclusion of the site on the grounds of: impact on amenity (water supply, sewage), traffic and access, flooding and effects on landscape, flora, fauna and the setting of dwellings within.

**2249:** Site 39 should be removed, as it is frequently flooded; would have significant negative transport impacts on local communities; and would damage the natural environment.

Site 40 Haddo, Ythanbank

**930:** Triangular shaped land between 40 and 45 is suitable for phased development of a rural business (subject to tree cover maturing to hide proposed buildings). Development of site 40 would preclude this.

Site 44 Burnside, Sauchen

**255:** A buffer distance is required for mineral extraction from existing settlements.

**1795, 1801:** Objection to the site at Cluny. it would be unlikely to meet SG Rural Development 4; the Health and Safety Executive recommend a 400m buffer around settlements whereas a number of houses and a school fall within 400m of this site; noise, dust and vibration would affect residents' health and safety; the site would separate Cluny and Sauchen and preclude formation of a linking foot/cyclepath. 44

**1851:** Remove or at least reduce the extent of the site to exclude G121 at Cluny. The site is too close to Cluny Primary School, would divide the community and would adversely affect residential properties through dust, noise and visual impacts. Roads would be inadequate and unsafe. Constraints and the scale of the site determine it is likely to be unviable.

Site 45 Tangland Ythanbank

**931, 1248, 2108:** Area of search should be restricted to south of the B9005 where there are existing quarries on land with less amenity value and that has not been replanted. Avoid north side by the River Ythan which should be retained for amenity/tourism and has been replanted with woodland.

**579:** Concern for Long-established woodland of plantation origin for which no safeguarding or mitigation is proposed. Extraction at this site therefore cannot comply with Policy 14 and SG Safeguarding 3. The site should be removed or boundary altered.

Site 47 Mill Farm Kemnay

**84:** Site 47 would not be appropriate. Between Glenhead Wood and Glenhead has been extensively quarried. Quarry staff informed that quantities were insufficient for quarrying. The area south of the railway line was extensively mined. A major pipeline crosses the area.

Site 48 South Orrock, Balmedie

**415:** The extent of the area of search should be reduced for site 48 at South Orrock, in line with recent ground assessments and a drawing (submitted) which identified approx. 23 ha of deposits.

**2290:** Remove site 48: development of the area was rejected on appeal that indicated the land is not suitable; properties and tourism would be adversely affected; and there is no identified need for sand and gravel.

**2531:** Site 48 should not be considered, as it has already been rejected and shown to be not suitable due to: adverse landscape and property impacts; traffic; noise and disturbance; impact on the water table and removal of waste products make it uneconomic in the proposed extraction method; ample sand and gravel supplies already exist locally; impact on tourism given the adjacent Trump development.

**2534:** No mineral extraction to occur in this area as it is not suitable for this.

Sites 48 and 50 Balmedie North

**900, 904, 1627, 2402. 2339, 2404:** Remove sites 48 and 50.

**2560, 2768, 2769, 2794 & 2795:** Objection to site 48 south Orrock, Balmedie & site 50 Balmedie North; Balmedie Quarry and four landfill sites are within 5km radius of Balmedie and further development would be detrimental to the community and seen as inappropriate in an area of outstanding natural beauty.

**1631, 1633:** Delete site 48 South Orrock and site 50 Balmedie North as these are unsuitable. An appeal against the refusal of planning application APP/2005/1117 (P/PPA/110/699) was dismissed and concluded that mineral deposits at South Orrock are unsuitable for extraction due to various reasons including landscape impact and local and wider access issues that could not be overcome. This refusal demonstrated non compliance with ALP Env\13 and Gen\1. Sites 48 and 50 would be contrary to SG Rural Development 4 criterion 6 due to cumulative impacts (at least 5 landfill/quarry sites are within 5km of Balmedie). The appeal explored the market situation, which revealed a consented supply of 25-27 years of sand and gravel. This would exceed 15years specified in SG Rural Development 4 criterion 5, and does not support inclusion of these sites. The identification of areas of search and in particular site 48 is contrary to SPP paragraphs 226 (concerning reserves) and 231 (concerning minimising negative impacts). Site 50 would have an adverse landscape impact on views to and from the Trump International Golf Links development and therefore tourism. Site 50 lies within the coastal zone identified in SG STRL Type 1 and contravenes this guidance. Amend spelling of South Orvock to Orrock.

**2539:** The application should be declined.

**2481, 2560:** Sites 48 and 50 should be removed. Both are close to an area of special value; South Orrock was refused at appeal; adverse impacts on landscape and houses.

**2547:** Delete site 48 South Orrock and site 50 Balmedie North. Cumulative effect with existing bad neighbour sites and adverse impact on tourism. Refusal on appeal of South Orrock demonstrates the land is not suitable.

**477, 2560:** Sites 48 and 50 should be deleted; site 48 was rejected on appeal in 2009 due to the potential adverse landscape impact. Site 50 is located within SG STRL Type1 therefore conflicts with policy 4. There would be impact on residents from noise, pollution and traffic, and on recreation at the country park and dunes. Cumulative impact with existing landfill and other minerals sites. No proven need.

**561:** Site 48 was refused on appeal for various reasons including access. Site 50 is also poorly accessed. Heavy lorries cause noise, vibration and damage to residents' property. Area 50 would be intrusive in the landscape.

**1107, 1108:** Concern for extraction in the vicinity of Belhelvie/Balmedie and impact on the environment and infrastructure.

**2564:** Objection to sites 48 and 50. The appeal suggested adverse landscape impacts on properties, whilst quarrying would impact on the Trump Resort and tourism.

**2529:** Objection to inclusion of two sites. South Orrock was refused on appeal on grounds including: there is no evidence of a need for materials; increased volume of traffic; impact on properties. There is also concern for cumulative impacts with landfill sites and recycling centre.

**2521:** Site 48 was refused permission for quarrying on appeal and nothing has changed. Site 50 would impact adversely on the Trump development due to noise, dust and traffic.

**2510:** Objection to sites 48 and 50: Access is not suitable; already similar sites in the area; adverse impact on the area being developed for tourism and visitors.

**2530:** Objection to sites 48 and 50 which are areas of outstanding natural beauty and scientific interest; would have adverse cumulative effects with existing landfill and quarry sites; and the impact on the community from noise, waste and traffic.

**1266, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1295, 1297, 1298, 1299, 1301, 1302, 1303, 1304, 1306, 1307, 1309, 1313, 1314, 1316, 1317, 1318, 1319, 1321, 1323, 1324, 1326, 1327, 1328, 1329, 1330, 1331, 1333, 1334, 1335, 1336, 1337, 1340, 1691, 1692, 1694, 1696, 1697, 1698, 1702, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1749, 1750, 1751, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1774, 1775, 1776, 1778, 1779, 1780, 1781, 1782, 1783, 1787, 1789, 1791:** Objection to sites at South Orrock and Blairton. Balmedie Quarry and 4 landfill sites are within 5km of Balmedie. Further development would be detrimental to the community and inappropriate in an AONB promoted as a visitor destination.

**721, 901, 902, 903, 905, 961, 962, 963, 964, 2445, 2467, 2491, 2493, 2496, 2498, 2500, 2511, 2512, 2525, 2526, 2527, 2546, 2549, 2558, 2559, 2563, 2589, 2724, 2747:** Objection to allocation of sites 48 and 50 for the following reasons: the appeal rejection at South Orrock proved 1. the land is not suitable, 2. a potential adverse landscape impact on properties and 3. access is inadequate, whilst quarrying would cause noise, disturbance and traffic. There would also be 4. a cumulative impact with landfill sites, 5. impact on the Trump Resort and tourism, 6. and there are ample supplies of sand and gravel.

Site 50 Balmedie North

**2353, 2416:** Remove site 50, as a quarry would not be compatible with the amenity of the surrounding area.

**544, 545:** Remove site 50: the site is not appropriate, being located within the designated Coastal Zone; beside Balmedie Country Park (valued for recreation, wildlife and dunes); the new Golf development from which views will be disrupted; and is visible from the A90.

**579:** The site is within the SG STRL Type 1 Coastal Zone therefore how can minerals development comply with this policy. The site should be removed or its boundary altered.

**1115:** Site should be removed as it is poorly located development in the landscape.

**2532:** Concern that the site lies within the SG STRL Type1 Coastal Zone; it is low lying and visible from the A90, Country Park and Trump development.

**2536:** Object on the grounds of road safety and impact on views in the country park.

**719, 720:** Site 50 should be removed: it is contrary to ALP Env/13, ENV/11 (including the tiered selection process - and in any case this should be a nationally important site due to the Golf resort);

contrary to SG STRL Type 1 Coastal Zone; contrary to SG Landscape 1 and 2; located between the 'Golf Resort' and Balmedie Country Park which would both preclude extraction or suffer adverse impacts; the site is prominent; there would be visual, air quality and noise impacts; disproportionate cumulative quarrying impacts, an unacceptable impact on communities, and blight. No ground testing was done, boundaries are questionable, and there is no mineral shortfall.

**1089, 1109, 2075:** Remove site 50. The Trump International Golf Resort is a development of national importance and should not be compromised. Quarrying would never be acceptable to the Trump Organisation.

Site 49 Alford East

**1116, 1117:** Fully reject all plans for search for minerals (Map 40).

**587:** Objection to site 49 which should be removed for the following reasons: 1. Planning blight, 2. Existing planning restrictions (at Bandlely Store), 3. Road infrastructure inadequate, 4. Health and safety on roads, 5. Impact on residents (drainage, amenity, dust, air quality, noise, traffic, blasting), 6. Property damage (clay dewatering), 7. Agricultural impact, 8. Distance to market, 9. Groundwater impact, 10. Tourism impact, 11. Impact on nature, wildlife and visual natural beauty, 12. Proximity to dwellinghouses, 13. Lack of prior consultation.

**2477:** Objection to site: consultation was inadequate; large number of properties will be affected; Ancient Woodland not adequately assessed; Meikle Moss Wood is important for birds and have RSPB been consulted; bats are widespread; Bandlely Store issues have not been addressed; quarry water would flood into the River Don and the A944 is a major tourist route that would be affected.

**579:** Concern for Long-established woodland of plantation origin for which no safeguarding or mitigation is proposed. Extraction at this site therefore cannot comply with Policy 14 and SG Safeguarding 3. The site should be removed or boundary altered.

**23:** Remove site 49 on the grounds of: proximity to housing, insufficient infrastructure, damage to agricultural land and landscape, proximity to a rookery and woodland. No notification despite access track being within the site.

**1090:** Objection to the site and development around Bandlely. Safety, amenity, scenery and recreation would be eroded. Cumulative impact with Bandlely Farm.

**28, 582, 840, 1157:** Oppose the site on the grounds of harm to residents, landscape and arable land, congested roads, noise pollution, road safety and decreased property value.

**2255:** Remove site 49 as it includes part of the representee's property which is affecting property values.

**139:** Remove site 49. Objection on the grounds of: planning blight, visual impact, agricultural impact, tourism, existing planning restrictions (regarding Alford Store), road infrastructure, impact on residents (noise, dust, air quality, traffic, working hours, blasting), proximity to a large number of dwellinghouses, groundwater discharge and associated pollution to the River Don, distance to markets (Aberdeen).

**906:** Object to site 49 which should be removed because of the impact on: 1. enjoyment of views and the peaceful location, 2. property values, 3. setting a precedent for Bandlely Stores to extend hours of operation, 4. roads and safety. 5. Land is clay rich suggesting sand and gravel is not present, and tourism and fishing would be affected by pollution; also 6. birds, 7. other wildlife, 8. natural woodlands and 9. agricultural land would be destroyed. 10. Quarrying would not be viable due to large number of residences and buffers required around these. 11. No notification and 12. Landbank is sufficient.

Site 52 Lumsden South

**1062:** Site should be removed due to adverse impacts on water supplies for properties and farming; damage and disruption to roads, environment and wildlife; impact on property values and quality of life.

**512:** Objection to map 42 Lumsden South on the grounds of compulsory purchase orders, impact on wildlife, rural communities and built heritage.

**569:** Site 52 should be removed due to detrimental impacts on: 1. the environment, landscape of significance and ecology, 2. waterbodies and supplies, 3. owners and occupiers, 4. subsidence to property, 5. threat of compulsory purchase orders, 6. farming, 7. tourism, recreation and related economic impact, 8. widening of single track roads and 9. human rights.

**837:** Area to the left of Honeybarrel road and area to the right where there are dwellings, should be removed, in order to avoid pollution and disruption to water supplies. Extraction would cause disruption to the community.

**36:** Objection to quarrying in 42 Lumsden South. The objector's property lies within the site and the landscape and family's environmental and conservation projects would be harmed.

Site 53 Lumsden North

**864:** Exclude Sandyknowes from 53 as it is established for housing; the site was put forward as M13 in MIR; and is on the margin of the Area of Search; whilst limited extraction is possible. Site visit suggested.

**579:** Concern for Ancient Woodland of semi-natural origin for which no safeguarding or mitigation is proposed. Mineral extraction therefore cannot comply with Policy 14 and SG Safeguarding 3. The site should be removed or boundary altered.

**2263:** Site 53 should not be designated as roads are not suitable, and the safety and amenity of the area would be destroyed.

**1210:** Objects to quarrying due to the use by residents and visitors for recreation. Pollution and noise would harm wildlife.

Site 54 Cairnie woods, Strachan

**579:** Concern for Ancient Woodland of semi natural origin for which no safeguarding or mitigation is proposed. Mineral extraction therefore cannot comply with Policy 14 and SG Safeguarding 3. The site should be removed or boundary altered.

**579:** The Habitats Regulations Appraisal and Scottish Natural Heritage's desk-based assessment suggest some sites could have adverse effects on the site integrity of the River Dee SAC. Sites likely to impact on Natura sites should either be removed or subject to further appropriate assessment, or protected by further policy restrictions or caveats.

Site 56 Tough

**255:** A buffer distance is required for mineral extraction from existing settlements.

**144:** Remove area 56 due to poor access and flood risk.

Site 58 Waulkmill, Strachan

**48:** The deposit is poor quality, road infrastructure is unsuitable and noise pollution would impact on business.

**579:** The Habitats Regulations Appraisal and Scottish Natural Heritage's desk-based assessment suggest some sites could have adverse effects on the site integrity of the River Dee SAC. Sites likely to impact on Natura sites should either be removed or subject to further appropriate

assessment, or protected by further policy restrictions or caveats.

Site 59 Gallowhill, Fettercairn

**1252:** Objection to site 59 which is inappropriate. Reasons include: quality of the landscape, difficulty in screening quarrying, inadequate roads and infrastructure. Plus, 1. there is no risk of it being sterilised and unavailable in the future, 2. viability is unproven, 3. effect on property value, 4. allocation is subjective, arbitrary and thoughtless, 5. no prior consultation took place.

Site 60 Auchenblae West

**255:** A buffer distance is required for mineral extraction from existing settlements.

Site 62 Pitdrichie, Drumlithie

**365:** Unsuitable site due to archaeological and geological interest; part landfilled; biodiversity (supported by a European grant); road infrastructure; and impact on property and rental value.

Site 63 Catterline

**255:** A buffer distance is required for mineral extraction from existing settlements.

**54:** Ground to east of A92 contains negligible sand and gravel.

Site 64 Nether Craighill, Arbuthnot

**24:** Object to garden ground of Burnies, Burnside, Arbuthnott being included in site 64, remove from site.

**722:** Object to site 64, it will destroy the local bird and wildlife habitat and could be detrimental to the local heritage at Lewis Grassie Gibbon Centre.

**60, 1785, 1788, 1790, 1792:** Objection to site 64. Local knowledge of previous quarrying suggests reserves were low quality. This site is unlikely to be viable and the access track is unsuitable. Due to proximity to residential property, workings could not comply with PAN50. To avoid unnecessary expense (for developers and those affected) involved in submitting a planning application, and blight prior to this, the site should be removed.

Site 65 Blairdrine, Crathes

**579:** The Habitats Regulations Appraisal and Scottish Natural Heritage's desk based assessment suggest some sites could have adverse effects on the site integrity of the River Dee SAC. Sites likely to impact on Natura sites should either be removed or subject to further appropriate assessment, or protected by further policy restrictions or caveats.

Site 66 Barras Hill Edzell

**658:** Objection to inclusion of 66.

**198, 2406:** Objection to site 66 which should be removed.

**198:** Remove site as no on site surveys have been carried out as to the extent of possible deposits and the area contains woodlands with valuable biodiversity and wildlife.

**660:** Objection to inclusion of 66 which should be removed. It is not appropriate for the reasons: 1. Over 50k from Aberdeen so outwith the market area, 2. Poor road linkage, 3. Sand and gravel is limited from local knowledge, 4. Need for buffers around houses renders it unworkable, 5. Not economically viable, 6. Biodiversity value, 7. Geodiversity and landscape value, 8. Impact on residential amenity, 9. Impact on recreation and 10. Tourism.

**2337, 2400:** Objection to site 66 which should be removed on the grounds that: A significant part is Native birch woodland and long-established plantation which it is not possible to reinstate or mitigate the loss of; and it contradicts the Forest and Woodland Strategy for Aberdeenshire & Aberdeen City 2005, the Scottish Forestry Strategy 2006.



**2177:** Objection to site 66 which should be removed based on the South Orrock appeal decision P/PPA/110/699 in which the reporter was of the opinion there was no demonstrable shortfall (i.e. <10 years supply) of sand and gravel resources. This applies to site 66.

**2622:** Objection to site 66 which should be removed because:- Verifiable sources of information (BGS Mineral Resource Maps) do not cover Aberdeenshire and therefore were not used to identify search areas.

**2623:** Objection to site 66 which should be removed because:- Liaison did not occur with neighbouring authorities and therefore potential market demand and reserves are unknown in neighbouring authorities, in this case Angus.

**2185:** Objection to site 66 which should be removed. There is no detailed knowledge of any mineral reserves' viability. The designation would cause economic and social blight.

**2626, 2627& 2628:** Objection to site 66 which should be removed because:- It is unknown whether there are reasonable prospects for economic extraction of the mineral reserve within site 66.

**2629, 2630:** Objection to site 66 which should be removed because:- The quantity of the mineral reserve within site 66 is unknown.

**2625:** Objection to site 66 which should be removed because:- There is no reasoned justification for the safeguarding of areas and the criteria to be satisfied by minerals reserves within site 66.

**1209:** Site 66 should be removed as its identification and selection is unnecessary and inappropriate. It is poorly accessed; distant from markets; there are natural environment constraints (trees and Ancient Woodland, water environment, landscape, geodiversity) and local knowledge suggests that much of the area contains no workable deposits. Flooding and private water supplies are a concern. Sustainable development and economic growth based on tourism would be affected.

**1211:** Site 66 should be removed as its identification and selection is unnecessary and inappropriate.

**2233:** Area 66 is poorly accessed.

**2561:** Remove site 66 as it is of value for: landscape, biodiversity and habitat interest (SSSI and GCR sites close by); geological and geomorphological qualities; Ancient Woodland habitat (this cannot be simply reinstated as suggested by Council Methodology); cultural and historic landscape features; tourism, being adjacent to the Cairngorm National Park; education and the local economy; tranquil amenity and setting. It would be: outwith 50km of market area with unsuitable road infrastructure (Angus steers extraction to within 2km of trunk/A class roads); contrary to sustainable development; contributing to a disproportionate concentration of minerals extraction within south Mearns contrary to Scottish Natural Heritage guidance. There was inadequate consultation.

**2351, 2414:** Site 66 Edzell-Fettercairn contains important landscape features; is inaccessible from markets and poorly serviced by infrastructure; valuable for tourism and recreation. No prior landscape value/capacity study.

**2341, 2343, 2404:** Objection to site 66 which should be removed on the grounds that: the 20m buffer zone is inadequate as potential development would affect a larger area.

**2363, 2426:** Objection to site 66 which should be removed. Areas of search are excessive with respect to current and future market demand.

**2366, 2429:** Objection to site 66 which should be removed. Bardon Ltd quarry at Edzell and Enstone at Capo are of the opinion that sites such as this with scattered properties are harder to mitigate (for dust, noise, access) than a quarry with a nucleus of houses in one area, so is less likely to be viable.

**2369, 2432:** Objection to site 66 which should be removed. There are no development pressures as it comprises Native Woodland and agricultural land. Agricultural buildings and windfarms would be short-lived and acceptable. The planning authority could ask for mineral surveys to be carried out funded by the developer to avoid blight on communities.

**2432:** Objection to site 66 which should be removed. There are no development pressures as it comprises Native Woodland and agricultural land. Agricultural buildings and wind farms would be short-lived and acceptable. The planning authority could ask for mineral surveys to be carried out funded by the developer to avoid blight on communities.

**2370, 2433:** Objection to site 66 which should be removed on the grounds that new reserves would be excessive. Bardon Ltd quarry has 10 years extraction left and they provide information that Edzell area is not considered an ideal site for quarrying due to transportation costs between the quarry and potential major development sites. Enstone at Capo Quarry has 5 years extraction left. There is little current demand for minerals from Edzell: Permitted quarrying (15 years) would support c. 4000 houses; AWPR and related future development unlikely to source from Edzell due to transportation costs; current economic climate is poor.

Site 68 Inverury Wood, Edzell

**579:** Concern for Long-established woodland of plantation origin for which no safeguarding or mitigation is proposed. Extraction at this site therefore cannot comply with Policy 14 and SG Safeguarding 3. The site should be removed or boundary altered.

**2233:** Site 68 is planted as the ground is boggy and there is no gravel.

Site 69 Saltire Wood, Edzell

**2341, 2343, 2405:** Objection to site 69 which should be removed on the grounds that: the 20m buffer zone is inadequate as potential development would affect a larger area.

**579:** Concern for Long-established woodland of plantation origin for which no safeguarding or mitigation is proposed. Extraction at this site therefore cannot comply with Policy 14 and SG Safeguarding 3. The site should be removed or boundary altered.

**867:** Ancient Woodland contains protected and priority species. This site should not be included in order to comply with SG Natural Environment 2 and the Nature Conservation (Scotland) Act 2004.

**2233:** Site 69 Saltire Wood is an old peat bog. Zone between existing quarries at Capo and Arnhall would be more sensible. This has sand and gravel and good access.

**2338, 2401:** Objection to site 69, Saltire Wood, on the grounds that a significant part is Ancient Woodland important for red squirrel breeding; and it would contradict the Forest and Woodland Strategy for Aberdeenshire & Aberdeen City 2005, the North East Scotland Red Squirrel Species Action Plan and Scottish Forestry Strategy 2006. Mitigation/reinstatement would not be possible.

**1706:** Saltire Wood is a large area of diverse natural woodland which is valuable habitat especially for red squirrels,

Site 70 North Mains, Findon

**137:** The respondent's house should be removed from being within the area of search to avoid devaluation.

**583, 1146, 839:** Objection on the grounds that land is being developed for a horticultural business.

**580, 1122:** Quarrying at Findon cannot be reconciled with protection offered by the Green Belt and Coastal Zone designations, and narrow roads are already under strain.

Site 71 Capo Plantation, Edzell

**2233:** Site 71 has already been quarried out.

**Safeguarded areas (Table 2) to be removed**

**167 & 192:** Regarding Table 2, Safeguarded Mineral resources, the respondent objects to 118 Pitcaple, Inverurie.

**Modifications sought by those submitting representations:**

Delete the following areas of search:

3	Canterbury, Cornhill	45	Tangland, Ythanbank
4	Roughilly, Portsoy	47	Mill Fam, Kemnay
5	Whitehills West	48	South Orrock, Balmedie
6	Banff West	49	Alford East
7	Blackhills, Cornhill	50	Balmedie North
8	Kirkton of Alvah, Alvah	52	Lumsden South
12	New Aberdour West	53	Lumsden North
13	New Aberdour North	54	Cairnie Wood, Strachan
14	New Aberdour East	56	Tough
15	Peathill	58	Waulkmill, Strachan
16	Auchlin	59	Gallow Hill, Fettercairn
23	Newmill West	60	Auchenblae West
24	Newmill East	62	Pitdrichie, Drumlithie
28	Longside	63	Catterline
34	Aberchirder West	64	Nether Craighill, Arbuthnott
35	Ruthven	65	Blairydrine, Crathes
38	Denhead, Dyce	66	Barras Hill, Edzell
39	Fyvie North	68	Inverury Wood, Edzell
40	Haddo, Ythanbank	69	Saltire Wood, Edzell
42	Hatton West	70	North Mains, Findon
44	Burnside, Sauchen	71	Capo Plantation, Edzell

**Summary of responses (including reasons) by planning authority:**

Overview and General comments

The purpose of the annotations showing “Areas of Search and “Safeguarded Areas “ on the proposals maps is to support Policy 14, and in particular SG Safeguarding 7. Identification of such areas was an issue raised in the Main Issues Report (page 21), and the proposals received overwhelming support from the limited number of respondents who commented on this issue (See “Issues and Actions Volume 1 p27) at that stage.

The methodology and evidence base used is detailed in the submission “ Minerals area of search methodology and background”. It is accepted that the study was a “broad brush” sieve mapping desk based assessment and that that not all possible constraints were analysed . Some small minerals sites would not have been identified at the grain used in the study. The exercise considered drift geology and social, natural and historic environment constraints, but a professional judgement was applied for issues relating to potential tourism, landscape and settlement impacts. This was undertaken by two officers to ensure consistency and lack of bias.

By way of context, submissions received on the proposed supplementary guidance SG Safeguarding 7 have been appended as a paper apart.

Paragraph 226 of Scottish Planning Policy has been adhered to in all aspects except determination of developer interest. This exception is on the basis that past attempts to consult with the disparate “minerals industry” in Aberdeenshire have failed to engage with small operators supplying sand and

gravel to meet local needs. Requiring “developer interest” to be shown for areas of search is inappropriate in many cases, as it is also legitimate for a plan to identify “opportunities” where there is currently no developer interest.

Additional sites sought to be included

Existing sand and gravel quarries have not been identified as “areas of search”. Planning permission exists for extraction and there is no purpose in a policy that safeguards areas which already have consent. Modification has been made to the supplementary guidance SG Rural Development 4 Minerals, so that a site no longer requires to be in an area of search to meet the policy.

Not all rock quarries have been safeguarded. Where planning permission exists for phased extraction over a large area there is no purpose to safeguarding.

The area between sites 69 and 71 includes the Edzell Woods development site M1 and was excluded due to potential impacts on the settlement.

In response to the objections made to the inclusion of individual sites the following three sections consider these in terms of; sites where there has been no representation; sites where representations raise issues that would not preclude the use of a part of the safeguarded area as a development site; and those sites where substantial objection is raised to their inclusion.

Sites not to be removed

Despite neighbour notification advising nearby residents of the designation there has been no objection to the inclusion of the following sites as “areas of search” for minerals:

1. Cotton Hill, Fordyce
2. Fordyce Hill, Fordyce
9. Castleton, Turriff
10. Auchlinn, Turriff
11. Bo, Turriff
17. Memsie West
18. Tyrie
19. Auchenblae East
20. Memsie West
21. Tarwathie, Strichen
22. Memsie North
24. Newmill East
25. New Leeds
26. Brownhill, Fetterangus
27. Gaval, Fetterangus
29. Bracklamore, New Pitsligo
30. North Garmond
31. Idoch, Cuminstown
32. Turriff South
33. Turriff West
35. Ruthven
36. Hill of Kinnoir, Huntly
37. Old Crow Wood, Monymusk
41. Craigie, Ythanbank
42. Hatton West
43. Hatton South
46. Hill of Logie, Ellon
51. Woodhead, Alford
55. Cairnie Woods, Garlogie
57. Rhynie
61. Tillydrine, Kincardine O'Neil
67. Criggie, Stonehaven

Despite objection, the community benefit of identifying the following areas of search outweighs potential impacts on individual or household amenity and justifies their retention as areas of search for minerals. Objections related to these sites raise matters which it is likely to be possible and is therefore more appropriate to resolve in the context of applying the policy contained in SG Rural development 4 “minerals”, at the stage that a planning application is made.

3. Canterbury, Cornhill: Sufficient land lies outwith the woodland to allow it to be retained as an area of search.
4. Roughilly, Portsoy: Sufficient land lies outwith the woodland to allow it to be retained as an area of search.
5. Whitehills West: Being in the defined coastal zone does not preclude minerals development.
6. Banff West: Impacts on amenity, wildlife and farm operations could be addressed at the time of a planning application and do not affect the need for safeguarding.
12. New Aberdour West: Being in the defined coastal zone or within an area of landscape significance (there are no Areas of Outstanding Natural Beauty in Aberdeenshire) does not preclude minerals development.
13. New Aberdour North: Being in the defined coastal zone or within an area of landscape significance does not preclude minerals development (there are no Areas of Outstanding Natural Beauty in Aberdeenshire). Other issues could be addressed in response to a planning application and do not affect the need for safeguarding.
14. New Aberdour East: Being in the defined coastal zone or within an area of landscape significance does not preclude minerals development (there are no Areas of Outstanding Natural Beauty in Aberdeenshire). Other issues could be addressed in response to a planning application and do not affect the need for safeguarding.
15. Peathill: Being in the defined coastal zone does not preclude minerals development.
16. Auchlin: Being in the defined coastal zone does not preclude minerals development.
23. Newmill West: The site specific issues raised can be addressed at the time of a planning application.
34. Aberchirder West: Impact on wildlife can be assessed at the time of a planning application and does not affect the need for safeguarding.
40. Haddo, Ythanbank: Community benefit of safeguarding non-renewable resources outweighs development potential.
45. Tangland, Ythanbank: Sufficient land lies outwith the woodland to allow it to be retained as an area of search.
53. Lumsden North: Impact on wildlife can be assessed at the time of a planning application and do not affect the need for safeguarding. Community benefit of safeguarding non-renewable resources outweighs development potential.
56. Tough: Issues raised can be assessed at the time of a planning application and do not affect the need for safeguarding.
59. Gallow Hill, Fettercairn: Issues raised can be assessed at the time of a planning application and do not affect the need for safeguarding.
60. Auchenblae West: The Issue raised can be assessed at the time of a planning application and do not affect the need for safeguarding.
63. Catterline: Issues raised can be assessed at the time of a planning application and do not affect the need for safeguarding.

Sites to be removed

For the following sites, issues have been raised which must bring in to question whether minerals development would ever be considered and whether there is merit in providing these mineral areas with a safeguard:

7. Blackhills, Cornhill: Potential for impact on the Reidside Moss SAC from minerals development and known protected wildlife.
8. Kirkton of Alvah, Alvah: Extent of ecologically significant woodland over the site renders any application for minerals extraction to be unlikely to be successful.
24. Newmill East: Legal constraints prevent quarrying.
28. Longside: Potential for impact on a B listed building makes minerals development unlikely to

- be approved.
38. Denhead, Dyce: Presence of known scheduled monuments makes minerals development unlikely to be approved.
  39. Fyvie North: Presence of archaeology and protected trees and protected species makes minerals development unlikely to be approved.
  44. Burnside, Sauchen: Development would have adverse impacts on the community and preclude one of the local objectives for development in the area.
  47. Mill Fam, Kemnay: Pipeline constraints and previous quarrying makes it unlikely that this site would ever be re-considered for minerals development.
  48. South Orrock, Balmedie: Issues of proximity and cumulative impact identified at the planning appeal remain. Minerals development unlikely to be approved.
  49. Alford East: Potential fishing interests and on the Don are likely to be adversely affected by development of quarrying making them unlikely to be approved.
  50. Balmedie North: The site is adjacent to a nationally important tourism proposal, and minerals development is unlikely to be approved.
  52. Lumsden South: Impact on private water supplies means any application for extraction would be difficult to sustain.
  54. Cairnie Wood, Strachan: Potential for impact on the Dee SAC from minerals development.
  58. Waulkmill, Strachan: Potential for impact on the Dee SAC from minerals development.
  62. Pitdrichie, Drumlithie: Archaeological, geomorphological and ecological interests may preclude minor extraction in the future.
  64. Nether Craighill, Arbuthnott: Reserves are known to be of poor quality.
  65. Blairydrine, Crathes: Potential for impact on the Dee SAC from minerals development.
  66. Barras Hill, Edzell: Extent of ecologically significant woodland over the site renders any application for minerals extraction to be unlikely to be successful.
  68. Inverury Wood, Edzell: Extent of ecologically significant woodland over the site renders any application for minerals extraction to be unlikely to be successful.
  69. Saltire Wood, Edzell: Extent of ecologically significant woodland over the site renders any application for minerals extraction to be unlikely to be successful.
  70. North Mains, Findon: The site is already a successful business which could be prejudiced if any consent was granted for minerals extraction.
  71. Capo Plantation, Edzell. The site has no remaining marketable reserves.

Safeguarded areas

Issues relating to additional development at Pitcaple quarry and proximity of quarry operations to inhabited buildings can be resolved at the time of any planning application.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. As outlined in Issue 22 of this report, Scottish Planning Policy notes that “an adequate and steady supply of minerals is essential to support sustainable economic growth”. It goes on to state that, when preparing development plans, planning authorities should have regard to the availability, quality, accessibility and requirement for mineral resources in their area. It then directs those authorities to liaise with operators and neighbouring planning authorities and to use verifiable sources of information. This is in order to identify appropriate search areas, or where appropriate specific sites, and to show and safeguard these in development plans. This approach is echoed by one of the main stated aims of the approved structure plan, which is to protect and improve valued assets and resources.

2. In this context, policy 14 of the proposed Plan seeks to safeguard resources and associated areas of search, including with regard to minerals. It points out that conserving natural resources is a major factor in sustainable development. In that context, its supplementary guidance SG



Safeguarding 7: Areas of search for minerals provides details regarding the approach taken to selecting and safeguarding areas of search for minerals, and on that basis identifies 71 such areas, which are also shown on the proposals map of the proposed Plan. Amongst the representations lodged there has been some detailed criticism of how the council undertook the process of selecting and evaluating potential areas of search for minerals. In particular, Scottish Natural Heritage (SNH) suggests that the evidence used to decide on the 71 selected areas is inadequate and poorly presented, as well as being marked by inconsistencies.

3. In support of its site selection process and the particular minerals search areas that it has identified for safeguarding, the council makes reference to its in-house document of 2009, "Minerals area of search methodology and background". At the outset that document makes specific reference to the terms of SPP – and the previous national planning policy set out in SPP4: Planning for Minerals (2006), which it superseded – as well as to other guidance from the British Geological Survey. These and other sources are cited with reference to selection criteria for areas of search and the need for a minimum 10 year land bank of minerals reserves to be identified in development plans for a given market area – in this case the whole of the Aberdeenshire Local Development Plan area. The council, in its 2009 document, has provided a detailed and reasoned justification for concluding that there is a need: to identify areas of search for sand and gravel aggregates; to safeguard sites around those existing known quarries extracting sandstone, igneous and metamorphic stone; as well as the slate hills (except Tillymorgan) and the land at Arn Rath and Littlemill associated with other industrial minerals. Existing sand and gravel quarries have not been included in the areas of search identified in the proposed Plan – and the council is correct in stating that this is neither required nor appropriate.

4. Detailed criticisms of the council's assessments of some of the 71 selected areas of search in the environmental report of the Strategic Environmental Assessment (SEA) against SEA objectives are considered on a case-by-case basis below.

5. The council points out that neighbour notification was undertaken to ensure all residents in the vicinity of the 71 areas of search identified on the proposals map of the Plan and in the SG7 Appendix 1 were made aware of the proposals. After that neighbour notification there were no objections lodged in respect of 32 of the 71 areas of search identified – and those unchallenged areas are each listed by the council under the heading "Sites not to be removed." As there are no unresolved representations with regard to those particular areas of search there is no need or basis for the Reporters to give them further consideration. The only exception is area of search 24 Newmill East, which is dealt with below.

6. The council identified two further categories within the overall listing of 71 areas of search. Firstly, it has listed a total of 22 where, after further consideration in the context of the representations made, it now considers that these particular areas of search should no longer be safeguarded. Accordingly, the council now proposes deletion of those 22 from its original listing of 71 areas of search for minerals – and submits that those particular ones should no longer be shown on the proposals map of the Plan. Amongst the 22 is area 24 Newmill East. In that particular case, despite there being no representations lodged opposing its designation, the council now considers that there are legal constraints preventing quarrying in that area. Finally, the council identifies the other 18 areas of search, of the original 71, which in its view should remain as areas of search for minerals. This is despite there being unresolved representations lodged seeking their deletion as areas of search to be safeguarded.

7. Unaccompanied site visits have been undertaken to each of the 40 areas in the last two categories identified by the council, as summarised above. Those visits provided inputs to the evaluation of the merits of possible inclusion of each of those areas within the local development plan as an area of search for minerals. In reaching the conclusions and associated recommendations set out below, consideration has also been given to the arguments put forward in representations and the current position of the council with regard to each of those areas. The area numbering system set out by the council in its evidence has been adopted for reference purposes below – as fully listed in Table 1 on page 146 (in the section headed SG Safeguarding 7: Areas of

Search for Minerals) in the Proposed Supplementary Guidance: Policies document 3F. Firstly, consideration is given to each of the sites that the council now considers should no longer be safeguarded as areas of search for sands and gravels reserves in the development plan.

**Areas the council contends should no longer be safeguarded as areas of search**

Area 7. Blackhills, Cornhill, Banff & Buchan

8. This irregularly shaped area, which is in a relatively sparsely populated rural area served by minor roads, was the subject of several representations arguing for its deletion as a minerals search area. Some general concerns were expressed with regard to infrastructure constraints with respect to roads, water supply and drainage. Whilst the council does not comment on these matters it does accept the more specific concerns raised in representations regarding the likely effects of any minerals development here for the Reidside Moss area which extends into Site 7. Reidside Moss is both an SAC and an SSSI, which are Natura designations. The council now accepts the concerns expressed by Scottish Natural Heritage (SNH) in that regard, as well as the risks to protected wildlife highlighted in other representations. Based on all of these considerations the council's updated position is justified and accordingly this area should not be safeguarded as a minerals search area in the Plan.

Area 8. Kirkton of Alvah, Alvah, Banff & Buchan

9. This large area is characterised by its areas of ancient woodlands of semi-natural origin and the council now acknowledges their ecological significance. SNH points out that mineral extraction here would raise concerns about safeguarding the ancient woodland and highlights potential conflicts with Policy 14 of the Plan. As well as dealing with areas of search for minerals and other purposes this policy seeks to conserve natural resources including the protection and conservation of trees and woodland (as articulated in the Supplementary Guidance SG Safeguarding 3). For all these reasons the council's updated position is merited and so this area should not be safeguarded as a minerals search area in the Plan.

Area 24. Newmill East, Banff & Buchan

10. This particular proposal for safeguarding resulted in representations contending that the site concerned is not underlain by sand and gravel but by till and bedrock instead – and stating that this has been confirmed by the British Geological Survey. The council does not make explicit reference to these considerations and it was not possible during the site visit to either confirm or question the assertions made regarding the exact nature and extent of what underlies this area of gently undulating farm pasture. Nevertheless, the council has stated that, in any event, there are legal constraints preventing quarrying at this location. Accordingly, this area should not be safeguarded as a minerals search area in the Plan.

Area 28. Longside, Buchan

11. The only representation questioned the proximity of the search area to a listed building, as well as raising concerns about the risk of flooding. It was evident at the site visit that the area of search incorporates an extensive area of low-lying land straddling the River Ugie and also includes Millbank House, a B listed building. The council concedes only that it is unlikely that mineral extraction would be approved at this location, given the potential for adverse impacts arising from the proximity of the site to this listed building. Based on all of the matters raised in the representation, the council's updated position is justified and so this site should not be safeguarded as a minerals search area in the Plan.

Area 38. Denhead, Dyce, Garioch

12. General issues are raised in the representations about the proximity of the search area to dwellings and existing settlements, as well concerns about the land being used by geese. Whilst the council does not make reference to those considerations, it does concede another specific concern raised in one representation – that the site is close to scheduled ancient monuments around Parkhill House and this would make approval for mineral extraction here unlikely. This is a relevant consideration along with the reasonable concern raised in the same representation regarding the loss of attractive woodlands from the estate policies to the east of Parkhill House – which form part

of a designated Designed Landscape – if mineral extraction proceeded in the area in question. Based on all of these considerations, the council's updated position is justified and so this area should not be safeguarded as a minerals search area when the plan is adopted.

Area 39. Fyvie North, Formartine

13. This search area is in two distinct parts – comprising sites east and west of the A947 road, respectively. Each of these sites attracted a number of general representations on a range of issues, including concerns about access, loss of woodland and other landscape quality issues, as well as perceived threats to the local water-courses, wildlife habitats and the amenity of nearby residents. Only the more specific concerns raised – regarding the presence of scheduled archaeological monuments and protected species – are acknowledged by the council in concluding that, for those reasons, mineral extraction in this locality is unlikely to be approved. Whilst not all of the general concerns raised in the representations are persuasive, the specific issues summarised above provide sufficient basis to justify deleting these two areas from being safeguarded as mineral search areas in the Plan.

Area 44. Burnside, Sauchen, Garioch

14. This small search area comprises meadows immediately to the north-east of the small settlement of Sauchen, which adjoins the A944 road. The representations draw attention to issues arising from the proximity of the search area to existing dwellings and to Cluny School – and these concerns are now accepted by the council. The site visit confirmed that these are reasonable grounds for deleting this particular area of search. Furthermore, mineral extraction on this area would be likely to have such adverse effects that it would conflict with one of the aims of the Plan to protect the quality of life for local communities. Accordingly, this site should not be safeguarded as a minerals search area in the Plan.

Area 47. Mill Farm, Kemnay, Garioch

15. This particular area comprises rolling meadows in a mainly rural setting but adjoining the existing Kemnay quarries and close to the settlement of Kemnay. The council now considers that previous quarrying in the immediate locality as well as the presence of a major pipeline across the area are sufficient reasons to delete this area of search. Based on a site visit and the available evidence, it can be concluded that the council's updated position is merited and that this area should not be safeguarded as a minerals search area in the Plan.

Area 48. South Orrock, Balmedie, Formartine

16. This area lies on slightly elevated rolling farmland to the north-west of Balmedie and on the west side of the main A90 Aberdeen to Fraserburgh road. The area is close to the existing Balmedie quarry. The land concerned was the subject of a planning appeal that was dismissed and planning permission for mineral extraction here was refused for various reasons, including landscape impact and access issues that could not be overcome. These and related issues were highlighted in representations lodged. Based on all these considerations the council's updated position is justified and so this area should not be safeguarded as a minerals search area in the Plan.

Area 49. Alford East, Marr

17. This area, which covers a relatively flat area of cropped fields and woodland immediately to the north of the A944 road, attracted numerous representations covering a wide range of planning issues of concern. These included references to the potential impact on existing residents and businesses in the vicinity and on the tourism potential of the area, as well as infrastructure constraints and the likely adverse impacts on the local ecology and landscape. The single issue that the council concedes as a major obstacle in this case is the likely effect on the fishing interests along the nearby River Don. Based on all these considerations, the council's updated position is correct and so this area should not be safeguarded as a minerals search area in the Plan.

Area 50. Balmedie North, Formartine

18. This area is to the north of Balmedie and on the east side of the A90 road, almost opposite site 48. This low lying flat land is also located in close proximity to and visible from the dunes area that

is now the location of the proposed new golf resort on the Menie estate that has received planning permission. The Menie scheme will also incorporate a hotel as well as holiday and other housing developments in a new village close to the 2 proposed new golf courses that are now under construction. Many of the representations lodged in respect of area 48 are repeated in respect of site 50. In addition concerns are expressed that mineral extraction on area 50 would detract from the amenity of the golf resort development and would be visible from the A90 road. The council recognises that the Menie estate development is a nationally important tourism proposal and on that basis concedes that development of area 50 for quarrying is unlikely to be approved. Based on all of the above concerns and the other issues raised in the representations, the council is justified in concluding it would now be inappropriate to proceed with designation of area 50 for mineral extraction. Accordingly, this area should not be designated as a minerals search area in the Plan.

Area 52. Lumsden South, Marr

19. A wide range of issues have been raised in representations in response to this proposed minerals search area. These include concerns about water supplies for farms and houses, adverse impacts on the local environment and its wildlife as well as perceived threats to tourism potential and the built heritage of the area. The council acknowledges the potential adverse impact that mineral extraction on this area would be likely to have on local private water supplies – and on this basis considers that such a proposal would not be sustainable. Whilst not all of the arguments raised in the representations are persuasive, the council is justified in concluding that the likely impact on local water supplies is such that it would be inappropriate to proceed with designation of this particular area as a minerals search in the Plan.

Area 54. Cairnie Wood, Strachan, Marr

20. A significant section of this area forms part of the ancient Cairnie Wood, of semi natural origin. These forested areas have been extended further southwards, past Galley Bank and the Doup of Becky, well beyond the proposed minerals search area. A site visit confirmed that part of the woodland within the suggested search area has been felled, but much still remains. There are tracks through the woodlands close to the Water of Feugh, which drains northwards into the nearby River Dee. SNH raises concerns that if the area was designated for mineral extraction there is no protection or mitigation to safeguard the ancient woodland – and it is also rightly concerned that mineral extraction could have adverse effects on the site integrity of the River Dee SAC. This last point is now conceded by the council – such that it no longer seeks designation of this area as a minerals extraction search area. Based on the precautionary principle, taking into consideration all the available evidence, this area should not be designated as a minerals search area when the plan is adopted.

Area 58. Waulkmill, Strachan, Marr

21. This area is situated on the western edge of Strachan, immediately to the north of the B979 road. This road, like the area itself, runs parallel with the nearby Water of Feugh, which drains into the River Dee. Some doubts are raised about the quality of the mineral deposits at this location but these concerns are not substantiated. SNH contends that if the site was designated and utilised for mineral extraction this could have adverse effects on the site integrity of the River Dee SAC. This concern is now shared by the council – and so it no longer seeks designation of this area as a minerals search area. As above in respect of area 54, these factors provide sufficient reasons to conclude that this site should not be safeguarded as a minerals search area in the Plan.

Area 62. Pitdrichie, Drumlithie, Kincardine & Mearns

22. This area was only opposed in one representation – on the ground that it was unsuitable for mineral extraction. Amongst other reasons, it was suggested that part of the area was landfilled, had road infrastructure problems and included features of archaeological, geological and biodiversity interest. The council now accepts that the archaeological, geomorphological and ecological interests of the area may preclude even its long term suitability for mineral extraction. Accordingly there is no planning basis for designating the area in question as a mineral search area in the Plan.

Area 64. Nether Craighill, Arbuthnott, Kincardine & Mearns

23. This proposal drew a significant number of representations. These were principally concerned

that, based on previous quarrying in this locality, the area in question would have mineral reserves of only poor quality – casting doubt on its viability for further mineral extraction. The council now shares these fundamental concerns. Accordingly, it was not necessary to visit the site in order to conclude, based on the available evidence, that the area should not be safeguarded as a mineral search area in the Plan.

Area 65. Blairydrine, Crathes, Kincardine & Mearns

24. This area, close to the River Dee, was opposed in a representation from SNH – on the grounds that if the area was designated and utilised for mineral extraction this could have adverse effects on the site integrity of the River Dee SAC. This concern is now shared by the council – and so it no longer seeks designation of this area as a minerals extraction search area. The logical conclusion, therefore, is for deletion of this area as a mineral search area in the Plan.

Area 66. Barras Hill, Edzell, Kincardine & Mearns

25. This proposal drew a large number of representations, highlighting a wide range of issues. These include concerns about the local woodlands on the area and the likely adverse impacts on the local environment and its wildlife/biodiversity – as well as the limited mineral reserves here, which brings into question its viability. The council acknowledges the ecological significance of the woodland in the area and on this basis considers that a proposal for mineral extraction here would not be likely to be approved. Whilst not all of the arguments raised in the representations are persuasive, the likely ecological impacts are such that it would be inappropriate to proceed with designation of this particular area as a minerals search area in the Plan.

Area 68. Inverury Wood, Edzell, Kincardine & Mearns

26. This proposal was challenged in two representations. Some doubts are raised in one of these about the quality of the ground and the extent of the mineral deposits at this location but these concerns are not substantiated. The other representation, from Scottish Natural Heritage, relates to the fact that the area includes a long-established woodland that merits safeguarding. This view is now shared by the council – and so it is justified in now concluding that this area should not be safeguarded as a minerals search area in the Plan.

Area 69. Saltire Wood, Edzell, Kincardine & Mearns

27. This proposal drew a significant number of representations, raising a number of issues regarding the nature of the site and its environs – which included concerns about the long established woodland and the need for protection for this and priority species there. The council now acknowledges these fundamental concerns relating to the woodland. Accordingly, it was not necessary to visit the site before concluding that, based on the available evidence, it should not be safeguarded as a mineral search area in the Plan.

Area 70. North Mains, Findon, Kincardine & Mearns

28. The representations lodged raise a number of issues, including with reference to the green belt and coastal zone designations – as well as pointing out that the area concerned is now the location of a horticultural business. The council now acknowledges that the site is already established as a successful business and on this basis it is no longer seeking its designation as a minerals extraction search area in the Plan. Based on the available evidence the council's current position is justified.

Area 71. Capo Plantation, Edzell, Kincardine & Mearns

29. This proposal is challenged by one representation, on the basis that the area concerned has already been quarried to its full potential. The council now acknowledges that this is the case – and so it sees no purpose in designation of this area as a minerals extraction search area. There is no reasonable basis on which to challenge that updated position and so this area should not be safeguarded as a minerals search area in the Plan.

**Areas the council contends should continue to be areas of search to be safeguarded (even though there are representations seeking their deletion)**

Area 3. Canterbury, Cornhill, Banff & Buchan

30. The only representation in this case is from SNH, expressing concern that this Area includes



part of a long-established woodland of plantation origin. In several other instances where similar concerns have been raised, the council has revised its position and no longer proposes designation of those areas. In this case, however, the council contends that there is sufficient land outwith the woodland to allow it to be retained as an area of search. Whilst this may be correct in overall areal terms I note that the woodland in question here bisects this proposed small area of search – with pasture fields either side of it. The south-eastern edge of the area concerned is marked by the Burn of Boyne which would also be likely to impact on the overall area that can be readily used for mineral extraction and at its north-eastern boundary there is a large residential property – Canterbury House. Based on all of these constraints in the immediate vicinity, in particular the need to safeguard the woodland area, it would not be appropriate to designate this particular area as an area of search for minerals – and so it should be deleted from the Plan and not shown on the proposals map.

Area 4. Roughilly, Portsoy, Banff & Buchan

31. There were two representations – one of which expresses concerns about likely disturbance from mineral extraction at this location in the form of noise, dirt and lorry traffic, as well as potential harm to local wildlife. The other representation is from SNH expressing concern that this area includes part of a long-established woodland of plantation origin. In several other instances where the same concerns have been raised, the council has revised its position and no longer proposes designation. In this case, however, the council contends that there is sufficient land outwith the woodland to allow it to be retained as an area of search. This is a large area of search, of which the woodland in question – Roughilly Wood – occupies only a very small proportion at the southern end. The rest of the proposed search area comprises open fields with cereal crops, as well as small woodland plantation areas and very few residential dwellings.

32. In this context, it can be concluded that the woodland concerns raised by SNH could be addressed if the proposed area of search was modified to exclude those parts to the west of the A98(T) road. This would safeguard Roughilly Wood itself as well as the areas immediately to the north and south of it, with this main road then acting as an effective boundary on the eastern side of the woodland. The concerns raised in the other representation are all matters that would have to be addressed satisfactorily at the detailed planning stage as part of any application for minerals extraction, before a decision is taken. Accordingly, the area of search should be retained but only with a modified boundary to exclude all areas to the west of the A98(T) trunk road.

Area 5. Whitehills West, Portsoy, Banff & Buchan

33. The only representation here is from SNH, expressing concern that this area is within the coastal zone designation shown in the plan and adjoins the Cullen to Stakeness Coast Site of Special Scientific Interest (SSSI). The council rightly states that a site within the defined coastal zone is not precluded from consideration for minerals extraction. However, the council does not respond at all to the concern expressed regarding proximity to the SSSI. It is notable that the whole of the coastline between Portsoy to the west of area 5 and Whitehills to the east forms part of the SSSI. Furthermore, in parts this SSSI extends inland to encompass dune and coastal meadow areas, including along the northern fringe of this proposed area of search. In summary, whilst being within the coastal zone does not of itself preclude its consideration for mineral extraction, the fact that this area of coastal meadows adjoining the coastal dunes directly adjoins an SSSI is sufficient reason for this proposed minerals search area to be deleted from the plan. This conclusion is based on the precautionary principle with regard to safeguarding the integrity of the Cullen to Stakeness Coast SSSI.

Area 6. Banff West, Banff & Buchan

34. The 3 representations raise a number of concerns related to the topography and geology and the likely impact of mineral extraction on local amenity and impacts on wildlife, as a result of such factors as noise and other pollution. The council points out that these and any related concerns are all matters that would have to be addressed satisfactorily at the detailed planning stage – as part of any application for minerals extraction being considered, before a decision is taken in that regard. Accordingly, the council is justified in concluding that this area of search should be retained and shown on the proposals map in the Plan.



Area 12. New Aberlour West, Banff & Buchan and Area 13. New Aberlour North, Banff & Buchan

35. One of the 2 representations raises concerns about these 2 area being adjacent to the coastal road and affecting an Area of Outstanding Natural Beauty (AONB). The other representation is from SNH suggesting that both areas should be excluded or modified, on the basis that they are within the coastal zone designation shown in the Plan. The council points out that there are no designated AONBs in Aberdeenshire. It is also correct in stating that being located within the defined coastal zone as shown in the Plan, and referred to in Supplementary Guidance SG STRL does not in itself preclude an area from being considered for minerals development. Accordingly, areas 12 & 13 should both be retained as areas of minerals search and shown on the proposals map.

Area 14. New Aberlour East, Banff & Buchan

36. Two of the 3 representations raise concerns related to the likely effect of mineral extraction on local amenity of nearby settlements, and water supply, as well as potential impacts on wildlife. The other representation is from SNH, expressing concern that this area is within the coastal zone designation shown in the Plan. The council correctly points out that being located within the defined coastal zone as shown in the development plan, and referred to in Supplementary Guidance SG STRL does not in itself preclude a site from being considered for minerals development. The council is also justified in pointing out that the other concerns that have been raised are all matters that would have to be addressed satisfactorily at the detailed planning stage – as part of any application for minerals extraction being considered, before a decision is taken in that regard. Accordingly, the area of search should be retained and shown on the proposals map.

Area 15. Peathill, Banff & Buchan

37. Two of the 4 representations raise general objections to quarrying related to the likely effect of mineral extraction on local amenity and property values. Another highlights possible road infrastructure constraints in this area – which is characterised by gently rolling fields that are in active agricultural use. Two representations, including one from SNH, object to this area being an area of minerals search on the basis that it is within the coastal zone designation shown in the Plan. The council rightly points out that being located within the defined coastal zone as shown in the development plan, and referred to in Supplementary Guidance SG STRL does not in itself preclude a site from being considered for minerals development. Furthermore, the council is correct in stating that the other concerns that have been raised are all matters that would have to be addressed satisfactorily at the detailed planning stage – as part of any application for minerals extraction being considered, before a decision is taken. Accordingly, the area of search should be retained and shown on the proposals map.

Area 16. Auchlin, Banff & Buchan

38. The only representation objecting to this proposed area of search for minerals is concerned that it is within the coastal zone designation shown in the Plan and contends that minerals extraction here would raise issues related to roads capacity and amenity of settlements. The council rightly points out that being located within the defined coastal zone as shown in the development plan, and referred to in Supplementary Guidance SG STRL does not in itself preclude a site from being considered for minerals development. Furthermore, the council is correct in stating that the other concerns that have been raised are all matters that would have to be addressed satisfactorily at the detailed planning stage - as part of any application for minerals extraction being considered, before a decision is taken in that regard. Accordingly, the area of search should be retained and shown on the proposals map.

Area 23. Newmill West, Banff & Buchan

39. The only representation is concerned that minerals extraction on this area would adversely affect local archaeological and ecological interests and result in visual and other amenity impacts, and would raise issues regarding infrastructure capacity relating to roads and water supply. The council is justified in stating that the concerns that have been raised are all matters that would have to be addressed satisfactorily at the detailed planning stage – as part of any application for minerals extraction being considered, before a decision is taken in that regard. Accordingly, the area of search, which comprises mostly agricultural fields set in a gently rolling landscape, should be retained and shown on the proposals map.

Area 34. Aberchirder West, Banff & Buchan

40. The sole objection to this area in the open countryside being identified as a minerals search area was on the basis that it is too close to dwelling houses and is used by geese. As the council points out, these and related concerns would all have to be addressed satisfactorily at the detailed planning stage – as part of any application for minerals extraction being considered, before a decision is taken in that regard. Accordingly, the area of search, which comprises mostly open pasture with some woodland, together with a limited number of dispersed residential properties, should be retained and shown on the proposals map.

Area 40. Haddo, Ythanbank, Formartine and Area 45. Tangland, Ythanbank, Formartine

41. These two areas of search are in close proximity to the existing Methlick (Lovie) Quarry on the north bank of the River Ythan and to the estate policies of Haddo House on the opposite (south) bank of the Ythan. One of the representations seeks to have site 40 deleted as an area of search for minerals – on the basis that such a designation would mean that a rural business development opportunity envisaged for an adjoining triangular shaped site (between area 40 and area 45) would no longer be a possibility. The council correctly points out that in principle the community benefit of safeguarding sites of non-renewable resources outweigh any development potential for sites in the same locality. There are four representations lodged in respect of site 45 and three of these argue that the area of search should be restricted to south of the B9005 road – noting that this is where there are already existing quarries on land with less amenity value. This would also avoid the long established woodland area to the north of that road and the newer amenity planting by the River Ythan. SNH has also lodged representations seeking to delete or modify area 45 with a view to safeguarding the long established woodland of plantation origin.

42. In reality, much of what is shown as area 40 is in fact the existing Methlick quarry. Accordingly, only the tapered eastern end fronting onto the River Ythan would be a new search area and this is highly prominent in the landscape – being at a road junction by the bridge over the River Ythan. Interestingly, the council does not contest the arguments put forward for keeping any mineral extraction to the south of the B9005 road in order to avoid the old woodland and newer planted areas by the River Ythan. This seems to be a reasonable approach in principle as it would safeguard to the woodland areas. If area 45 was modified to comprise only the land to the south of the B9005 site this would reduce this already small area by around 40%. Furthermore, the remaining area of search to the south of that road would be highly prominent comprising open fields alongside the B9005 road. That is the main approach road for visitors heading to nearby Haddo House, a category B listed building. Indeed the Haddo estate policies forming Haddo Country Park adjoin the west side of area 45.

43. Based on all of these considerations, it would be inappropriate to designate the small remaining areas of areas 40 and 45 – taking into account the extent of the existing Methlick quarry in the case of area 40 and the need to utilise only land to the south of the B9005 in order to safeguard the woodland areas in the case of area 45. This is because the limited benefits of reserving those 2 tightly restricted areas for mineral search are outweighed by the environmental benefits of those areas remaining undeveloped as part of the open countryside setting of the River Ythan and the Haddo House estate they adjoin. Accordingly, areas 40 and 45 should not be retained as areas of search and should be deleted from the proposals map.

Area 53. Lumsden North, Marr

44. Three of the 4 representations raise concerns related to roads capacity, the likely effect of mineral extraction on the amenity of nearby residents and for visitors, as well as regarding potential impacts on wildlife. One of these also argues that the search area should be modified to exclude a site at Sandyford already established for housing. The other representation is from SNH, expressing concern that the area of search should be deleted or modified in order to safeguard an area of ancient woodland of semi-natural origin. The council correctly points out that in principle the community benefit of safeguarding areas of non-renewable resources outweigh any development potential for sites in the same locality. The proposed area of search is quite extensive and any mineral extraction could and should exclude and safeguard the ancient woodland which in any event only covers a very limited part of the overall search area. Furthermore, this and the other concerns

that have been raised are all matters that would have to be addressed satisfactorily at the detailed planning stage – as part of any application for minerals extraction being considered, before a decision is taken in that regard. Accordingly, the area of search, which comprises mostly sandy grass hillocks, should be retained and shown on the proposals map.

Area 56. Tough, Near Alford, Marr

45. The two representations raise concerns about road infrastructure and possible flood risk and contend that there would be a need for a buffer distance from existing settlements. As the council points out, issues such as roads capacity and flood risk are matters that can be addressed satisfactorily at the detailed planning stage – as part of any application for minerals extraction being considered, before a decision is taken in that regard. Whilst the proposed area of search is in a broadly rural area, dispersed across it are a number of detached farms and individual houses and small groups of dwellings. Furthermore, its western boundary is very close to the settlement of Kirkton – and Tough Primary School is located in the search area. Based on all of these considerations it can be concluded that it would be difficult to achieve a commercial mineral extraction operation that could be satisfactorily accommodated in this particular locality whilst respecting the amenity of the existing residential community and its local school. Accordingly, it would not be appropriate to designate this particular area as an area of search for minerals and so it should be deleted from the Plan and not shown on the proposals map.

Area 59. Gallow Hill, Fettercairn, Kincardine & Mearns

46. The only representation contends that the area is inappropriate, given the quality of the landscape, infrastructure constraints and no evidence of its viability for minerals extraction. The area comprises reasonably flat agricultural fields and the proposed search area, which adjoins the B974 Cairn O' Mount Road, has only one residential property on it. As the council points out, the concerns that have been raised are all matters that would have to be addressed satisfactorily at the detailed planning stage – as part of any application for minerals extraction being considered, before a decision is taken in that regard. Accordingly, the area of search should be retained and shown on the proposals map.

Area 60. Auchenblae West, Kincardine & Mearns

47. The only concern raised in the single representation lodged was that there should be a buffer distance between any mineral extraction operation and existing settlements. This area comprises primarily agricultural land with a small area of woodland in a rural setting south of a golf course to the east of Auchenblae. As the council points out the concern that has been raised is a matter that would have to be addressed satisfactorily at the detailed planning stage – as part of any application for minerals extraction being considered, before a decision is taken in that regard. Accordingly, the area of search should be retained and shown on the proposals map.

Area 63. Catterline, Kincardine & Mearns

48. The two representations raise concerns that there is no evidence of the area's viability for minerals extraction and urge the need for a buffer distance from existing settlements. This relatively large search area straddles the main A92 road and passes through an area of rolling fields, mostly in agricultural production. The concerns that have been raised are all matters that would have to be addressed satisfactorily at the detailed planning stage – as part of any application for minerals extraction being considered, before a decision is taken in that regard. Accordingly, the area of search should be retained and shown on the proposals map.

**Reporter's recommendations:**

Modify the proposed Plan by deleting the following areas of search for minerals from the proposals maps:

3. Canterbury, Cornhill
4. Roughilly, Portsoy (in this case only modify the area of designation by deleting those parts of the search area located to the east of the A98(T) road – the remainder of the site would be retained as an area of search for minerals)
5. Whitehills West, Portsoy

- |     |                              |
|-----|------------------------------|
| 7.  | Blackhills, Cornhill         |
| 8.  | Kirkton of Alvah, Alvah      |
| 24. | Newmill East                 |
| 28. | Longside                     |
| 38. | Denhead, Dyce                |
| 39. | Fyvie North                  |
| 40. | Haddo, Ythanbank             |
| 44. | Burnside, Sauchen            |
| 45. | Tangland, Ythanbank          |
| 47. | Mill Farm, Kemnay            |
| 48. | South Orrock, Balmedie       |
| 49. | Alford East                  |
| 50. | Balmedie North               |
| 52. | Lumsden South                |
| 54. | Cairnie Wood, Strachan       |
| 56. | Tough, Near Alford           |
| 58. | Waulkmill, Strachan          |
| 62. | Pitdrichie, Drumlithie       |
| 64. | Nether Craighill, Arbuthnott |
| 65. | Blairydrine, Crathes         |
| 66. | Barras Hill, Edzell          |
| 68. | Inverury Wood, Edzell        |
| 69. | Saltire Wood, Edzell         |
| 70. | North Mains, Findon          |
| 71. | Capo Plantation, Edzell      |

<b>Issue 25</b>	<b>Schedule 1: New Housing Land Allocations</b>	
<b>Development plan reference:</b>	Section 5: Policy 5 Housing Land Supply, Schedule 1 Tables 1-7.	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ryden LLP on behalf of Alexander Adamson Ltd (180, 182, 2253, 2651)  Ryden LLP on behalf of Mr &amp; Mrs Skevington (286)  Ryden LLP on behalf of L Pirie (370, 2124)  William Lippe Architects Ltd on behalf of Mr &amp; Mrs B Robertson (438)  Emac Planning LLP on behalf of Stewart Milne Homes (604)  Knight Frank on behalf of Lesley Paterson (693, 694)  Stewart Milne Homes (915)  Dundas &amp; Wilson CS LLP on behalf of Stewart Milne Group (959)  Strutt &amp; Parker LLP on behalf of Faskally Investments (1019, 1020, 1022)  Turley Associates on behalf of The Stonehaven South Consortium (1081, 1386, 2129, 2130)  Homes for Scotland on behalf of Grampian Housebuilders Committee (1112)  Halliday Fraser Munro on behalf of Deveron Homes Ltd (1368, 1369, 1371)  Halliday Fraser Munro on behalf of Deveron Homes Ltd &amp; Aberdeenshire Housing Partnership (1373, 2158, 2167)  PPCA Ltd on behalf of Banchory &amp; Leggart Estate &amp; Edinmore (1375)  Wallace Planning Ltd on behalf of barratt East Scotland &amp; Dunecht Estates (1393, 1394)  Bancon Developments (1416, 1439, 1456)  Turley Associates on behalf of Bancon Developments Ltd (1470, 1984, 1986)  Halliday Fraser Munro on behalf of Drumtochty Castle (1473, 1474)  Halliday Fraser Munro on behalf of The Blackburn Consortium (1475, 1476, 1477)  Halliday Fraser Munro on behalf of Harper and Cochrane (1483, 1486, 1511)  James Benton (1517)  Halliday Fraser Munro on behalf of Mr &amp; Mrs Dow (1527, 1530, 1535, 1540, 1542)  Halliday Fraser Munro on behalf of G Mitchell (1543, 1545, 1546)  Halliday Fraser Munro on behalf of S Ironside &amp; C Laurie (1547)  Halliday Fraser Munro on behalf of Pension Fund (SAP) (1559, 1562, 1567)  Paull &amp; Williamson LLP on behalf of Irvine Christie (1561)  Halliday Fraser Munro on behalf of Cushnie Farming Company (1568, 1574, 1577)  D J &amp; M Stewart (1575)  Halliday Fraser Munro on behalf of Barratt East Scotland (1581, 1584, 1585, 1586, 1588)  Halliday Fraser Munro on behalf of Barratt East Scotland &amp; Scotia Homes (North) Ltd (1592, 1593, 1595, 1597)  Archial Planning on behalf of Stewart Milne Homes (1599, 1638)  Archial Planning on behalf of Mr &amp; Mrs Lever (1603)  Halliday Fraser Munro on behalf of John Martin Assets (1608, 1609, 1611)  Archial Planning on behalf of Mr &amp; Mrs MacKenzie (1613)  Halliday Fraser Munro on behalf of Chap Homes Ltd (1622)  Halliday Fraser Munro on behalf of Frank Burnett Ltd (1657, 1658)  Paull &amp; Williamsons LLP on behalf of Scotia Homes Limited (1685, 1693)  Ian Downie on behalf of Hill of Kier Ltd, Irvine Christie, Blairythan Partnership, Whitecairns Estates Ltd, Mr &amp; Mrs S Ged (1688, 1689)  Paull &amp; Williamsons LLP on behalf of Scotia Homes Ltd (1699, 1703, 1712, 1773, 1777, 1804, 1807, 1809, 1814)  Bruce Smith on behalf of Scotia Development Company (1746, 1748, 1752)  Halliday Fraser Munro on behalf of CALA Management Ltd (1839, 1844, 1845)  Ryden LLP on behalf of Cabardunn Development Company Ltd &amp; Dunecht Estates (1866, 1867, 1868, 1869, 1871, 1872)  Ryden LLP on behalf of Dunecht Estates (1873, 1874)</p>		



<p>Ryden LLP on behalf of Stewart Milne Homes (1878)                  WYG Planning &amp; Design on behalf of GL Residential Ltd (1955, 2047)                  Scotia Homes Ltd (1985)                  Maclay Murray &amp; Spens LLP on behalf of Forbes Homes Limited (2062)                  Strutt &amp; Parker LLP on behalf of The Millbank Regeneration Joint Venture (2076)                  Strutt &amp; Parker LLP on behalf of Aberdeen Endowments Trust (2077)                  Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2102)                  Strutt &amp; Parker LLP on behalf of BMF Group (2104)                  Strutt &amp; Parker LLP on behalf of B Cowie (2105)                  Strutt &amp; Parker LLP on behalf of Kincardine Estate (2106)                  Strutt &amp; Parker LLP on behalf of Monymusk Estate (2107)                  Knight Frank LLP on behalf of Kirkwood Homes Ltd (2143)                  Ryden LLP on behalf of J Jamieson (2154)                  David Murray Associates (2359, 2361)                  Claire Martin (2425)                  Montgomery Forgan Associates on behalf of Taylor Wimpey/The Mitchell Partnership (2637)                  Archial Planning (2870)</p>	
<p><b>Provision of the development plan to which the issue relates:</b></p>	<p>Whether the housing land supply achieved through allocations is sufficient to meet the structure plan requirement.</p>
<p><b>Planning authority's summary of the representation(s):</b></p>	
<p><u>Effective supply deficit and allocations shortage</u>  <b>438:</b> It was stated that there have been insufficient new allocations in the Garioch area.</p> <p><b>1517, 1568, 1577, 1688, 1689, 1712, 1809, 2062, 2870:</b> An undersupply of effective housing sites in the Aberdeen Housing Market Area was highlighted.</p> <p><b>1561, 1585, 1586, 1588, 1688, 1689, 1746, 1748, 1752, 1773, 1777, 1804, 1807, 1814:</b> The reallocation of constrained sites in the Rural Housing Market Area was highlighted as a problem which would cause an under allocation of new housing numbers in the Rural Housing Market Area.</p> <p><b>1561, 1585, 1586, 1588, 1688, 1689, 1746, 1748, 1752, 1773, 1777, 1804, 1807, 1814 :</b> Sites have been allocated in the Plan which are not deliverable and sites have been over-allocated. This threatens the implementation of the Structure Plan.</p> <p><b>915, 1020, 1022, 2359, 2361:</b> It was stated that there is a broad under-provision across all areas in both phases which fails Scottish Planning Policy (paragraph 74) and the Structure Plan requirement.</p> <p><b>604, 693, 694, 1112, 1393, 1368, 1369, 1371, 1373, 1470, 1527, 1530, 1535, 1585, 1586, ,1588, 1592, 1593, 1595, 1597, 1599, 1603, 1608, 1613, 1622, 1638, 1657, 1658, 1685, 1693, 1699, 1845, 2062, 2143, 2637:</b> It was stated that, given the shortage of effective housing land supply at present and with long lead in times likely until phase 1 allocations are released, the policy on housing land supply and its allocations will not be able to deliver a 5 year housing land supply upon adoption and would be contrary to Scottish Planning Policy (paragraph 72) and the Structure Plan, which requires land to be made available as quickly as possible at the start of the structure plan period (page 18). The Structure Plan actions include "making land available as quickly as possible at the start of the structure plan period." While the policy is intended to deliver upon this, the allocation strategy ensures the action will not be achieved.</p> <p><b>1527, 1530, 1535, 1592, 1622, 1657, 1658:</b> It was stated that that an additional 5,000 houses are required immediately.</p> <p><b>1368, 1369, 1371, 1373, 1689, 2158, 2167:</b> An alternative assessment of the housing land supply in Aberdeenshire suggested that allocations as they stand will not deliver the required 5 year land</p>	



supply immediately upon adoption of the Plan and that the release of phase 2 immediately combined with phase 1 would only deliver enough effective land for just over 5 years and require additional allocations by 2011. It was stated that sites which are constrained are being re-included as effective. New sites which are technically constrained are being classed as effective when they are constrained. Marketability and infrastructure constraints were highlighted as particular causes of constraint.

**180, 182, 1368, 1369, 1371, 1373, 1416, 1575, 2158, 2167, 2253, 2651:** The expected windfalls 2007-2009 were stated as requiring re-analysis.

Respondents **370, 2124** comment that the Local Development Plan should over allocate land to ensure flexibility. If additional land in the Rural Housing Market Area is required, then additional sites should be identified or density of existing land allocations increased to meet the shortfall (**1019, 1020**).

Allocations strategy and its effect on implementation of housing land supply policy

**604, 693, 694, 1112, 1375, 1439, 1456, 1685, 1693, 1699, 1703, 1984, 1985, 2062:** It was stated that there is an over-reliance on large scale sites which risks adherence to the housing land requirement of the Structure Plan across both Housing Market Areas and also within certain Strategic Growth Corridors.

**1375, 1393, 1984, 1878:** This strategy was said to be contrary to Scottish Planning Policy (paragraph 70) which calls for “*a generous supply of appropriate and effective sites being made available to meet need and demand, and on the timely release of allocated sites.*”

**1845:** In order to maintain the effective housing land supply, and in light of the current undersupply of effective land, allocations over and above the Structure Plan minimum requirement should have been made.

**1081, 1386, 1112, 1439, 1456, 1878, 1984, 1985, 2062, 2129, 2130:** Housing completion rates for large sites were said to be unrealistic, which risks the maintenance of a 5 year effective housing land supply.

**1473, 1474, 1475, 1476, 1477, 1483, 1486, 1511, 1608, 1609:** Objection to the description and general message given in the first paragraph of Schedule 1 of the Plan that “Table 1 provides an overview of all new sites that contribute to the Structure Plan housing requirement presented in Schedule 1 Housing Allowances of that plan.” Schedule 1 of the Structure Plan is not a set of housing requirements: it is an allowance that reflects a general strategy of between 75% and 80% of new houses to be located in the Strategic Growth Areas

**1475, 1476, 1477, 1483, 1486, 1511, 1608, 1609:** The Structure Plan has 'allowed' for 78% of the housing specific growth in Strategic Growth Areas. As Schedule 1 is a guide as to the general allowance, additional housing units to take the percentage in the Strategic Growth Areas from 78% to 80%, of around 1,400 units, could be provided through this flexibility.

Application of the Housing Land Audit

**1019:** Objection to the introductory text. It makes reference to the Housing Land Audit 2007, but all other references on the individual tables are to the Housing Land Audit 2009.

**1595, 1597:** The footnote also refers to the 2009 HLA, not the 2007 HLA that the Structure Plan is based on.

Windfall sites and calculation

**1019, 1020, 1839, 1844, 2076, 2077, 2102, 2104, 2105, 2106, 2107:** There is a lack of clarity in the use of the term windfall throughout the plan and schedules. It is not clear what definition is used, it is different to previous Scottish Planning Policy 3 and the current Aberdeen & Aberdeenshire Structure Plan interpretations. In order to meet the Structure plan housing land requirement, “windfalls” should

not be part of the housing allowance (1839, 1844). There is a different basis used for table 1 compared to the subsequent tables in schedule 1. Table 1 includes windfall sites, while the subsequent tables specifically exclude windfall sites with an anticipated number included in the text at the bottom. This makes interpretation of the tables impossible.

**1595, 1597:** The footnote to Table 4 also indicates that a combination of windfall sites and 'carried forward' sites have been accounted for. These are not shown in Table 4 so it is impossible to identify which sites these refer to.

**1611:** Schedule 1 does not meet the requirements set out in paragraphs 39 and 40 of Circular 1/09. This is because Schedule 1 and Tables 1-7 of the Plan do not reflect the full context of the spatial strategy (retained, windfall and new housing sites) appropriately or in any obviously understandable manner.

**1622, 1657, 1658:** It is not clear where the numbers for the Housing Allocations (Schedule 1 tables 1-7) which include housing windfalls have come from. It is unclear where these windfall sites are located and how many units they contribute. Despite the Plan stating the number of windfall units in each area, it does not identify where they are located (i.e. Aberdeen Housing Market Area, Rural Housing Market Area or Strategic Growth Area). This lack of information is unhelpful and does not clearly explain how the housing requirements are to be met through the plan.

#### Existing sites

**1019:** The introductory text also indicates that land is being carried forward from the Adopted Local Plan, but this is not reflected on this table. This is not considered appropriate due to the potential for confusion and misinterpretation between the status of existing and new land allocations.

**2076, 2077, 2102, 2104, 2105, 2106, 2107:** There is no reference to the contents of the previous plan being brought forward. It does not provide clarity for the reader of the Plan who will see one set of figures in the Schedules, and a very different set of figures in the settlement statement.

**1592, 1593, 1866, 1867, 1868, 1869, 1871, 1872, 1873, 1874, 1955, 2047:** Table 4 of schedule 1 in particular only indicates new housing land. Table 4, or an equivalent, should provide greater clarity on the full land allocations.

#### Housing requirement

**1019:** The title of table 1 'meeting the housing land requirement,' implies that the contents of the table 'meet' the Structure Plan housing requirement, which it does not. It is clear that the Rural Housing Market Area allocation does not meet the required allocation.

**1473, 1474, 1475, 1476, 1477, 1483, 1486, 1511, 1527, 1530, 1535, 1540, 1542, 1543, 1545, 1546, 1547, 1559, 1562, 1567, 1568, 1574, 1577, 1581, 1584, 1585, 1586, 1588, 1608, 1609, 1657, 1658 :** The description and general message given in the first paragraph of Schedule 1 of the Plan is misleading: '*Table 1 provides an overview of all new sites that contribute to the Structure Plan housing requirement presented in the Schedule 1 Housing Allowances of that plan.*' However, Schedule 1 of the Structure Plan is not a set of housing requirements: it is an allowance that reflects a general strategy.

#### Note

*Consequential changes to Schedule 1 as result of proposed changes to settlement allocations are detailed within the issue paper associated with the appropriate settlement.*

*Consequential changes to Schedule 1 as result of proposed changes to strategic growth area allocations are detailed within the issue paper associated with the appropriate strategic growth area .*

*Consequential changes to Schedule 1 as result of proposed changes to housing market area allocations are detailed within issue 12 Policy 5 Housing Land Supply .*

*For comments on the housing land allocations in Schedule 1 meeting the housing land requirement, see issue 12 Policy 5 Housing Land Supply 4.*

*For comments on the use of the Development in the Countryside Policy to meet the housing land requirement, see issue 12 Policy 5 Housing Land Supply.*

**Modifications sought by those submitting representations:**

Effective supply deficit and allocations shortage

**604, 693, 915, 1368, 1369, 1371, 1373, 1416, 1470, 1599, 1613, 1638, 1657, 1658, 1685, 1693, 1699, 1703, 1712, 1746, 1748, 1752, 1773, 1777, 1804, 1807, 1809, 1814, 1845, 1870, 1985, 2062, 2154, 2158, 2167, 2359, 2361, 2637, 2699:** Further housing allocations should be made in all structure plan phases in marketable locations, with a greater range and number of sites.

**1416:** An analysis of all expected windfall calculations should take place.

**1575, 1368, 1369, 1371, 1373, 2158, 2167:** The differential between the Structure Plan requirement and the Plan's allocations should be allocated in the Plan.

**1568, 1577, 1599, 1603, 1608, 1699:** First phase allocations need to be augmented substantially and movement of phase 2 to phase 1 allocations.

**1689:** All Main Issues Report sites should be reviewed for inclusion to replace the 3,433 constrained units in the first plan period with effective units. Residual bids should be allocated to the second plan period.

**1112:** An additional paragraph should be added: *"An early release of housing land is necessary to meet the Council's minimum 5 years housing land supply requirement. This will be achieved through Supplementary Guidance or in the event of a severe shortfall by means of windfall sites which are capable of early delivery."* Also *"Flexibility will be given to allow the release of alternative housing sites to make up the shortfall in housing numbers in the event that individual sites fail to deliver during the proposed delivery period."*

**1585, 1586, 1588:** Certain sites with constraints should be re-assessed and have their allocations reduced or removed and redistributed to alternative sites.

**1527, 1530, 1535, 1592, 1593, 1595, 1597, 1608, 1613, :** Additional sites, currently under consideration and capable of quick delivery should be allocated prior to the adoption of the LDP

Allocations strategy and its effect on implementation of housing land supply policy

**604, 1081, 1386, 1386, 1470, 1984, 1986:** Early release of additional sites in deliverable marketable locations must be facilitated immediately. Additional sites are required in Structure Plan periods.

**1517:** Early release of second phase units in Tarves (site M1) should be advanced to period 1 (2007-2016) this will help alleviate the shortfall in effective housing land supply in the Aberdeen HMA.

**693, 694, 959:** Additional and smaller sites required.

**1375, 1394, 1439, 1456, , 1638, 1985:** An increase is called for in the allocations in phase 1 and the removal of all sites which may suffer from constraints to Phase 2. Additional deliverable sites required in a range of locations

**1112:** An additional paragraph should be added: *"An early release of housing land is necessary to meet the Council's minimum 5 years housing land supply requirement. This will be achieved through Supplementary Guidance or in the event of a severe shortfall by means of windfall sites which are capable of early delivery."*

**286, 1685:** Additional allocations are called for within the RHMA.

**1688, 1689:** Significantly greater number and range of sites are required that are effective, particularly in first phase. All allocations which have been identified as constrained in the 2009 Housing Land Audit should be reinstated in the settlement statements as constrained sites at the density indicated within the 2009 audit. They should not be relied upon in any way to contribute to meeting the strategic housing land requirement unless and until it is decided through the next housing land process that individual constraints have been resolved.

**1845:** Additional small scale sites required in the AHMA.

**2062:** Additional small scale sites are required in a greater range of locations,

Application of the Housing Land Audit

**1019:** Clarify which the relevant Housing Land Audit is and make sure references to it are consistent throughout the plan. Adopt the Structure Plan definition of "windfall" and amend the schedules, proposals maps and SG Settlement Statements accordingly.

**2076, 2077, 2102, 2104, 2105, 2106, 2107** Correct the reference to the Housing Land Audit for clarity, and make sure references throughout the plan are consistent.

Housing requirement

**1473, 1474, 1475, 1476, 1477, 1483, 1486, 1511, 1527, 1530, 1535, 1540, 1542, 1543, 1545, 1546, 1547, 1559, 1562, 1567, 1568, 1574, 1577, 1581, 1584, 1585, 1586, 1608, 1609, 1657, 1658:** The Local Development Plan should recognise the flexibility of the Structure Plan Spatial Strategy. The wording should be altered in respect of Schedule 1 to reflect 'allowances' rather than 'requirements'.

Windfall sites and calculation

**1592, 1593, 1595, 1597:** The tables should be altered to provide greater clarity on the full land allocations. This should include a full list of the carried forward sites, windfall sites and their capacities.

**1839, 1844:** Schedule 1, Table 1 requires to be rewritten to exclude reference to "windfall".

**1622 1657, 1658:** Requested that the New Housing Land Tables include information on windfall sites and the housing units carried forward from ALP to ensure a clear understanding of how decisions on housing allowances and allocations have been reached.

**2076, 2077, 2102, 2104, 2105, 2106, 2107** Accept the Structure Plan definition of windfall and amend the schedules, proposals maps and SG Settlement Statements accordingly.

Existing sites

**1019: 1866, 1867, 1868, 1869, 1871, 1872, 1873, 1874, 2076, 2077, 2102, 2104, 2105, 2106, 2107:** The tables within Schedule 1 should be amended to include a further column recognising that sites identified in the existing local plan are carried forward for development (whether at an increased density or not). Alternatively, the extant site should appear in a further schedule to the Plan listing all such sites in each administrative area.

**Summary of responses (including reasons) by planning authority:**

Overview

Schedule 1 of the plan lists the new allocations made in the plan and confirms that the allowances required by Schedule 1 of the structure plan ( p27) have been met. It does not demonstrate that a five year effective land supply is provided, as this is a dynamic issue and any statement of fact on this matter would be out of date and meaningless before the plan was adopted. The annual housing land audit provides that information.

It does not include information on the current established land supply, as the allocations which provide this have been debated at length in the Aberdeenshire Local Plan 2006. It is inappropriate for the Local Development Plan to detail the sites “carried forward”, except under the limited circumstances of those sites previously considered to be constrained being reaffirmed as “new” sites (due to clear interest shown in them by a developer, proposing them as a new “bid” for their inclusion in the plan). Again the established land supply is reviewed annually in the Housing Land Audit, and the settlement statements show the total extent of the existing and new allocations available for any particular settlement.

Tables 2 to 7 detail the new allocations for the six administrative areas of Aberdeenshire.

Effective supply deficit and allocations shortage

Table 5 of the plan demonstrates that there are not insufficient allocations in the Garioch or other administrative areas. There is no requirement to allocate according to the administrative areas as these are not a geographies recognised by the structure plan. The full housing allowance has been allocated in the Aberdeen Housing Market Area.

In terms of the plan providing an early release of an effective supply of housing and the ability to maintain that supply at all times, the plan recognises the low level of effective supply at present. Nearly every site has been subject of a developer bid. The new sites which are identified by the respondents as constrained are, in nearly every case, simply matters of opinion and not based on evidence provided by the prospective developer. Within the rural housing market area, it is expected that around 12% of sites will be delivered via a relaxed rural development policy. Elsewhere, the full housing allowance has been allocated to sites. Overall the allowance for housing is 22% higher than the housing requirement.

A figure of 12% has not been allocated to specific sites in the rural housing market area. This is a lower figure than was presented in the Proposed Plan table 1 page 25. This lower figure is a result of an underestimate at the time of production of the Proposed Plan of the extent of some allocations’ contribution to the housing land allocations. Numbers to be allocated to all sites remain the same. The details of these are presented in ‘Housing land allocations paper part 1’.

Within the Aberdeen housing market area the maintenance of an effective five year supply is dependent on successful delivery of sites in both Aberdeen City and Aberdeenshire. Cognisance of this fact has to be taken: Aberdeenshire Council has only to provide 30% of the allocations to satisfy the housing land requirement in the Aberdeen Housing Market area.

In addition to the new sites allocated there is a supply of existing sites brought forward. In some cases these are constrained sites which have been brought forward into this plan and are identified as EH ‘existing housing sites’ in the settlement statements. These allocations have not contributed to meeting the housing allowances and any lifting of constraints over the course of the plan will provide additional effective sites, further contributing to the generous supply of land for housing. As noted above, the only circumstances where constrained sites have been carried forward and they have counted towards the housing allowances is where a bid has been received from a developer on a currently constrained site. This has been interpreted as a clear statement of intention to develop which will lift that constraint over the course of the plan.

The plan allocates a historically high level of housing and it is accepted that there are settlements where large allocations have been made. On large scale sites, the plan provides developers with the confidence to deliver sites over the course of the plan. If it arises that there is a problem with delivery rates, then allocations can be drawn down from future phases (see section on third phase allocations). In any case the Structure Plan is clear at paragraph 4.17 that we cannot expect all the new homes to be built within the relevant plan period. Delivery of specific allocations are addressed in the Issues papers for individual settlements.

The full housing allowance has been allocated across all areas except the rural housing market area, which has been discussed in Issue 12 *Housing land supply*. A range of sites have been



selected which are effective or capable of becoming effective in line with paragraph 72 of the Scottish Planning Policy. In Aberdeenshire there are major constraints which require to be addressed through large scale allocations. The allocation of a multitude of small sites in these cases would not achieve the Structure Plan objectives as major constraints would remain. The plan provides the full structure plan allowance and will monitor delivery through an unparalleled level of action programming and masterplanning. The allocations strategy and the continuous focus on plan delivery upon adoption offers the best chance of achieving this. See issue 29 *Overall spatial strategy*.

As noted above, sites which are currently constrained and are being re-included as effective and counting towards the housing land allowance are those where a developer has promoted the site through a bid. Also included are sites where an increase in the allocation is expected to lift an infrastructure constraint. Marketability constraints currently affect the northern areas of the rural housing market area. Sites which have been re-included without a developer bid have not contributed to the housing allowance, but have been given another chance to develop. If over the course of phase 1 the action programme demonstrates that there is little prospect of these sites becoming effective, they will be removed at the next local development plan; but their allocation at present does not hinder the delivery of the structure plan requirement. Adding additional sites will not necessarily lift marketability constraints.

Allocations Strategy and its effect on the implementation of the housing land supply policy

The strategy is not contrary to Scottish Planning Policy paragraph 70. A generous supply of appropriate and effective sites has been provided across both housing market areas. Delivery of development has been a major part of the allocations process, with nearly every site which contributes to the housing allowances having come through the developer bid process. The vast majority have been confirmed already as deliverable through developers' delivery statements. The action programme, submitted with the plan has built upon a three year 'future infrastructure requirements for services' process and will continue to monitor deliverability. It will identify sites which should be removed and sites which require additional allocations through early release over the course of the plan. The plan has been informed by a robust and credible Aberdeen City and Shire Housing Need and Demand Assessment.

Allocations over and above the Structure Plan housing land requirement have been made. In addition a generous approach to the carrying forward of constrained sites has taken place, whereby most of these will be given the chance to become effective over the course of the plan but have not contributed to the housing land allowances.

In terms of the housing completion rates for large sites being unrealistic, all allocations do not have to be fully developed within their allocated phase in order to comply with the structure plan. The housing allowances are deliberately 22% higher than the housing requirement, in order to allow for realistic expectations of some non-delivery of sites. More importantly, the housing allocations in the local development plan must provide for a minimum of 5 years of effective supply upon the point of adoption of the plan and maintain that throughout the plan period. The structure plan (paragraph 4.17) states that, while a generous supply of housing land has been provided, "we cannot expect all the new homes to be built within the relevant plan period." Given that there are no demonstrable constraints to development, the allocated sites are considered capable of delivering 5 years effective supply of land to contribute towards the structure plan's housing requirement from the point of the local development plan's adoption.

Expected housing completion rates are high and ambitious, but so are the housing allowances set by the structure plan. Major constraints have to be lifted by these major allocations. The allocation of a wider range of smaller sites, for instance, will not guarantee an increase in completion rates, as constraints would still be required to be addressed. The spatial strategy pursued is the best way of delivering the structure plan's requirement. For further information see Issue 029 *Overall spatial strategy*.

It is agreed that the structure plan's schedule 1 illustrates a set of housing allowances rather than a



set of housing requirements. It shows “the housing allowances are needed to help deliver the increase in new homes at the rate targeted in the plan.” The housing requirement is set out in the structure plan figure 8, Paragraph 3.7 of the structure plan states that around 75 to 80% of growth can be expected to come through the strategic growth areas. Since the allowances are 22% higher than the requirements of the structure plan, not all development is likely to be delivered but, on the basis of the allocations now made by this local development plan, there is a good chance that a figure closer to 80% than 75% will be delivered in the strategic growth areas.

#### Application of the housing land audit

The introductory text refers to the 2007 housing land audit because this was the base audit used to set the structure plan housing requirement and its housing allowances. The 2009 audit is referred to from thereon as it was used as the latest audit available at the time to compare any differences which arose between the 2007 and 2009 housing land audits. This provided the most up to date picture of the housing land supply to inform the housing land allocations at the time of the publication of the Proposed Plan.

#### Windfall Sites and calculation

The definition of ‘windfall’ within Planning Advice Note 2/2010 paragraph 62, is that they are sites which “arise unexpectedly and are not by definition part of the planned housing supply”. It also states that “these sites should count towards meeting the housing land requirement only once planning permission has been granted for residential development and it is considered to be effective or is being developed”. This definition has been adhered to in the calculation of windfall contribution to the effective housing land supply.

The windfall sites calculated in the housing allocations are made up of units which have arisen by a net increase in the effective supply in the period from the 2007 to 2009, as detailed in the respective housing land audits. This includes the net gain derived from increases (and decreases) over and above the number of dwellings on sites anticipated by the Aberdeenshire Local Plan, and the net gain from new sites which have entered the audit in the period.

Only these effective sites have contributed to the housing land allocations. In the footnotes, the ‘EH’ (existing housing) sites referred to as contributing, where the site has been carried forward at a higher density, only refers to sites which are effective in the housing land audits and in these cases the net increase is accounted for rather than the whole site.

The notable exception is the development identified at Menie Estate which was identified in the 2009 housing land audit and counted towards the housing allocations despite entering with an ‘infrastructure’ constrained status. This is a development which has outline planning permission and is fully expected to deliver housing in the second phase of the plan.

It is accepted that the plan does not provide clarity on the status of the retained, windfall, and new housing sites, and the reasoning for this is presented above. However, the full housing allocation strategy, including these, was presented to the Council’s Infrastructure Services Committee on 29 April 2010 as part of the committee report. The tables in schedule 1 also contained footnotes to make it clear that existing allocations and windfalls had been considered and accounted for. All windfall sites and their effect on the housing land allocations are now presented in the paper apart ‘Housing land allocations paper apart 1’. This provides detail on how the housing requirements are to be met through the plan. It also lists all existing sites which are carried forward.

#### Existing Sites

The introductory text refers to the settlement statements as containing information on “effective” sites carried forward. It should read ‘existing’ sites as both effective and some constrained sites are carried forward, although constrained sites do not contribute to the effective housing land supply. The introductory text should be modified to make this clearer. The ‘Housing land allocations paper apart 1’ details these and adds to the information already published through the Council’s Infrastructure Services Committee on 29 April 2010, and to the settlement supplementary guidance which details all existing sites and their locations.

**Housing requirement**

The title of table 1 is “meeting the structure plan housing allowances”. It is stated in the preceding text, on page 25 of the plan that by allocating the structure plan allowance, the sites identified in the table contribute to meeting the structure plan housing land requirement.

It is agreed that schedule 1 of the structure plan is not a set of housing requirements. However, it is more than “an allowance that reflects a general strategy” as is suggested. The structure plan’s paragraph 4.16 states that “schedule 1 shows the housing allowances needed to help deliver this increase in new homes and allow development at the rates targeted in this plan.” The paragraph preceding the tables on page 25 of the local development plan reinforces this noting that by allocating according to the housing allowances of the structure plan, the local development plan allows for the delivery of the structure plan housing requirement.

The allocations in the rural housing market area do not meet the full structure plan allowances through specific settlement allocations, but also account for the expected delivery of housing through unallocated small sites via the development in the countryside policy. For more information on the rural housing market area allocation see Issue 12 *Housing land supply*.

**Any further plan changes commended by the planning authority:**

It is suggested that the following change is made:

Change “effective housing sites” in the first paragraph of Schedule 1 to “existing” housing sites.”

Rosehearty site H3 was not shown on Table 3 page 26 and should be added to the eventual table detailing new allocations in Banff and Buchan.

**Reporter’s conclusions:**

1. The following conclusions should be read alongside those in Issue 12 on the housing land supply. Both Issues were informed by discussions at a hearing session held on 15 September 2011.

**Effective supply deficit and allocations shortage**

2. Following the findings of Issue 12, the combined allocations and recommendations made through this examination report confirm that the structure plan allowance in the Aberdeen Housing Market Area is met and exceeded. Allocations in the Rural Housing Market Area are below the allowance but meet the housing requirement and are anticipated to meet the generous allowance through the contribution from small sites.

3. The conclusions in Issue 12 confirm that the proposed Aberdeenshire Local Development Plan provides a sufficient range and choice of housing sites distributed throughout the authority area, including allocations in 14 settlements in Garioch. Sufficient housing land has been allocated to meet the housing requirement in the Aberdeen Housing Market Area and provide a generous allowance consistent with the approved Aberdeen City and Shire Structure Plan. There is, therefore, no need to find further land for housing in Garioch or Kintore. (See also Issues 36 and 83)

4. Sites allocated for housing were supported by ‘deliverability statements’ or a firm commitment from a promoter of the land to develop the site. This was augmented by the professional judgement of the planning authority staff and assisted by a large number of property professionals in private practice, as well as partnership working through the preparation of the proposed Action Programme to accompany the proposed Plan and aid housing delivery. This process is to be commended as it provided a mechanism to provide a more realistic picture of whether sites would contribute to the effective housing land supply than reliance solely on officer opinion. Many sites have been assessed through this examination but only a relatively small number have been recommended for deletion from the Plan as a consequence of being undeliverable and thereby ineffective over the Plan period. The approach to the housing allocation has tried to ensure sites would be effective or

capable of becoming effective over the Plan period and is therefore more robust in preventing a failure to deliver and implement the structure plan strategy.

5. In meeting the objective of increasing the population of the city region the structure plan targets a move towards building 2,500 new homes a year by 2014 and 3,000 new homes by 2020. To meet these targets the structure plan suggests making land available for homes through the new local development plans for the region and making land available as quickly as possible at the start of the structure plan period. The rate of house building in the region has fallen dramatically to some 1,200 a year. This situation may reduce the ability of sites to come forward for development and reduce the likelihood of delivering all the housing allocated over the Plan period. This is not a failing of the proposed Plan but a situation dependant on a variety of factors outwith the direct control of the council. Through this examination the overall spatial strategy and allocations made have been found, in the main, to be adequate and sufficient to fulfil the vision and aims of the structure plan. The structure plan itself acknowledges that all housing allocated may not be built within the relevant plan period. Consequently, I find that a delay in the delivery of housing sites allocated by this Plan would not harm the implementation of the structure plan strategy or the vision, aims and spatial strategy of the proposed Plan. No further allocations are required on this basis.

6. The effective housing land supply is measured and monitored through the annual housing land audit. As stated in Issue 12, the current situation indicates that the housing land supply in the Aberdeen Housing Market Area is below the five year requirement. Adoption of the proposed Plan and the Aberdeen City Local Development Plan is anticipated to make a dramatic increase in the housing land supply. However, if this was found not to be the case, then future housing land audits and monitoring through the Action Programmes would enable further action to be taken to address the situation. This could involve either drawing sites down from a future structure plan period in Aberdeenshire or Aberdeen City or revising the allocations strategy in a future review of the local development plans. Release of housing from the second period of the proposed Aberdeenshire Local Development Plan now would be premature and could threaten the spatial strategy by bringing sites forward in advance of required infrastructure.

#### **The allocations strategy and housing land supply**

7. Representations raise concerns about an over-reliance on large-scale allocations threatening the delivery and implementation of the structure plan strategy. To address this matter it was suggested at the hearing that further smaller sites or alternative large-scale allocations should be allocated. The proposed Plan provides a significant range and choice of both mixed-use and housing allocations, at various scales in a substantial number of settlements. Other than changes to allocations in Inverurie and Huntly, no other "large-scale" allocations are recommended to be altered through this examination. Large-scale allocations are made on the basis of providing sustainable mixed communities and required infrastructure in suitable locations, which smaller sites or alternative sites may not be able to offer. On this basis, I find there is not an over-reliance on large-scale sites, and there is no need to allocate further land.

8. Concern is also expressed that completion rates on large-scale sites were unrealistic. Following discussions at the hearing, it is fair to assume that the largest sites may have several house-builders constructing and selling products at the same time, but there may be one builder providing for each of the affordable, low, medium and high price markets on any one site or locality. A figure of around 200 houses a year was quoted as the highest achieved in Aberdeenshire on any one site with multiple builders. One of the large-scale allocations is unique in Scotland (Elsick), and there is no precedent to judge the likely build rates which could be achieved in developing that new settlement. A site of that scale might be able to accommodate multiple builders competing for similar price markets. The phasing of allocations in the Plan is based on the build rates which the promoters of the sites suggested to the council. However, if build rates failed to achieve the allocations allotted to a particular plan period, resulting in an inadequate housing land supply, then there are mechanisms which would allow the council to react accordingly. I also note that the structure plan strategy is about more than just providing housing; it also looks to regenerate and reinvigorate areas and provide essential infrastructure and sustainable mixed communities, which require patience and a commitment to a long term strategy. No further allocations are required to cater for the possibility

that completion rates are slower than expected in the Plan.

9. As stated in Issue 12 and above, the proposed Plan will on adoption provide a generous and effective housing supply. Where an effective housing land supply is not maintained sites can be drawn down or the strategy revised accordingly. I find this approach consistent with paragraph 70 of Scottish Planning Policy.

10. The structure plan expects 75% to 80% of development to occur in strategic growth areas, and it targets at least 75% of all homes to be built in strategic growth areas by 2030. It therefore stipulates a minimum to be achieved (75%) but also provides flexibility within a range. The allocations in the proposed Plan provide around 78% of the housing in the strategic growth areas, which meets the minimum target and comes within the range. There is a further 2% allowance which respondents suggest would allow the potential for a further 1,400 houses. The council agree that such flexibility is available but were reluctant at the hearing to accept further allocations due to the potential impact on the spatial strategy and infrastructure capacity, including education and cumulative effects. Others at the hearing argued there may be some flexibility in the capacity, as there is for windfall sites. In any event, through the assessment of settlement issues this examination has not recommended the inclusion of any additional sites within the strategic growth areas, other than those recommended in Inverurie to compensate for deletions. The potential 2% flexibility may be used in future local development plan reviews or to accommodate windfall, if justified, but it does not need to be accommodated through the current proposed Plan.

11. The introductory paragraph to Schedule 1 states that: 'Table 1 provides an overview of all new sites that contribute to the structure plan housing land requirement presented in Schedule 1 "Housing Allowances" of that plan'. This statement is clear that the allocations contribute to the structure plan requirement. Indeed it is the title of table 1 'Meeting the structure plan housing allowance' which is misleading as it implies that there is no further flexibility available, contrary to the findings in the paragraph above. A modification should be made to clarify this situation.

#### **Application of the housing land audit**

12. Windfall figures presented within the footnotes of tables 2 to 7 of Schedule 1 were based on sites over and above those identified in the 2007 housing land audit. Information from the 2009 audit was used to calculate the windfall figure alongside increases in housing density on existing sites. This approach is clear and requires no amendment, although it is noted that the windfall figure will have changed over the passage of time and should be updated accordingly before adoption.

#### **Windfall sites and calculation**

13. As concluded in Issue 12, the contribution from windfall sites can count towards the housing land supply. In this instance, any windfall from unexpected sites or as a result of an increase in the density of an existing site, over and above that previously identified in the 2007 housing land audit, would contribute to the housing land supply and the 2007 to 2016 structure plan housing figures. The definition of 'windfall' is clear from the footnotes but would be usefully stated in a glossary to the Plan.

14. Representations consider that the tables within Schedule 1 are difficult to interpret and should be revised to illustrate the locations of the windfall contribution. Schedule 1 provides a clear indication of where new housing and mixed-use allocations have been made, with total windfall figures provided for each district within Aberdeenshire as a footnote. I find this approach is appropriate for the purpose of the Plan, which is focussed on the delivery of the new allocation, not previously consented permissions. A further break-down of windfall could be obtained directly from the council if required or researched from housing land audits. However, a clearer understanding is needed in Table 1, where an overview is provided. A new column providing the windfall total would be useful in understanding the 'new' allocations made through the Plan and is recommended.

#### **Existing sites**

15. Existing housing sites were the subject of discussion at the hearing on the process and format of the Plan held on 6 September 2011. At the session, the council confirmed that 81 existing sites

are being ‘carried forward’ from the adopted Aberdeenshire Local Plan, and are shown in supplementary guidance on the settlement statements because they were examined at the previous Aberdeenshire Local Plan inquiry, are historic, and do not contribute to the new structure plan housing requirement. This approach is understandable and follows the proposed Plan’s focus of delivering the spatial strategy. However, a clear explanation is not provided in Schedule 1 to allow users to understand that the actual housing provision in a settlement may be higher than that allocated in the tables, as a consequence of existing housing sites being ‘carried forward’ through supplementary guidance. For clarity, the Plan should be modified to make this point clear.

**Reporter’s recommendations:**

Modify the proposed Plan by:

1. Updating Schedule 1 to take account of all the recommendations to add, modify or delete housing or mixed use allocations made through this examination, and including site H3 in Rosehearty.
2. Updating the windfall figures to take account of any subsequent changes since the 2009 Housing Land Audit.
3. Replacing the final sentence of the introductory paragraph to Schedule 1 with:

The settlement statements, published as supplementary guidance, list the full housing provision for each settlement. These include the new housing land allocations provided through this plan and existing housing sites from the previous local plan that also contribute to the effective housing land supply as of 1 June 2010.

[Note: the date in this sentence may require to be updated.]

4. Replacing the title of Table 1 with:

Table 1 Contributions to meeting the structure plan allowances.

5. Including a definition of ‘windfall’ in a glossary to the proposed Plan.

6. Amending Table 1 to provide an additional ‘windfall’ column, as follows:

		Required allocation	Windfall	Allocation (including windfall)
Huntly-Pitcable	2007 to 2016	300	INSERT	318



<b>Issue 26</b>	<b>Schedule 2: Employment Land Allocations</b>	
<b>Development plan reference:</b>	Section 5, Policies: Page 8 Policy 1 Development of Business (p8) Schedule 2 Tables 1-7 (p30)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Tracey McDonald (63)            Knight Frank LLP on behalf of Mr Sleigh (557)            Strutt &amp; Parker LLP on behalf of Faskally Investments (936)            PPCA Ltd on behalf of Banchory &amp; Leggart Estate &amp; Edinmore (1377, 1378)            Halliday Fraser Munro on behalf of John Martin Assets Ltd (1601, 1602)            Ryden LLP on behalf of Stewart Milne Homes (1858, 2063)            Ryden LLP on behalf of Aboyne Castle Farms (1938)            Strutt &amp; Parker LLP on behalf of The Millbank Regeneration Joint Venture (2076)            Strutt &amp; Parker LLP on behalf of Aberdeen Endowments Trust (2077)            Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2102)            Strutt &amp; Parker LLP on behalf of BMF Group (2104)            Strutt &amp; Parker LLP on behalf of B Cowie (2105)            Strutt &amp; Parker LLP on behalf of Kincardine Estate (2106)            Strutt &amp; Parker LLP on behalf of Monymusk Estate (2107)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The content of Schedule 2 and whether the employment land supply achieved through allocations is sufficient to meet the structure plan requirement.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Contents of Schedule 2</u>  <b>936, 1601, 1602, 2076, 2077, 2102, 2104, 2105, 2106, 2107:</b> The schedule does not make reference to the content of the previous plan being brought forward. This does not provide clarity for the reader as the figures within supplementary guidance settlement statements do not correspond with the figures in the proposed plan. In particular schedule 2 should be amended with an additional column to show the existing employment allocations.</p> <p><b>1858, 2063:</b> Schedule 2, Table 4 should be amended to include only allocations for the proposed Local Development Plan.</p> <p><u>Consistency with Structure Plan</u>  <b>1377, 1378:</b> The Local Development Plan is not consistent with the Structure Plan as insufficient land has been allocated within Schedule 2 that is "suitable for high quality businesses or company headquarters".</p> <p><b>Aboyne</b>  <b>1938:</b> The level of employment land in Aboyne should be reviewed as there is disparity between the 1ha allocation in the Proposed Plan and the 5ha stated in the Supplementary Guidance (See issue 157).</p> <p><b>Balmedie</b>  <b>63:</b> Remove employment land at Balmedie from M1 as it is not required, since similar sites exist in Blackdog and Ellon (See issue 63).</p> <p><u>St Katherines</u>  <b>557:</b> Site M1 St Katherines should be included within Table 4 Schedule 2 to show the provision of employment land on this site (See issue 127).</p>		



**Modifications sought by those submitting representations:**

**1601, 1602, 2076, 2077, 2102, 2104, 2105, 2106, 2107:** Amend schedule to include an additional column setting out the existing land allocation being carried forward from the previous plan.

**1858, 2063:** Schedule 2, Table 4 should be amended to include only allocations for the proposed Local Development Plan.

**557:** Include site M1 at St Katherines in Schedule 2 Table 4.

**Summary of responses (including reasons) by planning authority:**

Overview

The purpose of Schedule 2 is to show how the employment land allocations made meet the requirement of the Structure Plan.

Contents of Schedule 2

The Structure Plan in figure 3 on page 14 sets out the new employment land allocations for 2007-2023 and also the strategic reserve land for 2024-2030. Therefore, Schedule 2 only shows the new employment land allocations made in the plan in order to demonstrate how these meet figure 3 of the Structure Plan.

Supplementary guidance identifies both new allocations and existing business land allocations. The “BUS” sites within supplementary guidance are either existing sites carried over from the previous plan or established business sites. It is not necessary to show each of these existing sites within Schedule 2 and it would confuse the calculation of conformity with the Structure Plan. It would add little value and would only provide a limited snapshot in time; it would be out of date by the time the plan is published.

Schedule 2, Table 4 does only show allocations within the Proposed Plan.

Consistency with Structure Plan

The Structure Plan requires 20ha of land available to be of a standard which will attract high quality business or be suitable for company headquarters. This 20ha requirement is in respect of both Aberdeen City and Aberdeenshire and no specific proportion of this is directed towards Aberdeenshire. The 10ha of high quality business land identified at Inverurie and Elsick represent half of the Structure Plan requirement. Along with the Aberdeen City Local Development Plan, land allocations well in excess of the Structure Plan employment requirements have been made.

Aboyne – Site M1

A total of five hectares for employment land is shown within the supplementary guidance, as four hectares are carried over from Aberdeenshire Local Plan from the “EmpB” allocation. An additional one hectare of employment land has also been allocated to reflect the increase in housing. Only new allocations are shown within Schedule 2 (See Issue 157 Aboyne).

Balmedie- Site M1

The Structure Plan expects 75% of all employment land developed to be within strategic growth areas. Balmedie lies within the Ellon to Blackdog strategic growth area and is well placed to take advantage of the strategic road network and the development of both the AWPR and the Balmedie to Tippetty road improvement scheme. The employment allocation at Balmedie is consistent with the Structure Plan and also the Enegetica Framework: it should not be removed (See Issue 63 Balmedie).

St Katherines- Site M1

The omission of the employment land proposed on site M1 St Katherines from Schedule 2 table 4 is a technical error. Amendment to Schedule 2 is proposed to rectify this error. (See Issue 127 St

Katherines).

**Conclusion**

Schedule 2 demonstrates that the Employment land allocations made within the Local Development Plan are sufficient to meet the requirements of the Structure Plan. The only modification supported is to amend Schedule 2 to reflect the error made in omitting St Katherines.

**Any further plan changes commended by the planning authority:**

It would be appropriate to introduce an entry to Table 4 of Schedule 2 “St Katherines M1, 1ha” to reflect the error made. This will have consequential changes to Table 1 with an additional 1ha being added to the Local growth (RHMA) total allocation.

No other changes to the plan are commended.

**Reporter’s conclusions:**

**Contents of Schedule 2**

1. The approved Aberdeen City and Shire Structure Plan identifies new employment allocations to Aberdeenshire. Schedule 2 of the proposed Aberdeenshire Local Development Plan indicates where ‘new’ allocations have been made to meet this requirement.
2. Representations seek the inclusion of ‘existing’ sites in the schedule for clarity. Existing sites are not shown in the proposed Plan but are shown in the settlement statements supplementary guidance for each area as carried forward from the adopted Aberdeenshire Local Plan. These sites are safeguarded through policy 14.
3. Business and other employment sites are also included in the annual employment land audit, where comprehensive up-to-date information on the existing and newly allocated sites can be viewed. Information on existing sites is available in both supplementary guidance and the employment land audit. There is, therefore, no need to show the existing sites in the proposed Plan.
4. However, as indicated through the representations, the inclusion of existing sites in supplementary guidance and not in the Plan has led to uncertainty. Therefore, to provide clarification a recommendation is made to modify the introductory paragraph to schedule 2 to make reference to the existing sites in supplementary guidance.

**Consistency with the structure plan**

5. A target of the structure plan is for the provision of at least 20 hectares of business land in strategic growth areas to be of a standard which will attract high-quality businesses or be suitable for company headquarters. The strategic growth areas are: Aberdeen City; Huntly to Laurencekirk and Blackdog to Peterhead in Aberdeenshire. The structure plan does not direct how much land should be found in each strategic growth area. Consequently, the target figure could be met by a combination of allocations or a single allocation in one or more strategic growth areas.
6. The proposed plan allocates 5 hectares of land to meet the structure plan target in Inverurie (site E1) and a further 5 hectares as part of the mixed use development at Elsick (site M1). Following the conclusions of Issues 35 and 41, neither allocation is recommended for deletion from the Plan.
7. With no specific allocation to each strategic growth area, I find the allocation of half the structure plan target figure in Aberdeenshire to be sufficient and appropriate. Aberdeen City is currently home to oil and gas industries, university and research organisations. It is therefore well placed to accommodate the remaining 10 hectares of land for high-quality businesses and company headquarters, and no evidence suggests that there is a failure to deliver such sites. In conclusion, no further allocations are required for the Aberdeenshire Local Development Plan to be consistent with the structure plan target.

**Aboyne**

8. As indicated by the council in its response, the figure for new employment land in Aboyne on site M1 is correct. No amendment to Table 7 of Schedule 2 is therefore required.

**Balmedie**

9. As explained by the council, Balmedie is well placed to take employment land being located within a strategic growth area and a marketable business area. The proposed Plan must provide a range and choice of marketable new employment allocations. As per the conclusions in Issue 63 below, the allocation of mixed use site M1 at Balmedie is appropriate and should be retained.

**St Katherines**

10. The omission from the schedule of a new employment allocation at St Katherines is an administrative error. However, following the conclusions in Issue 127, the site is recommended for deletion from the Plan. Consequently, there is no requirement to amend the table to take account of the error.

**Reporter's recommendations:**

Modify the proposed Plan by:

1. Adding the following text to the end of the introductory paragraph of Schedule 2:

Existing allocations made in the previous plan are carried forward and shown in the supplementary guidance settlement statements.

<b>Issue 27</b>	<b>Schedule 3: Likely Infrastructure Needs</b>	
<b>Development plan reference:</b>	Section 5 Policies: Policy 9 Developer contributions 9 (p14) Schedule 3 Likely Infrastructure Needs (p34)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Norman P Lawie Limited on behalf of Ian Stuart (268)                  Stewart Milne Homes (912)                  Scottish Property Federation (1014)                  Strutt &amp; Parker LLP on behalf of Faskally Investments (1016)                  Portlethen &amp; District Community Council (1122)                  PPCA Ltd on behalf of Banchory &amp; Leggart Estate &amp; Edinmore (1382)                  Halliday Fraser Munro on behalf of S Ironside &amp; C Laurie (1405)                  Paull &amp; Williamsons LLP on behalf of Elsick Development Company Ltd (1668, 1686)                  Ryden LLP on behalf of Claymore Homes (1829, 2120)                  Ryden LLP on behalf of Stewart Milne Homes (1858, 1883, 1884, 1902, 1903, 2063)                  Ryden LLP on behalf of Dunecht Estates (1873, 1874)                  WYG Planning &amp; Design on behalf of GL Residential Ltd (1955, 2047)                  Strutt &amp; Parker LLP on behalf of The Millbank Regeneration Joint Venture (2076)                  Strutt &amp; Parker LLP on behalf of Aberdeen Endowments Trust (2077)                  Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2102)                  Strutt &amp; Parker LLP on behalf of BMF Group (2104)                  Strutt &amp; Parker LLP on behalf of B Cowie (2105)                  Strutt &amp; Parker LLP on behalf of Kincardine Estate (2106)                  Strutt &amp; Parker LLP on behalf of Monymusk Estate (2107)                  CTC-Grampian (2277)                  Michaela Novak (2293)                  Adam Adimi (2294)                  Daisy Paterson (2295)                  Prof Roy Bridges (2352)                  Claire Martin (2364)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Developer Contribution requirements	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Schedule 3</b>  <u>Clarity of information</u>  <b>1014, 1016, 1873, 1874, 2076, 2077, 2102, 2104, 2105, 2106, 2107:</b> Support for the identification of infrastructure requirements. It is an improvement on the previous plan, but it fails to provide the clarity needed to inform the landowner and development industry on the scale of contributions anticipated (see issue 17 Developer Contributions) (1873, 1874). It provides upfront guidance for what the council is likely to request. However, concern is raised in relation to the current financial situation and the ability of developers to afford contributions (See Issue 17 Developer Contributions) (1014).</p> <p><u>Circular 1/2010 Relationship to Proposed Development Test</u>  <b>1668, 1883, 1884:</b> The contributions sought can only seek to mitigate the infrastructure impacts arising directly from that development and in accordance with Circular 1/2010 (Appendix 8) (1883, 1884).</p> <p><b>1668, 1686:</b> Objection is made to the requirement for developers to contribute to strategic</p>		

transportation improvements, including interventions on the trunk road network and in Aberdeen City. It is contended that passing on the costs of strategic infrastructure to developers/landowners due to a perceived failure by Transport Scotland to plan for the area is fundamentally unfair, as is the lack of Council funding towards the infrastructure (See issue 17 Developer Contributions). Although it is deemed appropriate that the planning process allows for the provision of land for services (roads, education and community facilities including health provision), it is contended that the construction of the relevant facility should be a matter for the statutory body or be provided through private finance initiatives. Contributions sought from sites are extensive. Concern is raised that some development may be rendered unviable if developers/landowners are to provide land and fund the construction. This is deemed inappropriate and unjust (See issue 17 Developer Contributions).

Existing sites

**1016, 1955, 2047, 2076, 2077, 2102, 2104, 2105, 2106, 2107:** Omission of existing sites makes it unclear how they are affected by the Schedule and clarity is sought. This is compounded by the reference to additional contributions within the individual Settlement Statements. Respondents stated that it would be unreasonable to seek to apply additional contribution requirements to existing allocations where the additional requirements were not identified in the extant Local Plan or as part of a planning application process (See issue 17 Developer Contributions) (1955, 2047).

Delivery of infrastructure

**1382:** Seeks to highlight within Schedule 3 that delivery of infrastructure by the developer may be the most appropriate means by which to secure the infrastructure upgrades.

**Table 1 – Strategic transportation requirements**

A96 strategic infrastructure improvements

**268:** With reference to housing allocations at Huntly, Insch and the Inverurie/Kintore area, it is contended that developer contributions are required for the upgrading of the road system and for mitigations needed due to the increased traffic congestion on the A96.

Additional new road junctions

**1122:** With reference to Elsick M1 it is contended that other new road junctions in the area (particularly junctions with the A90 and AWPR) should be four-way graded junctions.

Strategic infrastructure improvements

**1668:** It is contended that strategic infrastructure should be paid for by the local authority and/or Transport Scotland. Reference is made to an attached NESTRANS Report which suggests contributions may be required towards a new bridge over the River Dee. It is contended that site M1 Elsick should not be expected to fund a Fastlink junction, improvements to Bridge of Dee and other junctions onto the A90.

Non-motorised user routes

**2277:** A strategic non-motorised user route from Aberdeen to Stonehaven has not been specifically included in the plan. There is a vital need to establish high quality strategic routes and it is contended that the Council must address their infrastructure requirements if they are to meet targets for non-motorised users. It is necessary to specify the requirement explicitly in order to ensure that the priority of cyclists and walkers is applied in practice over other vehicles. Request amendments to Table 1 - Strategic transportation requirements.

River Dee upgrades

**2293, 2294, 2295:** Upgrading of the infrastructure over the River Dee (at the Brig of Dee) will need to be addressed before outline planning permission can be approved at Elsick or Banchory Leggart, regardless of which site is included in the Aberdeenshire Local Development Plan.

A947 Infrastructure Improvements

**2352:** There is no indication in the plan of the need for strategic infrastructure improvements in relation to the A947. It is contended that, due to the Park & Ride Scheme on the A947 at Parkhill not

being progressed and the scale of allocations at Newmachar and Turriff, the traffic levels on the A947 roads infrastructure will be exacerbated. Amendments to Schedule 3 are requested, highlighting the need for strategic infrastructure improvements on the A947.

**Table 2 – Secondary education requirements**

Monymusk H1

**1405:** Schedule 3 refers to development at Monymusk H1. There is no H1 site in the Monymusk Settlement Statement, as allocations are those carried forward from the current Aberdeenshire Local Plan.

**Table 3 – Waste and recycling facilities**

Cluny and Sauchen

**912:** Proposals under Schedule 3 do not conform to Circular 1/2010: Planning Agreements. Any reference to Cluny and Sauchen contributing to waste and recycling facilities should be deleted from the proposed plan, because the action programme (page 114) does not state a requirement: a facility was provided as part of a previous development in Sauchen (see production 1). A requirement to provide facilities in Kemnay/Kintore and Inverurie is unreasonable, unsustainable and particularly unjustifiable due to distance from these settlements.

Monymusk H1

**1405:** Schedule 3 refers to development at Monymusk H1. There is no H1 site in the Monymusk Settlement Statement, as allocations are those carried forward from the current Aberdeenshire Local Plan.

Fraserburgh H1

**1829, 2120:** The requirement for Fraserburgh H1 to contribute to the waste and recycling depot in Mintlaw is illogical and unsustainable. There are adequate provisions in Fraserburgh.

Newburgh H1

**1858, 2063:** Objection to requirement for Site M1 at Newburgh to contribute to the Depot and Recycling bulking point in Ellon. Recycling facilities exist at The Ythan Arms (see appendix 6). It is contended that expecting residents from Newburgh to use the depot and recycling bulking point in Ellon is unsustainable and does not encourage sustainable living. The requirement is illogical and unjustified and should be removed.

Newmachar

**1902, 1903:** Objection to requirement for contributions to recycling facilities in Balmedie and Inverurie from development in Newmachar. It is contended that this requirement is unjustified and contrary to the wider sustainability objectives of the development plan, as it will require car usage to access the services. Facilities should be provided locally to minimise car usage.

Kemnay

**2364:** Table 3, Schedule 3 refers to Kemnay M1 contributing to waste and recycling facilities at Inverurie and Kemnay. The respondent states that M1 (G170 a - f) was not progressed to the proposed plan, while H4 (G170 b) was, but this is not a multi-use site. Amendments to Table 3, Schedule 3 are requested.

**Modifications sought by those submitting representations:**

**1014, 2293, 2294, 2295:** No specific change stated.

**1873, 1874, 1883, 1884:** Schedule 3 should specify that contributions will be in accordance and governed by the terms of Circular 1/2010.

**1382:** Schedule 3 should acknowledge that the delivery of certain pieces of infrastructure by the developer may be the most appropriate means by which to secure the infrastructure upgrades.



**1016, 2076, 2077, 2102, 2104, 2105, 2106, 2107:** Clarity is sought in relation to existing sites being carried forward and how they will be affected by Schedule 3.

**2076:** Amend Schedule 3 to include an additional column setting out the existing land allocation being carried forward from the previous plan.

**2076:** The approximate amount of contribution per dwelling should be identified at this stage.

**1668:** Clarification sought in relation to the extent of contribution towards facilities within site M1 Elsick.

**2352:** Page 34 – Strategic transportation. Amend to read ...”on the trunk road network and the A947 and in Aberdeen City...”

**268:** Developer contributions from housing allocations at Huntly, Inch and the Inverurie/Kintore area are sought for upgrading of A96 due to increased traffic congestion.

**1122:** Road junctions at Elsick and other new road junctions in the area should be grade separated.

**1668:** Delete reference to site M1 Elsick having to pay for strategic infrastructure and improvements in Aberdeen City.

**2277:** Amend Table 1 - Strategic transportation requirements to "Contributions required on the A96/A90 and in Aberdeen City and on strategic routes for NMUs."

**2352:** Table 1, page 35 - add a new section for contributions for the A947 in relation to Turriff and Newmacher.

**1405:** Table 2, page 36 and Table 3, page 39 and 40 - Although not explicitly stated, it is assumed the resposdee requests removal of the reference to Monymusk H1.

**912:** Table 3, page 39 and 40 - Delete requirement for contributions to "Depot & Recycling bulking point - Inverurie" and "household waste & recycling centre – Kemnay/Kintore" from Cluny and Sauchen.

**1829, 2120:** Remove the requirement for Fraserburgh H1 to contribute to the waste and recycling depot in Mintlaw.

**1858, 2063:** Remove the requirement for site M1 at Newburgh to contribute to a Depot and Recycling Bulking point in Ellon.

**1902, 1903:** Newmachar should be removed from Table 3 of Schedule 3.

**2364:** Amend Table 3, page 39 changing "Kemnay M1, H1, H2, H3" to "Kemnay H1, H2, H3, H4".

**Summary of responses (including reasons) by planning authority:**

**Overview**

In accordance with Circular 1/2010 (paragraphs 23 and 27-32), Schedule 3 identifies specific strategic elements of infrastructure which will be required as a result of development. Further guidance on the expected level of developer contributions is provided in the settlement statements, which are published separately as supplementary guidance. Further supplementary guidance will be produced showing methodologies for their calculations.

Aberdeenshire Council has established a 'Future Infrastructure Requirements for Services' Group (FIRS) to provide a coordinated approach to close working between services and with infrastructure providers, to undertake a robust assessment of the likely infrastructure requirements. The work of the FIRS group considered the additional infrastructure required to serve development sites, either

in isolation or cumulatively with other developments. The group assessed the detailed infrastructure requirements on sites as they progressed from being “preferred” in the Main Issues Report to “proposed” in the Proposed Local Development plan. Site developers have been informed of the outcomes from the assessment process and have been involved in the consideration of likely required infrastructure. On this basis developers were asked to confirm deliverability of sites. The outcome of this process is the inclusion of deliverable sites within the proposed plan, certainty for developers and for Aberdeenshire Council as to what infrastructure is required as a result of development, and clarity to communities as to what facilities developments will provide.

### **Schedule 3**

Support for the identification of infrastructure requirements is welcomed.

#### Clarity of information

Sufficient information is contained within the proposed plan in accordance with Circular 1/2010 (paragraph 27). Fundamentally, the development industry has been kept informed of likely infrastructure requirements and has been asked to comment on viability in the light of this. Therefore, it is not accepted that the contributions sought may render developments unviable. Schedule 3 states that the need for, and scale of, any contribution sought will be reviewed at the time of the planning application being submitted and the approach taken provides flexibility to accommodate changing circumstances. Circular 1/2010 (paragraph 28) therefore recognises that it is not possible to anticipate every situation where a planning agreement will arise in development plans.

#### Circular 1/2010 Relationship to Proposed Development Test

It is agreed that contributions sought can only seek to mitigate the infrastructure impacts arising from the particular development. However, Circular 1/2010 also includes cumulative impact as part of the Relationship to Proposed Development Test. Therefore, it is not accepted that developers should not contribute towards strategic transportation improvements. The approach taken is in accordance with the structure plan, where it is stated that “in cases where development has wider effects, we will have to secure extra contributions” (page 25, paragraph 5.8).

#### Existing sites

Schedule 3 and the individual settlement statements, which are published separately as supplementary guidance, outline the contributions required as a result of new development only. They do not refer to existing Aberdeenshire Local Plan sites, as existing sites will not be required to contribute in the same way as new sites. The proposed plan does not seek to apply additional contributions requirements to existing allocations where they were not identified in the Aberdeenshire Local Plan or as part of the planning application process, on the basis that the imposition of new costs would be unreasonable at this stage. A minor modification is proposed to clarify this point.

#### Delivery of infrastructure

It would not be appropriate to state within schedule 3 that delivery of infrastructure by the developer may be the most appropriate means by which to secure infrastructure upgrades. The developer may not necessarily be responsible for delivering items of infrastructure. The Action Programme would be a more appropriate place to highlight where the developer is responsible for delivering items of infrastructure.

### **Table 1 – Strategic transportation requirements**

#### A96 strategic infrastructure improvements

Developer contributions have already been identified for cumulative strategic transportation improvements including interventions on the A96 as shown in Table 1 of Schedule 3.

#### Additional new road junctions

Table 1 identifies contributions required for cumulative strategic transportation improvements, including interventions on the trunk road network and in Aberdeen City which are required as a result of new development. The nature of the interventions required could not be predicted at the

time of the proposed plan. The transport solution for Elsick will likely require three four-way junctions.

Strategic infrastructure improvements

In all cases development will have to have an identified impact before strategic infrastructure contributions are required in accordance with Circular 1/2010 Relationship to Proposed Development Test. See response to Circular 1/2010 Relationship to Proposed Development Test above.

Non-motorised user routes

The National Cycle route passes through the Portlethen Strategic Growth Corridor. The Aberdeenshire Core Paths Plan is a more appropriate vehicle to identify other non-motorised user routes. Developer contributions can not be sought for a use which is not required as a result of new development.

River Dee upgrades

Upgrade to infrastructure over the River Dee is not currently a committed project. However, it was identified as a location for required transport interventions in a local development plan cumulative transport appraisal, which was completed in 2010 (Nestrans, 2010). The appraisal identified a number of locations across Aberdeen and Aberdeenshire, where transport interventions would be required to fully support the level of development allocated in the emerging Local Development Plans for the two authorities. At the current time it is not possible to determine the timescale of the project, as further work is required to identify the details of the specific interventions required.

A947 Infrastructure Improvements

The A947 is not considered as strategic infrastructure and can therefore be dealt with at the local level through supplementary guidance. Local transportation infrastructure is detailed in the settlement statements, as stated in Schedule 3 (page 34), which are published separately from the proposed plan as supplementary guidance. There is currently no commitment from The Transport Authority to a park and ride scheme on this route. Improvements to the A947 have been highlighted in the settlement statements for St Katherine's and Newmachar as a result of the developments proposed.

**Table 2 – Secondary education requirements**

Monymusk H1

It is agreed that reference to Monymusk H1 should be removed as no new allocations are proposed in Monymusk. This is proposed as a minor modification below.

**Table 3 – Waste and recycling facilities**

Representations raised in relation to Table 3 have assumed that the facilities listed require contributions towards facilities to be used by members of the public. However, for the majority of the sites mentioned this is not the case.

For clarification, where it has been identified that new or upgraded depots and recycling bulking points are required, it should be noted that these facilities are not community Recycling Points for use by the general public. Therefore the sustainability issue raised in representations is flawed. These are the "behind the scenes" infrastructure required to deliver fundamental waste services, and are strategic locations where collection vehicles are based, and where they will transfer the waste and recyclables that have been collected from both kerbside collection services and the network of local Recycling Points. This is the reason why the contributing settlements are in a wider catchment than would be required for a small, local Recycling Point.

Similarly, where a requirement for a new or upgraded Household Waste and Recycling Centre has been identified, these also cover a much wider catchment than a local Recycling Point. A Household Waste and Recycling Centre is a purpose built, staffed facility for the collection of all materials such as wood, rubble, bulky goods, electrical equipment and cardboard, in addition to the traditional materials like glass, cans and paper. The contributions calculated were based on existing

coverage, taking account of the average number of households currently served by the existing number of sites.

Cluny and Sauchen

As discussed in the overview above, the proposed plan is in accordance with Circular 1/2010 (paragraphs 23 and 27-32) in identifying specific strategic elements of infrastructure which will be required as a result of development, as listed in Schedule 3. The Action Programme does not specify a requirement for facilities to be located within the settlements, but new development is still required to contribute towards strategic elements of infrastructure that may be located elsewhere as detailed in Schedule 3. See text above.

Monymusk H1

It is agreed that reference to Monymusk H1 should be removed as no new allocations are proposed in Monymusk. This is proposed as a minor modification below.

Fraserburgh H1

See text above in relation to depots and recycling points.

Newburgh M1

See text above in relation to depots and recycling points.

Newmachar

See text above in relation to depots and recycling points.

Kemnay M1

It is agreed that amendments should be made to Schedule 3, Table 3, changing “Kemnay M1, H1, H2, H3” to “Kemnay H1, H2, H3, H4”, as there is no site M1. This is proposed as a minor modification below.

**Any further plan changes commended by the planning authority:**

It is suggested that the following changes are made:

Schedule 3 – paragraph 1

Insert the word “new” in paragraph 1 to read “The following tables identify the strategic elements of infrastructure which will be required as a result of new development”.

Table 2 – Secondary education requirements

Remove reference of Monymusk H1 in relation to contributions to Additional secondary school provision at Alford Academy (page 36).

Table 3 – Waste and recycling facilities

Remove reference of Monymusk H1 in relation to contributions to Depot and Recycling bulking point – Inverurie and Household Waste and Recycling centre – Kemnay/Kintore (page 39 and 40).

Amend reference to Kemnay from “Kemnay M1, H1, H2, H3” to “Kemnay H1, H2, H3, H4”. (page 39).

**Reporter’s conclusions:**

**General comments**

1. The criticisms of the wording of Policy 9, and its relationship with Planning Circular 1/2010: Planning Agreements, are addressed under Issue 17. The discussion below concentrates on the specific requirements of Policy 9 which are set out in Schedule 3 of the Plan. I am satisfied that the methods for calculating contributions, and the scale of contributions, are matters for supplementary guidance. However, I have concluded that the policy should be modified to reflect the requirements

of the circular, and to acknowledge that the developer's contribution might not be a monetary one. Having referred to the tests of the circular within Policy 9, I do not consider it necessary to repeat that reference in Schedule 3.

2. Paragraph 29 of the circular expects planning authorities to “*work with infrastructure providers, other local authority departments and consultees to undertake a robust assessment of infrastructure requirements, the funding implications and the timescales involved.*”

3. In Aberdeenshire the council did not involve developers in the production of Schedule 3. The Future Infrastructure Requirements for Services (FIRS) group considered the additional infrastructure required to serve development sites. Potential developers were then asked to confirm the deliverability of sites, and are expected to play an important role in the Action Programme and in the masterplanning of sites. They have therefore been actively engaged in the process, and will become increasingly involved as the Action Programme develops.

4. As explained in Issue 17, the council recognises that it would be unreasonable to require the developers of ‘existing sites’ – i.e. sites allocated for development by the previous adopted local plan – to contribute towards the cost of regional infrastructure. I agree that it would be unfair to impose a new burden on already ‘committed’ sites, and that paragraph 1 of Schedule 3 should be modified accordingly. The terms of the proposed modification are set out in the recommendation below.

### **Transport infrastructure**

5. In my discussion under Issue 17 I have accepted that, in principle, the council is entitled to ask for contributions from developers to regional as well as local items of infrastructure. Paragraph 11 of Circular 1/10 recognises that planning agreements may be sought where the need arises from the cumulative impact of development, provided they also meet the other tests in the circular.

6. Paragraph 5.8 of the structure plan states that it will be necessary to secure extra contributions in cases where development has wider effects. The same paragraph refers to the third Don crossing as an example of new infrastructure which developers on a range of sites in both council areas would be expected to help pay for. Similarly, developer contributions are likely to be sought towards a new bridge over the River Dee, and other ‘road-based interventions’ in the A96 and A956/A90 corridors and elsewhere which are indicated in the local development plan cumulative transport appraisal produced for Nestrans in July 2010. At this stage the timing, extent and cost of the projects are largely unknown, so developers are unclear as to the likely nature of the contribution which will be sought.

7. At the hearing session the council advised that the list of strategic infrastructure projects at page 26 of the structure plan is not definitive, and that a strategic transportation fund is being established to finance 7 interventions at a total cost of around £100 million. The council confirmed that developers will be expected to make a pro-rata contribution, reducing with distance, unless they can show their development would have no net detriment. Those caveats are not mentioned in Schedule 3 of the Plan. I propose to remedy that omission by requiring contributions to strategic infrastructure requirements to be justified against the terms of Policy 9 (as amended).

8. The regional requirements relate to the trunk road infrastructure (i.e. A90 Edinburgh-Fraserburgh and A96 Aberdeen-Inverness), rather than roads such as the A947 which have less strategic significance.

9. The transport requirements of the Elswick development are discussed under Issue 41, but are likely to involve three 4 way junctions.

10. The list of requirements in Schedule 3 is not intended to be comprehensive. It is possible that particular developments in Portlethen-Stonehaven strategic growth area might be asked to contribute to the promotion of the national cycle route, if such a requirement can be justified under the terms of Circular 1/2010.

**Other infrastructure**

11. I note that the references in the tables in Schedule 3 to ‘Monymusk H1’ and ‘Kemnay M1’ are made in error, and agree that minor modifications can be made to Tables 2 and 3 to make the necessary corrections.

12. The concerns in relation to the depots and recycling points listed in Table 3 appear to be misplaced, as these are facilities serving a wide catchment and hence do not need to be sited in each settlement served.

13. Those making representations to the proposed Plan point out that the requirements for community and health facilities which are set out in supplementary guidance are not flagged up in the Plan, contrary to Regulation 27(2). However, as already stated, the tables in Schedule 3 are not comprehensive and only seek to identify strategic infrastructure. I see no objection in principle to the council’s approach in this matter, and note that further work can be done appropriately through deliverability statements and the Action Programme.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

Schedule 3 – paragraph 1

Insert the word “new” in paragraph 1 to read “The following tables identify the strategic elements of infrastructure which will be required as a result of new development”.

Schedule 3 – strategic transportation

“Contributions are required for cumulative strategic transportation improvements, including interventions on the trunk road network and in Aberdeen City, as shown in table 1 and detailed in the action programme, **where they can be justified against the requirements of Policy 9...**”

Table 2 – Secondary education requirements

Remove reference to Monymusk H1 in relation to contributions to Additional secondary school provision at Alford Academy (page 36).

Table 3 – Waste and recycling facilities

Remove reference of Monymusk H1 in relation to contributions to Depot and Recycling bulking point – Inverurie and Household Waste and Recycling centre – Kemnay/Kintore (page 39 and 40).

Amend reference to Kemnay from “Kemnay M1, H1, H2, H3” to “Kemnay H1, H2, H3, H4”. (page 39).



<b>Issue 28</b>	<b>Affordable Housing Specific Requirements by Settlement.</b>	
<b>Development plan reference:</b>	Schedule 4 Affordable housing requirements (p42)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><u>Schedule 4</u>  Emac Planning LLP on behalf of Stewart Milne Homes (605, 613, 2704)  Barton Willmore on behalf of Stewart Milne Homes (958)  Strutt &amp; Parker LLP on behalf of Faskally Investments (1017)  Homes for Scotland on behalf of Grampian Housebuilders Committee (1112, 1118)  Halliday Fraser Munro on behalf of Deveron Homes Ltd (1368, 1369)  Wallace Planning Ltd on behalf of Barratt East Scotland &amp; Dunecht Estates (1400)  Bancon Developments (1445)  Halliday Fraser Munro on behalf of Frank Burnett Ltd (1662)  Ryden LLP on behalf of Stewart Milne Homes (1813)  WYG Planning &amp; Design on behalf of GL Residential Ltd (1955)  Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2102)  Strutt &amp; Parker LLP on behalf of BMF Group (2104)  Strutt &amp; Parker LLP on behalf of Kincardine Estate (2106)  Strutt &amp; Parker LLP on behalf of Monymusk Estate (2107)  Catterline, Kinneff &amp; Dunnottar Community Council (2320)</p> <p><u>Aboyne</u>  Ryden LLP on behalf of Aboyne Castle Farms (1940)</p> <p><u>Banchory</u>  Knight Frank on behalf of Bett Homes (920, 921)  Bancon Developments (1445)  Haliday Fraser Munro on behalf of Frank Burnett Ltd (1662)</p> <p><u>Chapel of Garioch</u>  DDP LLP (Planning Consultants) on behalf of Church of Scotland General Treasurer (1166)</p> <p><u>Ellon</u>  Ryden LLP on behalf of Stewart Milne Homes (1813)</p> <p><u>Fraserburgh</u>  Ryden LLP on behalf of Claymore Homes (1828, 2121)  Knight Frank on behalf of Kirkton Development Company (2096)</p> <p><u>Inverurie</u>  Montgomery Forgan Associates on behalf of Taylor Wimpey/The Mitchell Partnership (2634)</p> <p><u>Kinneff</u>  Catterline, Kinneff &amp; Dunnottar Community Council (2320)</p> <p><u>Maud</u>  Knight Frank LLP on behalf of J &amp; B Muir (154, 155)</p> <p><u>Peterhead</u>  Knight Frank on behalf of Susan Baxter (1149, 1150, 1151, 1152)  Ryden LLP on behalf of Buchan Properties (1836)</p>		

Stonehaven

Turley Associates on behalf of Stonehaven South Consortium (1081, 1083, 1386, 1413, 2129, 2130, 2132)  
Halliday Fraser Munro on behalf of Barratt East Scotland & Drum Development Company (1487, 1488)

Westhill

Stewart Milne Homes (914)  
Wallace Planning on behalf of Barratt East Scotland & Dunecht Estates (1392, 1407, 1524)  
Haliday Fraser Munro on behalf of CALA management Ltd (1843)

**Provision of the development plan to which the issue relates:**

Affordable Housing requirements by settlement

**Planning authority's summary of the representation(s):**

Schedule 4

**1017, 1955:** Support the approach of differing requirements by settlement.

**1955:** Clarity required on whether schedule 4 applies to existing sites or only new sites.

**605, 613, 958, 1112, 1118, 1368, 1369, 1400, 1445, 1662, 1813, 2704:** The schedule is not justified by sufficient evidence within the Housing Needs and Demand Assessment, as required by Advice Note 2/2010 and Scottish Planning Policy. It applies differing requirements by settlement without sufficient evidence and applies this approach excessively. The evidence only supports a consistent approach across housing market area or Aberdeenshire. Such an approach would deliver the same number of units and would be more likely to work in practice. Schedule 4 is overly complicated and will be superseded by new information within the lifetime of the plan.

**2102, 2104, 2106 & 2107:** Support the provision of affordable housing and the thresholds identified in schedule 4. They suggest provision should be made for commuted payments where onsite provision is not practical (see separate representation under supplementary guidance)

Aboyne

**1940:** The requirement for 35% is unsustainable. The figure would deliver 23% more affordable housing than the requirement set out by the Council's Housing Service and is unjustified.

Banchory

**920, 921:** Bett Homes are committed to delivering the requirement for 40% affordable housing to meet local demand should their site be allocated for development.

**1445, 1662:** There is no evidence that national policy has been considered. The Housing Need and Demand Assessment does not justify the requirement. There are several settlements in the area with higher waiting lists but lower affordable housing requirements.

**1662:** There has been insufficient consultation with the development industry to determine if the requirement is deliverable.

**1445:** The contribution has potential to render all housing developments in Banchory unviable.

**1662:** The requirement pays no regard to other financial obligations of development.  
Housing Allocations/Requirement

**1445, 1662:** Additional housing allocations are required in Banchory if demand for affordable housing is to be met. There is high demand for housing of all tenures in Banchory.

Chapel of Garioch

**1166:** Deem the 10% affordable housing level to be appropriate for the scale of development in Chapel of Garioch.

Ellon

**1813:** The Housing Needs and Demand Assessment does not justify a 30% requirement.

**1813:** The cumulative impact of community provision and infrastructure required in Ellon in addition to the affordable housing requirement will make development unviable.

**1813:** The Structure Plan (2009) housing requirements will be difficult to achieve given the cumulative impact of developer contributions.

Fraserburgh

Justification

**1828:** The Housing Needs and Demand Assessment explains affordable housing need is less severe in Fraserburgh than in other areas, The 30% requirement is unjustified.

Viability

**2096:** The ability of development profits in Fraserburgh to offset up front costs and other contributions is less than in settlements in the Aberdeen Housing Market Area.

**2096:** Developers of the H1 Kirkton site have been in discussion with Council's Housing Strategy Team and local Housing Associations regarding delivery of affordable housing through new mechanisms and joint delivery.

**1828, 2121:** The cumulative impact of other developer contributions in Fraserburgh will be non-viability of development

Housing Requirement

**2096:** The requirement threatens the delivery of the Structure Plan housing requirement due to the burden of affordable housing contributions.

Inverurie

Viability

**2634:** The affordable housing requirement in addition to multiple infrastructure and community facility requirements will make development unviable in Inverurie.

Structure Plan

**2634:** The requirement could impact on the maintenance of an effective supply of housing land in Inverurie.

Kinneff

**2320:** Any site in Kinneff should contain significant affordable housing as it has been identified that there is a special need among local families in order to sustain the community.

Maud

**154 & 155:** Support the 10% requirement, which can be delivered comfortably within site H1.

Peterhead

**1836:** The Housing Needs and Demand Assessment explains affordable housing need is less severe in Peterhead than in other areas. The 35% requirement is unjustified.

**1149, 1150, 1151, 1152:** The ability of development profits in Peterhead to offset up front costs and other contributions is less than in settlements in the Aberdeen Housing Market Area.

**1149, 1150, 1151, 1152:** Developers of the site have been in discussion with Council's Housing Strategy Team and local Housing Associations regarding delivery of affordable housing through new mechanisms and joint delivery.

**1149, 1150, 1151, 1152, 1836:** Cumulative impact of other developer contributions in Peterhead will result in non-viability of development.

**1836:** The Structure Plan (2009) detailed a need for 20-30% affordable housing across the area.

Stonehaven

**1081, 1083, 1386, 1413, 2129, 2130, 2132:** Despite the identified need in the wider area, adjacent settlements have only to contribute the standard 25%. There is no evidence available within the HNDA or elsewhere that the 50% requirement is necessary or that viability has been assessed.

**1081, 1083, 1386, 1413, 2129, 2130, 2132, 1487, 1488:** Although the need for affordable housing in Stonehaven is accepted, the viability of the requirement has not been considered. The impact of the requirement is to make development unviable. Higher housing allocations are required in order to deliver the number of affordable housing units required in Stonehaven. Potentially any type of housing development in Stonehaven could be rendered unviable due to the requirement.

**1081, 1083, 1386, 1413, 2129, 2130, 2132, 1487, 1488:** There is evidence of high demand for all house types in Stonehaven: this should be met with larger allocations in the settlement. The allocation strategy cannot deliver sufficient affordable housing units in Stonehaven.

Westhill

Justification

**1392, 1524, 1843:** The HNDA does not justify allocations at the settlement level.

Viability

**914, 1392, 1524, 1843:** The requirement for 40% affordable housing in Westhill could make development unviable.

Housing Allocations

**914, 1392, 1524, 1843:** A lower requirement and higher allocation would achieve a greater delivery of affordable housing than the Proposed Plan strategy.

**1407, 1843:** Reduce the requirement to a 25% figure.

**Modifications sought by those submitting representations:**

Schedule 4

**605, 613, 958, 1112, 1368, 1400, 1445, 1662, 1813, 2704:** Remove schedule 4 completely and the differing requirements by settlement and apply a consistent approach across Aberdeenshire.

Aboyne

**1940:** Reduce the requirement for affordable housing in Aboyne to 25%.

Banchory

**1445:** To achieve what is assumed to be the Council's target for affordable housing of 152 units, a 25% requirement should be set and an allocation of 608 units.

**1662:** Higher overall allocations rather than artificially inflated affordable housing requirements are required.

Ellon

**1813:** Reduce the affordable housing requirement in Peterhead from 30% to 25%.

Fraserburgh

**1828, 2096, 2121:** Reduce the contribution to 25%.

Inverurie

**2634:** Remove the requirement for 35% affordable housing in Inverurie.

Kinneff

**2320:** Significant affordable housing requirement detailed within schedule 4 for Kinneff.

Peterhead

**1149, 1150, 1151, 1152:** Reduce the affordable housing requirement in Peterhead from 35% to 25%.

Stonehaven

**1081, 1083, 1386, 1413, 2129, 2130, 2132, 1487, 1488:** Increase the housing allocation in Stonehaven with a 25% requirement for affordable housing.

Westhill

**914:** Reduce the affordable housing requirement for Westhill and increase the allocation to the settlement.

**1407, 1843:** Reduce the requirement to a 25% figure.

**Summary of responses (including reasons) by planning authority:**

**Overview – Schedule 4 of LDP**

Schedule 4 of the Local Development Plan sets out a definition for affordable housing and highlights those settlements where deviation from the benchmark is justified, based on current knowledge of the housing service and comparison against indicators of demand and capacity. The support for the approach is noted. It does not apply to “E” (existing) housing sites within the new Local Development Plan, as it would be unreasonable to apply this retrospectively.

Current knowledge on affordable housing is based firmly on the most recent Housing Needs and Demands Assessment. As discussed in issue 13 the Housing Needs and Demands Assessment does not consider needs below the level of the housing market area, but justifies the “benchmark” figure of 25%. Sufficient evidence of variation at a local scale is provided by waiting list and waiting list to re-let ratios within the schedules. Paragraph 14 of Planning Advice Note 2/2010 states that “if a different percentage is required locally, justified by the HNDA and identified in the LHS and development plan, then the 25% benchmark does not apply”.

Affordable housing requirements for individual settlements have consequently been set with reference to the needs identified by the Housing Needs and Demands Assessment, in the Local Housing Strategy and the overall capacity of settlements to accommodate growth. By varying the affordable housing requirement, the situation has been avoided where very large allocations are required to accommodate both affordable housing needs and also to resolve threshold constraints on infrastructure. In no cases does the affordable housing requirement provided by this plan meet need in its entirety, and the Housing Needs and Demands Assessment 2011 demonstrates that Need is increasing: it is accepted that “meeting need” will not be achieved. New information will become available, but the approach adopted provides certainty for the development industry over the course of the plan on which investment decisions can be taken.

An approach that blindly applies a 25% benchmark does not address local differences in needs and would result in excessive affordable housing in those areas where it was not required and insufficient affordable housing in those areas with greatest demonstrable need.

In a number of settlements it is claimed that the affordable housing requirement will render development unviable. Flexibility has been provided to resolve this issue by ensuring that a range of

products can be used, in particular models incorporating low cost home ownership. All developers were also informed of the likely affordable housing contribution when asked to confirm the viability of their schemes.

Aboyne

175 houses are allocated in Aboyne, of which 35% are proposed to be affordable, resulting in 61 affordable houses. The waiting list for affordable housing in Aboyne is 132. The level of affordable housing is therefore justified.

Banchory

As noted above, affordable housing need is justified by the Housing Needs and Demands Assessment and informed by local information on needs. Affordable housing need has not been the sole determinant of the scale of allocations deemed appropriate for individual settlements; if this were the case, and affordable housing was “capped” at 25% the structure plan would have had to have required significantly higher allocations. There is no basis for arguing that the affordable housing requirement will render all development unviable when at least one developer disagrees with this position. Scale of development in Banchory has not been determined solely on affordable housing needs, and the allocations made are appropriate and sufficient.

Chapel of Garioch

The support for the level of affordable housing is welcomed.

Ellon

Issues raised are similar to those in Banchory and a similar response on issues of the justification and impact on viability of development can be made.

Fraserburgh

Due to the specific characteristics of the property market in Fraserburgh a higher proportion of new dwellings are likely to be classed as “affordable” under the definition in the schedule than in other places. Allocations of 1190 dwellings are made in Fraserburgh, with 357 of these required to be affordable. The settlement has “pressured area” status. The waiting list for affordable housing in Fraserburgh is 673. The level of affordable housing is therefore justified. The Council welcomes the commitment made by the developer towards innovative methods for the delivery of affordable housing in the town.

Inverurie

Issues of viability are addressed above.

Kineff

No development allocations have been made in Kineff. Aberdeenshire Council Housing Service recognises that there is widespread need in rural communities and the welcoming approach to development in the Countryside provides a means for this need to be met.

Maud

The support for the affordable housing requirement is welcomed.

Peterhead

Allocations of 1515 dwellings are made in Peterhead and 454 of these are required to be affordable. The waiting list for affordable housing in Peterhead is 767. The settlement has “pressured area” status. These facts demonstrate that the level of affordable housing is justified. The Council welcomes the commitment made by the developer towards innovative methods for the delivery of affordable housing in the town.

While the Structure Plan does detail a 20-30% affordable housing requirement across the whole area, this does not automatically mean that each settlement will lie within this range. If a different percentage is required locally, justified by the HNDA and identified in the LHS and development plan, then the 25% benchmark does not apply (Planning advice note 2/2010) Overall the



requirement is for 20-30%, but there will be variation around that figure as some settlements have been identified as having lower need than this, and some higher. The figure for Peterhead is, in any case, within this range.

Stonehaven

Allocations of 330 dwellings are made in Stonehaven, with 165 of these required to be affordable. The settlement has “pressured area” status. The waiting list for affordable housing in Stonehaven is 567. The level of affordable housing is therefore justified. Comparison with other settlements is inappropriate as they will exhibit different levels of need. Greater allocations are not required to deliver this requirement, as the model used for procurement of affordable housing allows shift towards greater levels of low cost home ownership models to resolve viability issues.

Westhill

Allocations of 150 dwellings are made in Westhill, with 60 of these required to be affordable. The waiting list for affordable housing in Westhill is 257. The settlement has “pressured area” status. The level of affordable housing is therefore justified. Development has been allocated in Westhill specifically to help address affordability issues despite other constraints. An increased allocation to achieve the same objective is not necessary, and would result in disproportionate allocations to resolve the infrastructure issues that would arise.

Conclusion

Schedule 4 is an appropriate response to specific affordable housing requirements of settlements, and assist in ensuring sufficient affordable housing is provided where it is most needed.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. The conclusions and recommendations set out below should be read alongside Issue 13. Both Issues were informed by a request for further information and discussions at a hearing session held on 16 September 2011.

**Evidence base and justification for approach**

2. According to Scottish Planning Policy, “where the housing need and demand assessment and local housing strategy identify a shortfall of affordable housing, it should be addressed in the development plan as part of the housing allocation.” The need should be met in each housing market area, as with market housing. A 25% benchmark figure is suggested but can be varied at a local level, where this is justified by the housing need and demand assessment and is included in the local housing strategy and development plan.

3. Policy 6 of the proposed Aberdeenshire Local Development Plan requires 25% affordable housing, unless Schedule 4 (or the settlement statements) states otherwise. Schedule 4 sets out the affordable housing requirements on a settlement basis. All settlements are required to provide 25% except those specified to provide a contribution between 10% and 50%. The figures are derived from waiting list and pressured area status information. Representations suggest that there is insufficient evidence to support the approach; this matter is addressed below.

The Housing Need and Demand Assessment

4. The 2010 Housing Need and Demand Assessment (HNDA) demonstrates a clear shortfall in the supply of affordable housing and a growth in the level of net housing need in both the Aberdeen and Rural Housing Market Areas. The situation is severe in that annual emerging need at the Aberdeen Housing Market Area level exceeds supply, meaning the existing backlog may continue to increase.

5. The assessment notes that, “the estimate of annual housing need is not the same as the numbers of new affordable housing units that should be sought.” Consideration of which policy tools might be best suited to respond is suggested, particularly, “in the Aberdeen Housing Market Area and parts of the Rural Housing Market Area where the findings suggest a level of need that exceeds any credible or possible response through new affordable housing development given current and anticipated public funding constraints.”

6. Paragraph 6.154 of the HNDA states that, “*members of the Strategic Housing Market Partnership will also need to think carefully about the volume and type of new affordable housing provision that should be sought in different localities and whether greater weight should be given to competing priorities such as:*

*\* Addressing need where it is most acute – in terms of location and/or dwelling of a particular size and type that are in scarcest supply;*

*\* Looking to maximise the numbers of affordable units by placing greater emphasis on intermediate housing.”*

7. In paragraph 7.12 the assessment notes that the Rural Housing Market Area functions in a different manner to the Aberdeen Housing Market Area, given its size, diversity and relative remoteness. Consequently, paragraph 7.13 states that “Aberdeenshire Council will complement housing market area need estimates with more fine-grained analysis of demand and need pressures at a settlement level to inform their proposed local development plan and local housing strategy.”

8. A need has been established for affordable housing and an appropriate response is required to meet it. The assessment acknowledges that a further piece of work requires to be undertaken by the council to establish local need, but there is no reference in the HNDA to any percentage of affordable housing to be sought through planning permission for market housing development. However, as the HNDA relates to a housing market area level, I would not expect to find such a specific requirement within the document.

#### The Local Housing Strategy

9. An up-to-date local housing strategy was not prepared at the time of examination. Consequently, the council referred to an ‘affordable housing strategic outcome statement’ which sets a priority to deliver a benchmark of 25% affordable housing across Aberdeenshire. It also refers to a different percentage for settlements identified in an appendix, which follow those set out in Schedule 4 of the local development plan but provides further information in terms of the amount required and type of affordable housing sought in each plan period.

10. The outcome statement was published after the proposed plan and uses the same information to derive the affordable housing percentages. It is not a substitute for the local housing strategy and the council stated at the hearing session that it was an interim document produced by the housing service with no consultation and little status. It can therefore be given little weight in the context of establishing an evidence base for the variable approach to affordable housing provision.

#### The development plan

11. In addressing affordable housing, an objective of the approved Aberdeen City and Shire Structure Plan is to make sure development meets the needs of the whole community. It states that providing affordable housing is critical to delivering sustainable mixed communities and supports a target for “new housing to meet the needs of the whole community by providing appropriate levels of affordable housing (likely to be in the range of 20% to 30% - the need and demand assessment will help provide the final figure).”

12. The total housing allocation of the proposed Plan over the period 2007 to 2023 divided by the total affordable housing provision on a variable basis provides a contribution of 27% affordable housing across the structure plan area. The structure plan does not state that a variable approach is

to be applied but gives a global figure, which the variable approach in the proposed plan would achieve. Although it was suggested that the range related to 'community' in a settlement sense, I find that as strategic document it must relate to the region as a whole. In providing a range it also acknowledges contributions would be above and below the 25% benchmark figure.

13. The HNDA provides a link to assess local need in Aberdeenshire for the local development plan and refers to new policy approaches to affordable housing delivery. It does not specifically refer to a variable proportion being required from market housing development but then such a requirement would be difficult to justify in a strategic document. Other policy approaches were also possible, including specific affordable housing allocations on council owned land, but they are not part of the proposed Plan. A reliance is therefore placed on the market to provide affordable housing.

The methodology

14. The council confirms that the variable percentages were provided by colleagues in Housing and Social Work and on professional judgements. They are based on local income to house price data (as an indicator of affordability); the length of the waiting list (as an indicator of demand); and the waiting list to re-let ratio (as an indicator of turnover). Comparison was made with allocations for settlements, and the rationale for those allocations (including the provision of affordable housing) to derive a affordable housing requirement.

15. Scottish Government Planning Advice Note 2/2010 on affordable housing and housing land audits provides a step-by-step approach to supporting affordable housing delivery. Although published once the proposed Plan was in production, it follows closely the guidance set out in the now superseded Planning Advice Note 74 on affordable housing available at the time the proposed plan was produced.

16. Box 1 of Planning Advice Note 2/2010 provides a methodology to be considered to deliver affordable housing, and was considered by those at the hearing session to provide a clear approach and certainty to developers. The council confirmed at the hearing session that many of the steps were covered in their approach. However, as indicated in Issue 13, the council did not follow in the advice to engage with interested parties and check the viability of proposed affordable housing percentages before preparing the proposed Plan. Affordable housing was not raised as a main issue in the Main Issues Report, but it was noted as being of importance.

17. Waiting lists provide information on where people want to live and not necessarily where there is need. Consequently, information on first choice waiting lists may not be reliable and can change over time as those on them may wish to live in more desirable locations, move in or away from the area, or their financial or social circumstances may change. However, the waiting lists and pressured area status information does provide an indication of local need and the proposed Plan attempts to meet this need though its approach to affordable housing. The schedule also looks to review the individual settlement requirements through the emerging local housing strategy and the proposed supplementary guidance on affordable housing allows development to respond to current conditions.

18. It is unclear from a study of Schedule 4 and the methodology in setting the contribution levels why some settlements with higher waiting lists are required to provide fewer affordable housing units by proportion than others. For example, Fraserburgh has a waiting list of 673 and proposals are required to provide a 30% contribution, whereas Stonehaven has a waiting list of 567 but proposals must contribute 50%. This may be because of a need to provide a higher proportion of affordable housing provision to compensate for lower housing allocations, which is addressed in Issue 13. In any case, the justification is not clear from the schedule. This results in a lack of certainty and acceptance from promoters of housing land.

19. Furthermore, the approach taken does not acknowledge the ability of the newly allocated settlement in Elsick to provide a substantial number of affordable houses, in the region of 1,000 homes.

20. Schedule 4 is to be commended for its desire to meet affordable housing need at a localised level. However, it fails to provide a transparent methodology to describe how the localised percentages were reached, and, as concluded in Issue 13, a realistic response to development viability. Nonetheless, there is no evidence that 25% is the tipping point for development to become unviable. The actual proportion which could be accommodated while allowing a viable scheme would be dependant on a multitude of factors, including land and infrastructure costs, housing numbers and types, contributions and bank rates. The difficulty lies in the perception of an affordable housing ‘requirement’, which relates to a minimum rather than a target. Policy 6, the supplementary guidance, and the council at the hearing acknowledge that there will be circumstances which require flexibility in the amount of affordable housing that can be delivered. Delivery of affordable housing in Aberdeenshire is imperative to meet the chronic need.

21. I find there is sufficient evidence within the HNDA and the structure plan to look at affordable housing need at a localised level. Despite the lack of a local housing strategy, its evidence base would be likely to follow that used by the local development plan in finalising its approach to affordable housing provision. The methodology is unclear and does not appear to take account of all the factors of influence, such as migration and the development at Elsick. Nonetheless, having regard to all of the conclusions above, I find that Schedule 4 should remain but that it should follow the lead of the structure plan in providing an affordable housing target for settlements rather than a requirement. The schedule should also explain the approach taken by the council in reaching their individual settlement figures. This recommendation will enable delivery at a targeted local level, while recognising the realities of providing market and affordable housing in the current economic climate.

**Commuted payments**

22. Representations seek the provision for commuted payments where the on-site provision of affordable housing is not practical. Policy 6 and the provisions of the proposed (and revised) supplementary guidance on affordable housing provide flexibility in the approach to delivery. The supplementary guidance specifically identifies that in exceptional circumstances a commuted sum may be acceptable, and this option is also recommended in the proposed change to the supporting text to policy 6 in Issue 13. No further change to the Plan is required on this basis.

**Individual settlements**

23. Although one representation supports the expected contribution in Banchory above the 25% figure, the remainder of representations seek the contributions above 25% in individual settlements to be reduced to 25% having regard to the evidence base and the viability of development proposals.

24. As found in Issue 13 and in the paragraphs above, there is a sufficient evidence base to support the variable approach taken by the council. There is also adequate flexibility within policy 6 and Schedule 4 (when modified as recommended), and the proposed supplementary guidance, to accommodate and respond to individual circumstances, and allow exemptions where justified. This would include reference to current housing need in a locality, development viability and cumulative infrastructure costs. No further change to the contributions set out in Schedule 4 is required to reduce the individual settlement targets for affordable housing.

25. There are no housing allocations in Kinneff. Despite this, appropriate small scale housing development could come forward to meet local needs through the development in the countryside policy and associated supplementary guidance, which would be subject to the benchmark 25% affordable housing figure. No housing allocations are required in Kinneff on this basis.

**Reporter’s recommendations:**

Modify the proposed Plan by:

1. Replacing the title of Schedule 4 to **SCHEDULE 4 AFFORDABLE HOUSING TARGETS.**

2. Replacing paragraph one of Schedule 4 with:

Policy 6 expects all housing development to contribute to meeting either a 25% target or an alternative higher or lower percentage, as listed in this schedule or provided as an exception through the provisions of the supplementary guidance on affordable housing. The following table details extraordinary affordable housing targets in settlements across Aberdeenshire. It takes account of local income to house price data (as an indicator of affordability); the length of the waiting list (as an indicator of demand); the waiting list to re-let ratio (as an indicator of turnover); and the level of housing allocations made through Schedule 1 of the Plan. In all but exceptional cases the target will be met either through the provision of serviced land to a registered social landlord, or through the direct provision of affordable houses.

3. Replacing the word 'requirement' with 'target' in the third and fourth paragraphs of schedule 4.

4. Replacing the title of the second column of the table in Schedule 4 with:

Target for Whole Plan Period %.

<b>Issue 29</b>	<b>Overall Spatial Strategy</b>	
<b>Development plan reference:</b>	Section 4 The Spatial Strategy (p6) Section 6 the proposals maps (p18) Schedule 1 New Housing land Allocations (p25) Schedule 2 New employment land allocations (p30) Schedule 3 Likely infrastructure needs (p34) Schedule 4 Affordable housing requirements	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Emac Planning LLP on behalf of Stewart Milne Homes (601) BLUE Planning & Development on behalf of Brodie Countryfare Ltd (929) Dundas & Wilson CS LLP on behalf of Stewart Milne Group (959) Scottish Property Federation (1014) Homes for Scotland on behalf of Grampian Housebuilders Committee (1112, 1118) Portlethen & District Community Council (1122) Turley Associates on behalf of The Stonehaven South Consortium (1386, 2129, 2130) Wallace Planning Ltd on behalf of Barratt East Scotland & Dunecht Estates (1394) Bancon Developments (1417, 1422) Halliday Fraser Munro on behalf of Mr McDonald (1434, 1436) Halliday Fraser Munro on behalf of The Blackburn Consortium (1475, 1476, 1477) Halliday Fraser Munro on behalf of CHAP Homes (1478, 1479, 1480, 1481, 1482) 1483, 1486, 1511 Halliday Fraser Munro on behalf of Harper & Cochrane (1483, 1486, 1511) David Summers (1554) Halliday Fraser Munro on behalf of Barratt East Scotland & Scotia Homes (North) Ltd (1595, 1597) Halliday Fraser Munro on behalf of John Martin Assets (1608, 1609) Archial Planning on behalf of Stewart Milne Homes (1638) Paull & Williamsons LLP on behalf of Elsick Development Company Ltd (1684) Buccleuch Property on behalf of Aberdeen Science Parks LP & Buccleuch ASP LLP (1808) Rydens on behalf of R M Kinghorn (1910) Montagu Evans LLP on behalf of The Sluie Estate Trust/David & Richard Strang Steel (1952, 1953) Michael Birch (2054) Gordon Pirie (2330, 2392) Dr Toby Lenehan (2365, 2428) Altants Ltd on behalf of Monument Leisure Ltd (3032)		
<b>Provision of the development plan to which the issue relates:</b>	The overall spatial Strategy adopted (see also issues 30, 34, 45, 55, and 65 for unresolved objections on particular geographic elements of the spatial strategy)	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Support for the Strategy</u>                  Respondents <b>1014, 1422, 1808</b> generally support the proposed spatial strategy and consider that concentrating large scale development in areas where improvements to infrastructure are required is a suitable approach. <b>1422</b> advises that whilst they support this as a principle objective it should be considered in the context of deliverability. <b>1808</b> also suggests that the spatial strategy should recognise the Aberdeen Science and Technology Park, Aberdeen Science and Energy Park and Energetica Corridor, particularly in relation to roads infrastructure on principal routes.</p> <p><b>1014:</b> Support the plan's promotion of development in regeneration areas.</p> <p><u>Approach Taken</u>  <b>1952, 1953</b> It is important that the Local Development Plan is forward looking and flexible to deal with any potential impacts from budget implications. It provides no flexibility if for example the Aberdeen Western Peripheral Route and Fastlink are affected.</p>		



**1684:** The spatial strategy needs to more clearly demonstrate how it is proposed to respond to the aims. The links between the vision and spatial strategy should also be more explicit in their desire to create sustainable, mixed use neighbourhoods with less reliance on the car.

**1482:** Considers that the spatial strategy does not take into account educational issues, particularly in relation to secondary school provision and is therefore flawed. They suggest that the educational strategy is flawed, as it focuses on the delivery of a new school where there is a critical mass of 4,000 houses. A more optimum solution would be to work with Aberdeen City and also consider potential review of school catchment areas to provide a more joined up approach.

Respondents **1478, 1479** suggest that the proposed spatial strategy in the Proposed Plan should take the opportunity to improve upon the Structure Plan, since strict adherence to the Structure Plan does not provide a common sense approach.

They further comment on the Structure Plan itself advising that the Strategic Growth Area diagrams are too simplistic and assume that sustainability benefits are only achieved within a certain distance of major arterial routes.

**1478:** Further information is required in the Spatial Strategy section on how the Local Development Plan proposes to implement the Structure Plan. It should explain where and how the allowances will be delivered and how these relate to government and local planning policy.

The proposed inclusion of a new town in the spatial strategy is a strategic matter which should have been dealt with in the Structure Plan (**1479**).

**1014:** Suggests that a flexible approach be considered for small unallocated sites coming forward.

**1910,** suggests that there should be a greater focus towards directing development towards sites within and around existing settlements to make effective use of existing infrastructure. **2330, 2392** however, comments that a new town should be considered rather than a piecemeal approach.

**3032:** The plan over concentrates on identifying areas for growth within existing settlements or in regeneration priority areas and fails to recognise opportunities outwith these areas that will encourage economic growth

**2129, 2130:** The distribution of development proposed by the strategy is illogical and unrelated to the size of the settlement in question, particularly in Stonehaven

Emphasis on larger sites and deliverability

**601, 959, 1112, 1118, 1386, 1394 1479, 1638:** Respondents express concern that the proposed strategy does not provide sufficient flexibility to bring forward land quickly in line with the Structure Plan. Comment is made about the viability/delivery of large scale development proposals and/or development directed to single large sites, particularly in relation to the major infrastructure requirements often associated with sites of this scale. **959** suggests that with this approach, if difficulties occur then it is hard to address the necessary land allocation. **959** comments that this issue is likely to be even more pertinent in the current economic climate. New settlements often require significant upfront investment in infrastructure and may be difficult to finance. Infrastructure requirements for a variety of smaller sites have a higher prospect of being fundable. **1480** echoes this, expressing concern about the financing of up-front investment for large allocations. They also suggest that over reliance on a single site is likely to increase pressure elsewhere.

On this basis the strategy should be more diverse and provide a range of sites that are able to utilise existing infrastructure and reduce risk in terms of meeting the Structure Plan requirements to ensure land is made available as quickly as possible.

**1417:** The spatial strategy does not address the Structure Plan strategy in a deliverable manner.

**601:** The effectiveness and delivery of sites should be considered to test sites and compare with alternatives put forward.

Other Issues

**929:** The text in section 4 relating to Local Growth and diversification areas should only relate to housing developments, not economic developments which should not be limited in the Aberdeen Housing Market Area

**1475, 1476, 1477, 1483, 1486, 1511, 1595, 1597, 1608, 1609:** The strategy should be flexible with regard to the distribution of development between the local growth areas and the strategic growth areas, and between the housing market areas. The structure plan should only be used as a guide.

**1478, 1481, 2054:** The strategy does not provide sufficient focus on brownfield opportunities. **2054** recognises that the spatial strategy requires to meet the Structure Plan. However the respondent is concerned about the scale of development and the impact on the countryside. **1478** makes reference to this being one of the key government priorities and suggests that the Local Development Plan does not pay sufficient regard to SPP nor the Climate Change (Scotland) Act 2009 in this regard.

**2365, 2428:** A sound justification for the housing land allocations is required, due to the impact such development will have on the landscape of the area.

**1554:** The requirement imposed by the Structure Plan for the allocation of land for 72,000 houses is fundamentally flawed, unrealistic and fails to take account of the Council's own demographics.

**1481:** The spatial strategy ignores the requirements set out in Scottish Planning Policy for development plans to contribute to sustainable development.

**601, 1112, 1118:** The wording of paragraph 2 Section 4 p6, referring to strategy growth areas could be interpreted as suggesting that development should resolve existing deficiencies in infrastructure provision, or address issues that are not strictly necessary to allow permission to be granted.

Respondents **1434** and **1436** comment on the employment land strategy. As the Structure Plan has no upper limit to the amount of employment land, it is important to ensure that allocations offer a choice which will allow a range of uses.

**1122:** There is little reference to transport infrastructure, particularly rail and although of less relevance also shipping and air travel.

**1014:** Support the plan's promotion of development in regeneration areas.

**Modifications sought by those submitting representations:**

**601:** Remove the wording which states: *"Within the strategic growth areas, our policies and proposals concentrate development on certain locations on a scale that will allow us to provide major improvements to roads, schools, sewers and other infrastructure"*.

**929:** The final paragraph on page 6 should be changed to "In comparison we limit rural housing development opportunities within the Aberdeen Housing Market area, particularly the within the green belt..."

**1112:** Add additional statement at the end of Paragraph 2 *"funded by a variety of methods including developer contributions, where it can be demonstrated that they relate in scale and kind to proposed developments"*.

**1112, 1118:** An additional paragraph should be included in the spatial strategy section on page 6 to state that: *"Flexibility will be given to allow the release of alternative housing sites to make up the*

*shortfall in housing numbers in the event that individual sites fail to deliver during the proposed delivery period”.*

**1482:** The strategy for secondary school provision should be based around a new academy in the Lower Deeside/Aberdeenshire south corridor context.

**Summary of responses (including reasons) by planning authority:**

Overview and approach taken

The overall spatial strategy follows the pattern of allocations set by the Aberdeen City and Shire Structure Plan 2009. In accordance with paragraph 3.5 it provides for significant growth in a limited number of places where there can be significant investment in infrastructure. The strategy balances this with a range of development options across Aberdeenshire. These, along with land already in the effective supply, provide a wide range of choice for the development industry. Fundamental to this strategy has been balancing the scale of new development with the capacity of the road network and of secondary school facilities (including those in Aberdeen City).

In rural areas of “local needs and diversification”, allocations of small areas of land have not been made in the smallest communities, in line with paragraph 96 of Circular 1/2009 “Development Planning”. The alternative approach adopted is to use a criteria based approach delivered through policy 3 “Development in the Countryside (see issue 8). This goes some way to meeting the aspiration for a flexible approach promoted by the Scottish Property Federation without abandoning the plan led approach required by Government. Allocations have been made on the basis of a demonstrable need, and according to the scale of the settlement receiving the allocation, so as not to overwhelm or destroy the character of the receiving community. In a few locations, such as Newmachar (see issue 80), larger allocations have been made where specific infrastructure thresholds have to be breached. This is an appropriate response to the issues of the area.

The plan provides flexibility through provisions which allow for the release of land earlier in the plan than currently anticipated, based on monitoring progress made in delivering the plan through the Housing Land Audit and the Action Programme. It makes no provision for fundamental changes in base assumptions, such as the delivery of the Aberdeen Western Peripheral Route, on which the Structure Plan, the Aberdeen Local Development Plan and the Aberdeenshire Local Development Plan are all founded.

Rather than expand section 4 “the Spatial Strategy” to reflect the section 3 “the vision and aims of the plan”, it is left to Section 3 to explain how the plan proposals meet the vision and aims of the structure plan.

It is suggested that the Local Development Plan should “improve” on the structure plan and promote a “common sense” approach, or promote development in a pattern that focuses on rural economic development opportunities. However, re-writing the structure plan strategy would result in a non-conforming plan. It is also suggested that the plan should have greater cognisance of the high quality business parks in the region, and the “Energetica” framework area. The business parks referred to are in Aberdeen City and not within the area covered by this plan, and the allowances in the structure plan provide an appropriate strategic response to the Energetica Framework. Again, going beyond the terms of the structure plan would render the Local Development Plan non-conforming. The structure plan does not specifically advocate a new settlement but allows the local development plans to make allocations within its broad strategy as is appropriate for the area.

Additional information is not required in the section to explain where and how the allocations will be delivered. This information is presented in Schedules 1 and 2, and in the supplementary guidance (see issues 25 and 26). Repetition of this information at this point would not result in a brief or concise plan.

Development allocations have been made on the basis of a range of issues, and are not dictated only by the size of the settlement. Infrastructure constraints have also had a significant role, as

noted by the second paragraph of page 6 of the plan.

In pursuit of a plan led system, it would be inappropriate for the plan to allow for development on unallocated sites other than those associated with infill opportunities or development in the countryside. Other unallocated sites should be brought forward and considered in the context of the next local development plan.

Emphasis on larger sites and deliverability

Issues of the viability of development were addressed through asking for confirmation from developers of the deliverability of their sites on the basis of known infrastructure constraints. This question of viability has been raised selectively, notably by those who have been unsuccessful in bids for inclusion in the Proposed Plan.

The scale of allocations promoted will result in need for significant infrastructure to serve this new development. These issues do not disappear through the provision of an equivalent number of small sites. These may not have a higher prospect of being fundable, or delivered more quickly. The strategy adopted provides clear responsibility and vision for the provision of the required major infrastructure. A range of small sites may be unviable and unable to provide the investment required to promote the vision and aims of the structure plan.

In all cases the allocations allow the use of the limited capacity in infrastructure to allow early stages of development. This is appropriate: it is a strategy that recognises the limits of existing infrastructure, but actively provides a means of resolution.

Other Issues

The structure plan provides a clear distinction between the local growth and diversification areas and the strategic growth areas, and promotes up to 80% of development within the latter. Allowing unlimited economic development opportunities across the Aberdeen Housing Market area would not make best use of infrastructure, nor would it meet the aims of the structure plan or local development plan with regard to growing and diversifying the economy, where it is clear that the aspiration is to provide land in proportion to housing growth, or to make efficient use of the transport network.

The structure plan, by requiring allocations 22% greater than land requirements, provides flexibility in land supply. Drawing allocations from one area of the structure plan spatial strategy to bolster another would effectively re-writes that plan and make the Local Development plan inconsistent with it. The Structure Plan cannot be used as a “guide” in the way suggested.

Aberdeen and Aberdeenshire Councils have promoted a strategy of development on brownfield land for over a decade. There is not a sufficient supply of brownfield sites in Aberdeenshire to make this a viable means of meeting the requirements of the structure plan.

Justification of the allocations made is provided in summary by the Main Issues Report and the “Issues and Actions papers that resulted from consultation on that document. Additional technical work was undertaken to assess suitability of all potential sites, including assessment of potential landscape impact.

The structure plan was approved by ministers in 2009 and provides an up-to-date and realistic picture of housing land requirements. As the local development plan requires to conform to the structure plan, any review of the allocations would necessitate review of that plan.

Paragraph 38 of Scottish Planning Policy sets out the way in which decisions on the location of new development should contribute to sustainable development. The production “How the Local Development Plan conforms to the sustainability criteria identified in Scottish Planning Policy” details the way in which the plan accomplishes this.

The interpretation of the spatial strategy, that paragraph 2 of section 4 suggests that developer

contributions would be used to resolve existing deficiencies, is not supported by the policies of the plan. When read in conjunction with Policy 9 Developer contributions and its associated supplementary guidance there is no ambiguity in interpretation. It is a statement of fact that development will require improvement to the infrastructure to accommodate it.

The spatial strategy provides a wide range of locations where employment land may be developed (as shown by Schedule 2 of the plan), and do offer a choice to allow a range of uses.

Strategic transportation issues were a fundamental component of the analysis that was undertaken by the structure plan in coming to a conclusion on the spatial strategy to be adopted, and has also had a significant influence on the distribution of development promoted by the Local Development Plan.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Structure plan context**

1. Section 15 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires the local development plan (LDP) to contain a spatial strategy, this being a detailed statement of the planning authority’s policies and proposals as to the development and use of land.
2. In preparing the LDP the planning authority is obliged by section 16 of the Act (as amended) to ensure that the LDP is consistent with the strategic development plan.
3. In the case of the Aberdeenshire Local Development Plan, the spatial strategy needs to be consistent with the Aberdeen City and Shire Structure Plan, which was approved by Scottish Ministers in 2009. The LDP is not an opportunity to ‘improve on’ or to provide a critique of the structure plan, as has been suggested. Nor is it a vehicle to move allocations between local growth areas and strategic growth areas, or between housing market areas.
4. The structure plan spatial strategy sets a clear context for the LDP. It concentrates development in three strategic growth areas (SGAs) – Aberdeen City, Huntly to Laurencekirk, and Aberdeen to Peterhead – which are to focus on creating sustainable mixed communities with the services, facilities and infrastructure necessary for the 21<sup>st</sup> century. The structure plan spatial strategy also explains the respective roles of local growth and diversification areas, and regeneration priority areas.
5. The structure plan allocates specific areas of employment land in each of the SGAs. It also makes particular housing allowances for Huntly to Pitcaple, Inverurie to Blackburn, Portlethen to Stonehaven, South of Drumlithie to Laurencekirk, Peterhead to Hatton, and Ellon to Blackdog. The spatial strategy of the Aberdeenshire Local Development Plan requires to be consistent with this structure plan context.

**Local development plan spatial strategy**

6. Section 4 of the Local Development Plan reiterates and interprets the structure plan provisions summarised above, and identifies the main development opportunities in the SGAs and in the local growth and diversification areas.
7. It explains the Plan’s approach to development in the SGAs, which concentrates development on certain locations and on a scale that will enable the provision of major improvements to roads, schools, sewers and other infrastructure. Allocations elsewhere aim to maintain or provide for community needs. Development opportunities are limited in the countryside, particularly in the green belt.



8. Section 4 indicates that development in the local growth and diversification areas is to be concentrated on certain settlements, and that the scale of such development will be appropriate to the size of the community and the ability to provide important infrastructure. Land allocations are made in areas with a particular need, mainly to support primary schools where the school roll is falling.

9. As discussed in Issue 41 and elsewhere in the report, the spatial strategy of the structure plan expects significant growth in a limited number of places, where there can be significant investment in schools, community facilities and transport infrastructure without affecting people's quality of life (paragraph 3.5). Paragraph 3.7 of the structure plan emphasises that development in the SGAs will bring about a significant need for improvements to the infrastructure, including new primary and secondary schools, improvements to roads and railways, and new water and waste water systems. All three SGAs are intended to focus on creating sustainable mixed communities with the services, facilities and infrastructure necessary for the 21<sup>st</sup> century.

10. I consider that the LDP's approach of concentrating development in relatively few locations where it can help to relieve infrastructure constraints is well founded. The alternative of dispersing development would tend to increase, rather than reduce, the strain on roads and services and would not offer a remedy to Aberdeenshire's longstanding infrastructure problems. The concerns about the deliverability of major housing release sites, and the implications for structure plan housing allowances, are discussed in Issue 12 and elsewhere in the report.

11. Because the housing allowances in the structure plan are 28% higher than the assessed requirement, a substantial measure of flexibility has already been built into the allocations.

12. The relative advantages of developing a new settlement versus the alternative of major expansions of existing towns, and the appropriate scale of development in those towns, are discussed in Issues 39, 40, 41 and 44.

13. The ambitious scale of the structure plan's housing allowances in Aberdeenshire (i.e. 23,250 houses between 2007-2023) is such that major greenfield releases, rather than re-use of brownfield land, are inevitable.

**Representations on the LDP spatial strategy**

14. There are a number of representations for and against the council's approach of concentrating development in areas requiring infrastructure improvements, which I have already discussed. The suggestion that the new settlement at Elsick would need to be foreshadowed in the structure plan is discussed in Issue 41.

15. I address below other specific criticisms of the LDP spatial strategy.

16. I can understand the desire to have a more explicit connection between the vision and aims of the plan on the one hand, and the spatial strategy on the other. However, given the council's intention to produce a succinct document I consider that there is a sufficient steer in Section 3 (including the aims to take on the challenges of sustainable development and climate change and to promote sustainable mixed communities) to provide a foundation for the spatial strategy in Section 4.

17. I also appreciate the concern that there is insufficient justification for individual housing releases in the Plan, but it would not be possible to produce a concise document if all the supporting information was included.

18. There is no need for the Plan to make specific allocations in the smallest communities, as any small proposals in such areas can be assessed against the criteria of Policy 3 and the associated supplementary guidance.

19. Similarly, any proposals for development outwith existing settlements or regeneration priority



areas will be considered against the relevant policy of the plan – e.g. Policy 1: Business Development, Policy 2: Town Centres and Retailing, and Policy 3: Development in the Countryside. It is appropriate, and consistent with the structure plan, that policy and proposals concentrate development within local growth and diversification areas (including economic development) on certain settlements.

20. The strategy of the structure plan and the local development plan assume the construction of the AWPR/Fastlink, which remains a committed project of the Scottish Government. It would be inappropriate for the LDP to do otherwise.

21. The wording of paragraph 2 of Section 4 does not suggest to me that development is expected to resolve existing deficiencies in infrastructure provision. Those are matters dealt with in Policy 9: Developer contributions and Schedule 3: Likely Infrastructure Needs, and addressed in Issues 17 and 27.

22. The adequacy and choice of employment sites are considered in Issue 26.

23. It would not be appropriate for the Aberdeenshire Local Development Plan to refer to business parks within Aberdeen City, which is in a different council area.

24. The lack of a specific reference to transport infrastructure in the spatial strategy is perhaps surprising, but it is embedded in the identification of strategic growth areas and is implicit in the references to ‘major transport routes’ and ‘accessibility’ in the spatial strategy. The vision and aims of the Plan include to take on the challenges of sustainable development and climate change, and to make efficient use of the transport network, so there is an adequate framework to take account of this issue.

**Conclusions**

25. In conclusion, I am satisfied that the overall spatial strategy set out in Section 4 of the Plan is clear, coherent and consistent with the structure plan and Scottish Government policy set out in Circular 1/2009. The merits of specific policies and proposals arising from the spatial strategy are considered in the relevant Issues of this report.

**Reporter’s recommendations:**

No modifications.

<b>Issue 30</b>	<b>Spatial Strategy: Huntly to Pitcaple Strategic Growth Area</b>	
<b>Development plan reference:</b>	Section 4, The spatial strategy (p6 & 7) Section 6, The proposals maps (p22 & 24) Schedules 1,2,3 and 4	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Norman P Lawie Limited on behalf of Ian Stuart (268)                  William Lippe Architects Ltd on behalf of L &amp; W Properties (396)                  William Lippe Architects Ltd on behalf of Thomas A Baird (408)                  Bancon Developments (1421)                  Ian Downie (1689)                  Paull &amp; Williamsons LLP on behalf of Scotia Homes Ltd (1711, 1786, 1798)                  Bruce Smith on behalf of Scotia Development Company (1746, 1748, 1752)                  Ryden LLP on behalf of Drumrossie Land Development Company Ltd (1853)                  Ryden LLP on behalf of Ian Duncan Developments Ltd (1908)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Distribution of development between settlements in the Huntly to Pitcaple Strategic Growth Area	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>1421:</b> Supports Huntly as the main focus for major development in this strategic growth area. Additional investment will enable it to become more sustainable, and growth will help to deliver infrastructure, in accordance with the aims of the Structure Plan.</p> <p><b>1689, 1711, 1746, 1748, 1752, 1786, 1798, 1853:</b> Respondents object to the proposed spatial strategy on the basis that the scale of allocations proposed for Huntly is undeliverable and will therefore not meet the Structure Plan requirements. The spatial strategy should re-direct this development to Inch as the main focus for development, where there is evidence of greater demand and build rates. Respondent 1689 specifically refers to the historical nature of constrained sites in this settlement and suggests that these constraints are insurmountable.</p> <p>Respondent <b>1908</b> objects to the proposed spatial strategy on the basis of education, suggesting that the allocations will overburden The Gordon Schools. Development at Old Rayne would be within the catchment for Meldrum Academy, where there is capacity.</p> <p><b>268:</b> Allocations made to Huntly should be reallocated to the Inch or Inverurie/Kintore areas.</p> <p><b>396:</b> There should be a re-allocation of housing numbers from within the strategic growth area to Old Rayne.</p> <p><b>408:</b> There should be a re-allocation within the strategic growth area to direct some development to Oyne, which will help to sustain existing community facilities and services.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>1689:</b> Sites H1, EH1 and EH2 in Huntly should be deleted and re-allocated to Inch North (G145) and Muiryheadless, Inch (G159).</p> <p><b>1853:</b> Site H1 in Huntly should be deleted and 630 houses re-allocated to Inch North (G145).</p> <p><b>396:</b> Numbers should be re-allocated from within the Strategic Growth Area to Old Rayne to include allocation of 30 to 35 houses.</p>		

**1908:** Housing numbers should be reduced in Huntly and re-allocated to Old Rayne.

**408:** Re-allocation of numbers from within the Strategic Growth Area to Oyne to include the allocation of 10 houses in the 2007-2016 first plan period.

**Summary of responses (including reasons) by planning authority:**

Overview

The spatial strategy capitalises on Huntly’s role as a major service centre for the area and the need to overcome infrastructure constraints to allow the town to grow. The town can accommodate the significant growth required without impacting on its character. Options for where this development can be located in Huntly are limited and the site H1 in the plan has significant challenges associated with its development. These include: the provision of additional waste water treatment; sewers to serve the whole area west of the River Bogie; improvements to access onto the old A96; and, in the longer term, railway and river crossings to link the development into the rest of the town. The costs associated with these elements justify a large allocation to give the developer significant confidence that investments in these elements will be returned. On this basis deliverability has been confirmed by the prospective developer of the site (see “Deliverability statement Huntly H1”): the constraints are not insurmountable.

The spatial strategy for the Huntly to Pitcaple Strategic Growth area therefore presents an appropriate and sufficient response to the structure plan strategy, and to the housing and business land locations identified in that plan (Structure Plan para 3.9 p10, Figure 3 p14, Schedule 1 p27).

Schools

The Gordon Schools have a projected spare capacity of 82 pupils by 2016. This compares favourably with a projection of 126 pupils likely to be generated over the lifespan of the development. Otherwise, the trend shows a declining roll for the Gordon Schools. It seems unlikely that all the development will be built in the period to 2023 (as noted at paragraph 4.17 of the structure plan, we cannot expect all the new homes to be built within the relevant plan period), and some of this development will be completed in the period 2023-2028. In addition the Gordon Schools shares part of its catchment with Inverurie Academy, providing some flexibility in the school allocations policy. The Gordon Schools could be extended to accommodate the need for additional capacity; as recently as 2008 it was able to accommodate 10% over capacity. Any substantial development in the strategic growth area will result in similar issues arising.

Insch

Development in Insch is limited to that which can be accommodated by the existing primary school, on the basis that the scale of development required to justify a second primary school would have an adverse impact on the character and amenity of the village. Identifying Insch as the recipient for the growth currently planned for the H1 site in Huntly would result in the village increasing from 639 households (2001 census) to 1269 households. Doubling of the size of the settlement in 10 years does not reflect the levels of services to be found in the town. No reallocation from Huntly to Insch should be undertaken as the allocations are appropriate and sufficient.

Old Rayne and Oyne

Development in minor settlements is likewise limited by issues of impact on education facilities and village character. Many of these villages, and particularly Old Rayne, have seen substantial growth in recent years and it is not appropriate to make strategic allocations in these locations. Oyne is not directly linked to either the trunk road or railway networks and is therefore not in the Strategic Growth Area. Neither Oyne nor Old Rayne should receive allocations at the expense of allocations in Huntly.

Reallocation to other Growth areas

Reallocation from the Huntly–Pitcaple Strategic Growth Area to the Inverurie to Blackburn Strategic Growth Area or to settlements in the Local Needs and Diversification Area (such as Oyne which is neither on the railway nor the trunk road network) is not possible as this would render the local

development plan inconsistent with the structure plan.

**Conclusion**

The spatial strategy for the Huntly to Pitcaple Strategic Growth Area, promoting the bulk of growth in Huntly is a sufficient and appropriate response to the structure plan strategy and local issues in the area.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Overview**

1. The structure plan housing allowance for the Huntly-Pitcaple strategic growth area (SGA) amounts to 300 houses in phase 1 and 500 houses in phase 2. The total allocation of new housing land in the proposed Plan amounts to 215 houses and 485 houses respectively; windfall sites make up the difference. The spatial strategy focuses on the expansion of Huntly and allocates new housing land in Huntly with a capacity for 145 units in phase 1 and 485 units in phase 2 (site H1).

**Huntly**

2. As detailed in relation to the examination of the proposals for Huntly in Issue 31, there are considerable doubts as to whether site H1, and adjoining sites EH1 and EH2, are capable of becoming effective before 2017. The most optimistic forecast is that it is likely to be towards the end of phase 1 of the proposed Plan before site H1 is capable of delivering houses. In these circumstances, whilst the allocation of land at Pirriesmill is supported, it is considered that it is unrealistic to expect that site H1 will deliver 145 houses in phase 1 of the plan.

3. The structure plan provides a generous supply of housing and does not expect that all the housing allowance will be built within the relevant plan period. In relation to the housing allowance, paragraph 4.17 of the structure plan states that this takes account of the Scottish Government’s desire to see a 40% increase in new house building across Scotland through to 2030. However, we are now in a very different economic situation to when the structure plan set out its objectives for growth. The housing allowances, set out in the structure plan were formulated in a better economic climate than today, and are ambitious. The house building completion rate in Aberdeenshire was over 2,000 houses in 2009 and is now around the 1,200 mark and declining. It is not possible to be certain as to when house completion rates will recover.

4. There is support for the argument, therefore, that it is not necessary to find a replacement site for the 145 houses that are not expected to come forward in Huntly. However, without site H1 at Huntly, only land with a capacity for 70 houses is allocated for the Huntly-Pitcaple SGA in phase 1 of the Proposed Plan. This is considerably less than the structure plan allowance of 300 houses and it is most unlikely that windfall development will make up the difference, particularly in the short term. Consideration has therefore been given to the allocation of alternative sites within the SGA to meet the shortfall necessitated by the uncertainties over the timescale for the Pirriesmill site. However, as indicated in relation to Issue 31, no other sites in Huntly are considered suitable.

**Insch**

5. As reasoned in Issue 32, it is considered that land adjoining sites EH1 and EH2 on the eastern side of Denwell Road, Insch would be an appropriate location for the provision of the 145 houses displaced from Huntly. The re-direction of this allocation from Huntly to Insch in phase 1 of the proposed Plan would not prejudice the spatial strategy for the Huntly-Pitcaple SGA over the whole period up to 2023 since the majority of the housing allocation remains concentrated in Huntly (485 house units). Insch fulfils a different role to Huntly, and it is not considered that the allocation of an additional 145 houses at Insch would threaten Huntly’s position in the settlement hierarchy as a major service and employment centre.

6. However, there is insufficient capacity at Inch Primary School to accommodate the development of a further 145 houses at Inch. The existing school is land locked and any extension of the school would reduce the playground area below minimum space standards. Therefore, although it is considered that land adjoining sites EH1 and EH2 at Inch would be an appropriate alternative location for the Huntly phase 1 allocation, it would not be appropriate to allocate this land for housing in this Plan because of the education constraints. The minimum lead in time for the provision of a new primary school, for which a site is reserved in the proposed Plan, is of the order of three to four years and this timeframe could be longer. Consequently, it is most unlikely that any new primary school could accommodate additional housing development prior to phase 2 of the proposed Plan.

7. Furthermore, the development of an additional 145 houses at Inch is insufficient to sustain the provision of a second or replacement primary school. The scale of development required to justify a second primary school amounts to some 600 houses. This scale of housing would impact on the character and sense of place of Inch, and would have further consequences for travel and traffic in the town. The re-direction to Inch of the proposed allocation of 630 houses at Huntly would result in a significant change to the spatial strategy for the Huntly-Pitcaple SGA.

8. It is concluded, therefore, that there are no unconstrained alternative sites available in Inch to meet the shortfall necessitated by the uncertainties over the timescale for site H1 in Huntly. Nevertheless, in view of the generous supply of housing in the structure plan, this phase 1 shortfall should not prevent the housing requirement over the Plan period being met. The intended review of the local development plan will provide the council with the opportunity to review housing land allocations to meet structure plan requirements.

9. As indicated in relation to Issue 31, the continued allocation of site H1 at Huntly is supported. The retention of allocation H1 at Huntly will provide prospective developers with certainty over the proposed Plan's intentions and will ensure that Huntly remains the main focus of new housing development in the SGA. The phase 2 allocation remains unchanged, with the prospect of development continuing into the post 2023 period. However, should there be little or no progress in overcoming the substantial infrastructure constraints that affect site H1, the intended review of the local development plan will provide the council with the opportunity to re-assess the allocation of this site and give serious consideration to the spatial strategy for the Huntly-Pitcaple SGA and the allocation of alternative sites, including those in Inch, for development during phase 2 of the proposed Plan and beyond 2023.

**Old Rayne and Oyne**

10. Other sites within the Huntly-Pitcaple SGA are considered under Issue 33. As detailed in the examination of Old Rayne, the allocations made in Huntly and Inch, subject to the recommended modifications, are sufficient to meet structure plan housing requirements. There is no need to allocate further new housing land within the Huntly-Pitcaple SGA.

**Reporter's recommendations:**

No modifications to spatial strategy.

<b>Issue 31</b>	<b>Huntly</b>	
<b>Development plan reference:</b>	Section 6 Proposals Maps Marr (p24) Schedule 1 Table 7 (p29) Schedule 2 Table 7 (p33) Schedule 3 Table 2 (p37) Volume 3I Supplementary Guidance, Settlement Statements Marr 2010 (p36)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>John Rhind (42)  Norman P Lawie Limited on behalf of Ian Stuart (268)  Colin Thompson Chartered Architect on behalf of Alistair Campbell (707, 708)  Ian Downie (1689)  Paull &amp; Williamsons LLP on behalf of Scotia Homes Ltd (1711, 1798)  Bruce Smith on behalf of Scotia Development Company (1746, 1748, 1752)  Ryden LLP on behalf of Drumrossie Land Development Company Ltd (1853)  Ryden LLP on behalf of Ian Duncan Developments Ltd (1908, 1911)  Scottish Environment Protection Agency (1979)  William Dean (2220)  Annie Kenyon Architects on behalf of J Innes (2739)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing and Employment Land allocations in and around Huntly.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Huntly</b>  <b>268, 1711, 1746, 1748, 1752, 1798, 1853, 1908, 1911:</b> The strategy to allocate a large amount of housing in Huntly is flawed as the allocations are undeliverable and the sites are constrained by demand, marketability and land ownership, and are ineffective. It represents an unprecedented rate of development for the town. Allocations are sought elsewhere to accommodate the Structure Plan requirements and resolve the serious shortage of effective housing land in the Rural Housing Market Area. Huntly is now built out to the extremities of its physical constraints.</p> <p><b>268, 43, 1711, 1746, 1748, 1752, 1798, 1853:</b> Access to the site cannot be delivered. Development should be required to provide for mitigations required for the upgrading of the road system due to increased traffic congestion on the A96 (268).</p> <p><b>1711, 1746, 1748, 1752, 1798, 1853:</b> There are issues with waste water drainage and water supply.</p> <p><b>1908, 1911:</b> There are issues with school capacity.</p> <p><b>43, 1711, 1746, 1748, 1752, 1798, 1853:</b> A number of issues make this an undesirable site for development including its subdivision by the railway, its orientation and aspect and the distance to the town centre, supermarket and other facilities.</p> <p><b>43:</b> The number of units on H1 should be reduced and redistributed to deliverable sites within Huntly.</p> <p><b>1979:</b> The Scottish Environmental Protection Agency notes that part of the site is at medium to high risk from flooding and objects to the site unless additional text is added to the Plan or Supplementary Guidance highlighting the flood risk.</p> <p><b>Site E1 Huntly</b>  <b>2220:</b> The existing small residential area of Linnorie will suffer from noise disturbance from</p>		



commercial activity. Provision should be made to allow people to access the area by foot or bicycle across the A96.

**Site EH1 Huntly**

**43:** Site EH1 is constrained by access and is undeliverable during the life of the Local Development Plan.

**1689:** EH1 is insurmountably constrained and cannot contribute to meeting strategic housing land requirements. EH1 is constrained by access and infrastructure. Site EH1 should be deleted from the plan.

**1853:** Site is constrained due to infrastructure and marketability issues and there is little logic to increasing capacity of the site.

**Site EH2 Huntly**

**43:** Site EH2 is constrained by access difficulties into site H1.

**1689:** EH2 is insurmountably constrained and cannot contribute to meeting strategic housing land requirements. EH2 is constrained by access. Site EH2 should be deleted from the plan.

**Alternative Sites Huntly**

Site to east of EH3

**707, 708:** An area of land to the east and adjacent to EH3 should be allocated for housing to help reduce the density of development on site EH3.

Bleachfields

**2739:** Bleachfields Mill should be included as a potential for housing development, as it is no longer protected from development, the majority of the site is above the flood risk area and it benefits from being close to the town centre, railway station and bus stops. The Mill is also of historic importance to Huntly and should not be lost.

Site adjacent to BUS4

**2739:** The area of land shown as a caravan park adjacent to BUS4 should be used for an expansion of Huntly's business unit space, as it benefits from being adjacent to the A96 and railway.

Site at Gibston Bridge

**43:** A site at Gibston Bridge should be allocated, as it falls within the natural boundaries of the town. The site is not subject to flooding and drainage and road access can be provided. It is immediately deliverable.

Site between Battlehill Croft and Thorneybrae

**43:** A site should be allocated between Battlehill Croft and Thorneybrae for 200 houses to help justify the cost of building a new main sewer. A new sewer would unlock sites EH3 and EH4 and may benefit site EH1.

Site at BUS1

**43:** The remaining land on this site in the north-west corner of BUS1 should be allocated for a fast food outlet and destination shopping or factory outlet.

**Modifications sought by those submitting representations:**

**43:** Reduce number of houses allocated to site H1 and redistribute to other deliverable sites, including a site adjacent to Gibson Bridge. Allocate site between Battlehill Croft and Thorneybrae. North west corner of BUS1 should be identified for retail/fast food use.

**1711, 1746, 1748, 1752, 1798, 1853:** Delete site H1 and make additional allocations at Insch.

**1908, 1911:** Reduce the number of units allocated to site H1 and allocate these in Old Rayne.

**1979:** Delete site H1 unless the following wording is included in the supplementary guidance text for Huntly “Part of this site lies within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and an appropriate buffer strip will be required adjacent to the existing watercourse.”

**1689:** Delete sites EH1 and EH2 from the plan.

**707, 708:** Allocate land adjacent to EH3 for housing.

**2739:** Allocate land at Bleachfield Mills for housing. Extend BUS4 to include adjacent caravan park.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The Structure Plan shows Huntly as within the Huntly to Pitcaple Strategic Growth Area. Huntly has been identified as a focus for growth due to its scale, servicing, and opportunities for economic development. To focus development at Inch would ignore Huntly’s key role as a sub-regional service centre. The Spatial Strategy for Huntly to Pitcaple Strategic Growth Area is discussed in Issue 30. Issues relating to the general sufficiency and maintenance of housing land supply are dealt with in Issue 12 Housing land supply. Issues relating to the specific allocation of sites and their effect on the housing land allocations are dealt with in Issue 25 New housing land allocations.

The allocations made in Huntly are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Many of the issues raised in relation to this settlement/policy were raised in response to the consultation on the Main Issues Report, and were considered in the ‘Issues and Actions Paper’ for Huntly (May 2010).

**Site H1**

Deliverability of site H1 has been confirmed by the proposer of the site: the constraints are not insurmountable. The concerns in relation to infrastructure costs and accessibility are well stated. However, the size of development when combined with sites EH1 and EH2 will allow for economies of scale. The level of housing proposed allows for meaningful infrastructure improvements to be delivered. No objection has been received from Scottish Water and they have advised that a waste water growth project is to be implemented between 2010 -2015. The site is close to the railway station promoting sustainable transport use and is no further from the town centre than other sites promoted in Huntly. The options for growth of Huntly are limited and alternatives of the scale required to accommodate up to 600 houses were not proposed. Alternative sites were also distant from the town centre and railway station, and some sites are separated from the existing settlement by the A96. Whilst site H1 is subdivided by the railway, development would require to provide both railway and river crossings to link development to the rest of the town.

Whilst it is accepted the school rolls do not indicate a requirement for a new school at present, the levels of development proposed within the Huntly to Pitcaple Strategic Growth Area would result in the need to expand education provision. The majority of schools within the Huntly to Pitcaple Strategic Growth Area feed into the Gordon Schools, and therefore to meet the Structure Plan allocation expansion of the school is required wherever allocations are made.

While part of the site is at risk from flooding, the size of the site would allow this area to form part of the open space requirements within the masterplan. However, appropriate text has been added to the supplementary guidance in respect of a flood risk assessment for the site.

**Site E1**

Site E1 is well linked to existing commercial activity and utilises an existing access onto the A96. Proposals will require to be considered against all other relevant policies, including Policy 8 Layout, siting and design of new development, which requires assessment of accessibility and safety. Issues in respect of noise and access will be considered at the planning application stage. Potential noise disturbance is an insufficient reason to reconsider the allocation.

**Sites EH1 and EH2**

Whilst sites EH1 and EH2 are identified as “constrained” within the Housing Land Audit, these sites are contiguous with site H1. Their allocation is continued, and increased, to assist in overcoming constraints on a collective basis.

**Alternative sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

Site to east of EH3

The site to the east and adjacent to EH3 was not proposed at any previous stage of plan preparation and there has been no site assessment or public debate on the site. Development of the site would have a visual impact on the approach to Huntly and the site is distant from the town centre with few opportunities to improve pedestrian links.

Bleachfields

Bleachfields was not proposed at any previous stage of the plan preparation and so there has been no site assessment or public debate on the site. A large part of the site falls within the Scottish Environment Protection Agency’s 1 in 200 year flood risk area.

Site adjacent to BUS4

The land adjacent to BUS4 was not proposed at any previous stage of plan preparation and so there has been no site assessment or public debate on the site. The proposal would be inconsistent with SG bus 4: Tourist Facilities and Accommodation which presumes against the conversion of existing tourist accommodation to other uses.

Site at Gibston Bridge

The site at Gibston Bridge, site M19 in the Main Issues Report, was fully considered following consultation on the Main Issues Report, but following widespread community engagement the Council’s conclusion was to exclude it, as it was remote from the settlement and would require new access onto the A96.

Site between Battlehill Croft and Thorneybrae

Part of the site between Battlehill Croft and Thorneybrae was shown as site M15 in the Main Issues Report. Site M15 was fully considered following consultation on the Main Issues Report, but following widespread community engagement the Council’s conclusion was to exclude it, due to the potential visual impact on the approach to Huntly. The bid to the Main Issues Report was proposed for a retail outlet and not residential use.

Site at BUS1

A site for a fast food outlet, destination shopping or factory outlet within site BUS1 was not proposed at any previous stage of plan preparation and so there has been no site assessment or public debate on the site. This site is retained for employment uses to ensure an effective employment land supply is maintained. A proposal for a fast food restaurant on this site is a matter for development management.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Huntly are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

The supplementary guidance has been amended to show the requirement for a flood risk assessment for site H1.

**Reporter's conclusions:**

**Site H1 (including EH1 and EH2)**

1. Site H1 is allocated for up to 630 houses with 145 houses in phase 1 and 485 houses in phase 2 of the proposed Plan. Development of the site is dependent on access through site EH2, which is carried forward from the adopted local plan with a capacity of 31 houses. The development of site EH1, which is identified in the adopted local plan for 65 houses and is carried forward at an increased capacity of up to 105 houses, is also tied to the development of site H1 in that access to site EH1 can only be obtained through site H1. The proposed Plan requires that sites EH1 and H1 are planned together. Sites EH1 and EH2 are not identified as proposals in the proposed Plan and their consideration in this examination is simply to provide a context for the assessment of the deliverability of site H1.
2. Sites EH2 and H1 are in the same ownership. Site EH1 is in separate ownership apart from a central strip of ground [Note: the southern boundary of H1 should follow the field boundary along the drain that demarcates the ownership boundary, which is some 50 metres north of the boundary shown in Supplementary Guidance].
3. Sites EH1 and EH2 are not deliverable in isolation. The draft 2011 Housing Land Audit identifies them as being constrained due to infrastructure/marketing constraints and they are not programmed to contribute to the five year effective supply until post 2018. The allocation of site H1 for housing development, in addition to EH1 and EH2, is required to provide economies of scale in order to overcome the constraints relating to waste water treatment and access. School rolls do not indicate a requirement for a new primary school at present, but the development of site H1 is likely to require a new primary school at the start of phase 2. This may be required earlier if all the constrained existing sites at Huntly were to be developed early in phase 1.
4. In relation to waste water treatment, there is insufficient capacity at Huntly waste water treatment works (WWTW) and Scottish Water has initiated a growth project for the plant for the period 2015-2020. However, if a development meets Scottish Water's five growth criteria, this may be prioritised earlier. As regards on-site drainage, waste water requires to be pumped across the River Bogie to the treatment works. A sewer design has been prepared.
5. In relation to access, the overall development at Pirriesmill has been constrained due to protracted negotiations between the Pirriesmill Estate, Network Rail and Aberdeenshire Council. A ransom formula between all parties to provide access from the A96 was well advanced prior to the credit crunch. This agreement requires to be revisited. An A96 junction layout design has been discussed with the Roads Authority and there is no reason to believe that an agreement cannot be reached on a junction layout.
6. The current council roads standards limit the maximum number of houses that can be served by one access to 100 houses and a second access would be required to service the development of site EH2 and phase 1 of H1, which totals 176 houses. A second access from Lennox Terrace (linking to Eastpark Street) would require a long crossing of the River Bogie. The full development of site H1 would require improvements to an existing over-bridge over the railway line, which would require the approval of Network Rail. A possible third access to serve the full development of 766 houses (31 units on EH2, 630 units on H1 and 105 units on EH1) could be provided from the A97 round the north side of Battle Hill.
7. There is a long-standing planning application for housing development on site EH2, which is not yet determined. The failure of sites EH1 and EH2 to be developed indicates that additional land value is required to provide the incentive to develop these sites. An approach has been made by a house-builder but, to date, there is no firm commitment from a prospective developer. The key issue, as expressed by the agent for the landowner, is that the allocation of site H1 in the proposed plan will give the development industry the long-term confidence and certainty that there will be sufficient financial returns to justify the initial outlay in expenditure required to unlock the proposed development. The landowner is optimistic about the prospects for the development of Pirriesmill

Estate but there are a number of major hurdles to overcome.

8. In relation to timescales, the council considers that it is reasonable to assume that sites EH1, EH2 and H1 will become effective within the timeframe of the proposed Plan. However, the rate of future housing development at Huntly is dependent on market conditions and the demand for housing. The agent for the landowner acknowledges that the scale of development proposed is ambitious but considers that, in theory, site H1 is capable of delivering 145 houses by 2016 and a further 485 houses by 2023. The agent considers that the determining factor will be the speed at which the council can deal with the required masterplan and subsequent planning applications.

9. There are a number of uncertainties regarding the timescale for any development at Pirriesmill, not least the timing of the upgrade of the WWTW and the reaching of an agreement between the affected landowners on the proposed access from the A96. A planning permission would be required to accelerate the upgrading of the WWTW. The timescale for any legal agreement for access rights could be further protracted. Agreement on the design of the access and the preparation of a masterplan for the whole development, including a second access, would require the involvement of a developer, as yet unknown. The council estimates that at least one year would be required to complete the masterplanning process. The time required to design and obtain the necessary approvals for the development of site EH2 and phase 1 of H1, construct the two accesses and new sewer connection over the River Bogie, would suggest that the lead-in time for the development could be 3-4 years at least.

10. There are considerable doubts, therefore, as to whether sites EH2 and H1 are capable of becoming effective before 2017. Respondents have cast doubt on whether these sites are capable of becoming effective at any time in the future. With the best will in the world, it is likely to be towards the end of phase 1 of the proposed Plan before site H1 is capable of delivering any houses.

11. Respondents have suggested that the historically low build rates in Huntly indicate that the scale of development proposed is excessive for the size of the settlement. In response, the agent for the owner of the site suggests that there is a pent-up demand for new housing in Huntly as a result of the under-supply of sites. Huntly has good transport links to Aberdeen by road and rail. The council estimates that 65% of the working population is employed in Huntly but it is within commuting distance of Aberdeen. It is the main service centre in the northern part of Marr and the proposed Plan identifies the expansion of Huntly as a key element of the spatial strategy.

12. In conclusion, the allocation of land at Pirriesmill is supported but it is considered unrealistic to expect that the identified infrastructure constraints will be overcome to enable site H1 to deliver the number of houses allocated to it in phase 1 of the proposed Plan. However, retention of the allocation will provide prospective developers with the confidence and certainty that there will be sufficient financial returns to justify the initial outlay in expenditure required to unlock the proposed development. The timing of any development will depend on overcoming the substantial infrastructure constraints relating to waste water treatment and the provision of suitable vehicular access. It is likely that the full development of sites EH1, EH2 and H1 will extend beyond phase 2 into the post 2023 period.

#### **Site E1**

13. Site E1 incorporates land to the north and south of an existing business. It is located close to the United Auctions Mart and is served by an existing access on to the A96. The council has indicated that any detailed proposals for the development of the site will require to comply with policy 8 of the proposed Plan, which sets out requirements for the layout, siting and design of new development. Noise impact and access issues are matters to be dealt with at the planning application stage, when the details of any proposed business are known.

#### **Alternative sites**

##### Site to east of EH3 (between Battlehill Croft and Thorneybrae)

14. This site incorporates MIR site M15 and the field lying between it and site EH3. No previous assessment has been made of the field lying between site M15 and site EH3 and the possible

development of this site for housing has not been the subject of any public consultation. It would not be appropriate to consider its inclusion in the proposed Plan without any such assessment. Site M15 was considered as a site for a retail outlet in the MIR. It is located in an elevated and visually prominent position close to the junction of the A96 and A97 and any development on this site would have a considerable visual impact on the approach to Huntly. It is also too distant from the town centre and local services to be considered as a housing site.

Bleachfield Mills

15. This site has not been considered at any previous stage of the plan process and has not been the subject of any public consultation. It would not be appropriate to consider its inclusion in the proposed Plan without any such assessment.

Site adjacent to BUS4

16. This site lies to the east of site BUS4 and adjacent to housing on its north side. This site has not been considered at any previous stage of the plan process and has not been the subject of any public consultation. It would not be appropriate to consider its inclusion in the proposed Plan without any such assessment

Site at Gibston Bridge

17. MIR site M19 is identified for possible future housing in the adopted local plan (fh1). However, it lies beyond a landscape buffer that has been planted along the north side of the Meadows Estate, which provides a defensible boundary to the built-up area. The site is located in a visually prominent position close to the A96, and any development on this site would constitute a significant intrusion into open countryside.

Site at BUS1

18. The comments regarding the use of this site are noted. The type of employment uses to be permitted on the site are a matter for the development management function of the council.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

Amend the entry for site H1 at Huntly in Schedule 1, Table 7 (p.29) by deleting the figure '145' in the Huntly-Pitcaple 2007-2016 column.



<b>Issue 32</b>	<b>Insch</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p20) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p13)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mr &amp; Mrs I Gravill (8) Eileen Law (56) Des &amp; Hilary Murphy (74) Peter Nowell (159) Norman P Lawie Limited on behalf of Ian Stuart (267) Catriona Forsyth (1111) Ian Downie (1689) Paull &amp; Williamsons LLP on behalf of Scotia Homes Ltd (1711, 1786, 1798) Bruce Smith on behalf of Scotia Development Company (1746, 1748, 1752) Ryden LLP on behalf of Drumrossie Land Development Company Ltd (1853) Scottish Environment Protection Agency (1979) Janet Hoper (2135) Jeffrey Garnett (2357, 2420)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Insch.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Insch</b>  <b>8:</b> Objection to H1: the development of H1 will increase run off water when there is heavy rain from the river burn which is between the respondent's house and site H1. This has made the land susceptible to flooding sometimes and with the increased water run-off this will get worse. This will affect all houses on Mill Road and also the lower lying Drumdarroch Nursing Home. The increased risk for potential flooding will subsequently de-value their property and increase insurance premiums. In addition to this, building many houses in a relatively small area will spoil the current outlook, privacy and countryside feel of this location that they currently enjoy.</p> <p><b>1979:</b> Low lying areas of the site flood due to pluvial sources, which may be difficult to overcome, and the Scottish Environment Protection Agency objects to the site unless additional text is added to the Plan or Supplementary Guidance highlighting the flood risk.</p> <p><b>Site H3 Insch</b>  <b>159:</b> Site H3 should be removed from the plan.</p> <p><b>1111:</b> Reduce the allocation of H3. This is so only one access road will be required. Otherwise there will be safety risks, due to the main road being busy and the site being located on a nasty bend in the road.</p> <p><b>2357, 2420:</b> There is little overall value to Insch of building up to 10 new houses sandwiched between the railway line and a busy road (where speeding is a problem). The site would be better served as an open amenity area due to its size. The derelict council yard should be developed instead of building into the countryside.</p>		

**Site R1 Insch**

**56:** R1 (Reserved) should be changed to P1 (Protected) because the low-lying land is inappropriate for any development.

**Sites R5 Insch**

**2135:** R5 is insufficiently defined on the plan. Development has already reduced the character of this walk to another urban footpath.

**Site R7 Insch**

**74:** The town centre improvements should include installation of traffic lights at the village crossroads, improvements to drains (to avoid flooding again) and the filling in of potholes and relaying of roads in the village in general. It is hoped these plans will also address the impact of increased traffic, especially due to vehicles speeding into the village. Some way should be found to somehow slow down traffic on all of the approach roads in to Insch.

**Site E1 Insch**

**2135:** Is unable to see any sign of site E1 on the plan and settlement statement.

**Site EH2 Insch**

**74** Object to site EH2. This is due to it being carried forward from the existing Aberdeenshire Local Plan for 25 houses when there is a current planning application under consideration on this site for 34 houses, which has been strongly opposed since the beginning.

**2135:** Object to site EH2 as it will damage the ambience of the village centre, it will harm endangered species of wildlife and will erode the countryside walk around Insch by increasing the housing around it, and interrupting the spectacular views from the higher level. Site EH2 forms an integral part of the landscape surrounding Drumrossie House which the local people want to preserve as open space and an amenity area. The encroachment of housing in this area will be like a cancer spoiling the best parts of the village and destroying this unique countryside walk which is one of the reasons people want to live in Insch. It must be ensured this piece of natural heritage is retained for future generations.

**Alternative Sites Insch**

Site to the south of R1/Disused Yard

**74:** The derelict site immediately south of R1 should be allocated for housing. This unsightly and dangerous disused garage has sat empty for a long time and is an eyesore when entering the village. This site should be used instead of building into the countryside, it would improve the look of the village and it is ideal for people due to its close proximity to the railway station.

**2357, 2420:** The derelict Council yard in the village should be allocated for housing instead of H3, as it is an eyesore and H3 would be better served as an open amenity area.

Land to the south of Insch - Site G27

**267:** The site to the south west of Insch Railway (G27 in the Main Issues Report) should be allocated for housing either as an alternative to EH1 and EH2, or as part of an enlarged allocation which provides housing and commercial retail uses with access to the Aberdeen arrival side of the railway station. It is argued that the Council agrees that the site is free from constraints, and that the proposals would improve the town for the good of the existing residents.

Land to the north of Insch - Sites G145 and G159

**1711, 1746, 1748, 1752, 1786, 1798:** Substantial additional land should be allocated in Insch at sites G145 and G159 from the Main Issues Report. These allocations should be made in place of H1 at nearby Huntly to accommodate the housing land allocations for the Huntly to Pitcaple Strategic Growth Area. Insch is a much more marketable location than Huntly, with house building completions per year recently being higher in Insch. There are no constraints to these sites for development and areas of this land are in the control of a developer who is co-operating with other

landowners to ensure delivery of the master plan. These sites can also provide further employment land, which would significantly enhance existing facilities and employment opportunities at Insch. Where appropriate, affordable housing will also be provided through housing associations and similar bodies in accordance with Local Plan policies. Scotia has carried out extensive public consultation on the proposals and in response will provide 18 acres of open space out of a total of 30 acres.

**1853:** Site H1 Huntly should be removed and replaced with site G145 Insch to accommodate 630 units. Insch is a more sustainable location, being closer to Aberdeen whether utilising road or rail links. There is also proven demand in Insch with significant development having taken place in recent years, and with completions in Huntly falling well short of Insch. Site G145 at Insch scores better than site H1 Huntly in the Goal Achievement Matrix produced by Aberdeenshire Council. Consequently there is little justification allocating H1 Huntly rather than G145 Insch. This site can accommodate the required level of housing as well as make provision for a new primary school, community facilities and services, and the land could come forward in early course. The impact of this development would be minimal to the landscape and setting of Insch due to the topography and landscape features in the area. The site falls within the walking and cycling threshold specified by Planning Advice Note 75 for all of the services and facilities lying within Insch. Development of this site would also link the town to the existing business park. These businesses are generally in use class 4, meaning there would be no impediment to residential development nearby. Further development in Insch will not only sustain existing services, but also encourage the delivery of additional services for the benefit of the existing and expanded community. Localised road improvements will be required due to the scale of development proposed, but these are not seen as an impediment to development and are capable of being addressed.

**1689:** Sites G145 and G159 should be allocated for development as they are well located in relation to the existing town centre and existing pattern of development. They will assist in meeting the growth corridor requirements which cannot be met in Huntly (*see Schedule 4 Pitcaple to Huntly Strategic Growth Corridor*).

**2135:** Council housing targets can easily be achieved by development of land to the north of Insch which the local people have identified as their preferred area for future housing.

**Modifications sought by those submitting representations:**

**56:** R1 to be reallocated P1.

**74:** Allocate the site immediately south of R1 for housing.

**159:** Remove H3 from the plan.

**267:** Allocate site G27 for housing situated to the south-west of Insch railway station.

**1111:** Reduce the allocation of H3.

**1711, 1746, 1748, 1752, 1786, 1798:** Delete site H1 Huntly and replace with additional allocations at Insch, on sites G145 and G159 situated to the north of the village.

**1853:** Delete site H1 Huntly and replace with an additional allocation at Insch, site G145 situated to the north of the village.

**1689:** Sites G145 and G159 should be allocated for development.

**1979:** Delete site H1 unless the following wording is included in the supplementary guidance text for Insch “Low lying areas of this site are subject to pluvial flooding. A detailed drainage assessment and strategy will be required to accompany any future development proposals for this site and a suitable buffer strip will be required adjacent to the existing watercourse.”

**2135:** The proposed sites to the north of Inch should be allocated to help meet council housing targets.

**2357, 2420:** Remove H3 for 10 houses and replace with the derelict Council yard site in Inch.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Development proposed for Inch is at a scale appropriate for a town of this size. It makes best use of existing infrastructure in the town without exceeding the threshold that might require the provision of a second primary school. The allocation is consistent with the settlement strategy discussed within Issue 30 *Spatial strategy Pitcaple to Huntly strategic growth area*. The allocations made are sufficient in the context of that strategy and meet the allocations required by Schedule 1 of the Structure Plan (p27) and are appropriate development sites.

For further information on the allocations strategy in this settlement, please read 'Issues and Actions Volume 5' (page 34) which was informed by the Main Issues Report consultation and was produced to inform allocations in the Proposed Plan.

It should be noted that the allocations strategy for Inch at the time of the Main Issues Report supported an allocation of housing to the north of the town centre at G145 (see Main Issues Report p G6). It also recognised that there was a strong case for development to the south of Inch. Land to the south of Inch was allocated due to the perceived public benefits.

**Site H1**

There is a flood risk on the site and this has been accounted for. The developable area of the site provides a generous allowance for the 48 unit allocation, so there is scope for additional space for further Sustainable Urban Drainage System works and other mitigation measures if they are required. This could include open space on the section which may flood. The requirement for a flood risk assessment is accepted and will be addressed through the supplementary guidance and at the planning application stage.

**Site H3**

The Council's Roads Authority has not identified any issue with the scale of the allocation and its access. It is recognised that the allocation of 10 units would take place on a relatively small site; this is a gateway site to Inch and could be developed at this density with design and open space considerations to suit the site location. Development of the Council yard would not be a deliverable alternative to site H3.

**Site R1**

The site is allocated as reserved for access and environmental improvements as identified in the current local plan. This would be low impact development which would not allow land raising, buildings, or impermeable structures on the flood risk area. Protection of the site is not appropriate as the improvements may constitute development and a change from the current use.

**Site R5**

Site is reserved for the enhancement of walkways but it would not be appropriate or possible at this stage to allocate the exact area for this purpose. A more defined area at this stage may restrict opportunities to enhance the walkway.

**Site R7**

Comments on what the town centre improvements should contain are noted, but it would not be appropriate for the Plan or its Supplementary Guidance to go into the amount of detail suggested on what these should consist of.

**Site E1**

Site E1 is located to the north of Inch adjacent the current BUS allocation.

**Site EH2**

The land is already allocated for housing through the existing plan and has delegated approval for 34 houses (APP/2009/2309). Given the status of the site, the Local Development Plan cannot de-allocate the site.

**Alternative Sites Inch**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites. Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in 'Issues and Actions Volume 5 May 2010' (page 34).

Site to the south of R1/Disused Yard

The derelict site adjacent to R1 was not subject to a developer bid. The Property Service of Aberdeenshire council are not seeking to dispose of the Council yard so it was not considered instead of site H3. The vast majority of sites in the Plan were the subject of developer bids, and Inch was highly subscribed in terms of developer bids. Allocating new sites which have not been subject to developer bids when other good options exist in the settlement is not recommended. As the plan focuses strongly on deliverability, it would be inappropriate for the plan to allocate a new site for which there is no information on its availability for development. There are positive policies on infill development within the plan which would allow for development on the site to be considered over the lifetime of the plan without a specific allocation.

Land to the south of Inch - Site G27

Site G27 was fully debated at the Main Issues Report stage and following widespread community engagement the Council's conclusion was to exclude it. Site G27 was not allocated as the site is not ideal as a location for housing, being separated from the settlement by the railway line.

Land to the north of Inch - Sites G145 and G159

For information on why Inch has not been allocated for major expansion, see Issue 30 *Spatial Strategy Pitcaple to Huntly SGA*. In terms of the sites themselves, it is accepted that there are many merits of sites G145 and G159. Site G145 was the site originally recommended by officers as being best suited for an allocation of Inch's allocation of around 60 units. However, it has always been stated that allocations to the south were a strong alternative and, following consultation on the Main Issues Report, the weight of public opinion was for development to the south. In terms of the level of public support for development to the north, the level of consultation carried out by the developer and the potential solutions reached are perfectly reasonable. However, it would be incorrect to consider that the Inch public identified development to the north as their preferred area for housing, as opinion on this site has been divided over the course of consultation on the Plan.

**Conclusion**

None of the modifications are supported. The development strategy and land allocations already proposed in Inch are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site H1**

1. Concerns have been raised in relation to the flooding of the burn that runs between site H1 and the properties on Mill Road to the north. Scottish Environment Protection Agency has also objected to the allocation but has indicated that it would withdraw its objection if reference is made either in

the proposed Plan or in supplementary guidance to the need for a detailed flood risk assessment at the planning application stage. The council has indicated that this requirement would be addressed through an amendment to supplementary guidance. The council has also pointed out that the developable area available within the site allows ample space for mitigation measures and a sustainable urban drainage system. Concerns have also been raised in relation to the effect of any development on the amenity of nearby houses and the surrounding area generally. These are matters to be taken into account in the detailed layout and design of the proposed development.

**Site H3**

2. Site H3 is a narrow site sandwiched between the railway line and the B9002, the main road to Inverurie and Aberdeen. Any housing development on this site would require to take into account noise and disturbance emanating from the railway line and the road. However, these are matters for the detailed layout and design of the development. There are no over-riding reasons to dismiss the site, in principle, as being suitable for housing. No issues have been raised by the council's Transportation Service in relation to the provision of access to the scale of development proposed.

**Site R1**

3. Site R1, which is carried forward from the adopted local plan, is identified for environmental and access improvements only. This reservation would not allow land raising, buildings or impermeable structures on the flood risk area. Designation as protected land would constrain the improvement works that might be required.

**Site R5**

4. Site R5 is not defined on the proposals map and relates to the enhancement of walkways in general.

**Site R7**

5. Site R7 is not defined on the proposals map but refers to town centre environmental improvements. None are proposed in the proposed Plan. Policy 2 sets out the council's policy on town centres and retailing.

**Site E1**

6. The comment and response from the council are noted.

**Site EH2**

7. Site EH2 is carried forward from the adopted local plan with a capacity of 25 houses. Planning permission has recently been granted for 34 houses on part of the site and the council has decided to reduce the extent of site EH2 in supplementary guidance to reflect the boundaries of the approved development. Objections have been received to the identification of site EH2 in SG. The developer of the site considers that the decision to reduce the extent of the site fails to recognise that the balance of the site has potential for further development in accordance with the allocation in the adopted local plan (site C). Site EH2 is not identified as a proposal in the proposed Plan and the removal of this site is not within the scope of this examination. Any amendment to the boundary of site EH2 and to its capacity is a matter for consideration in the finalisation of supplementary guidance.

**Alternative sites**

Land to the south of R1

8. The respondents consider that the semi-derelict site off Commercial Road should be identified for affordable housing. According to the council, this site is not available for development and has not been the subject of a developer bid. As a consequence, the site has not been the subject of assessment or public consultation at any previous stage of the plan process. It would not be appropriate to consider its inclusion in the plan without any such assessment. This would not preclude its future consideration as a housing site, should it become available. Any proposal for development within the built-up area would be subject to policy 8 of the proposed Plan.



Land to the south of the railway line (Site G27)

9. This site lies to the south of the railway line and is somewhat divorced from the rest of the settlement. Whilst it is located close to the train station, it is more remote from the town centre and the primary school than other sites. It is considered that there are more suitable sites for housing development, should additional housing land be required in Inch.

Site G145

10. Site G145 encompasses land on the eastern side of Denwell Road (B992), situated to the east of site EH2 and north of site EH1, and land on the western side of Denwell Road. Two areas of land identified as preferred areas for development in the MIR have been allocated in the proposed Plan. Site R2 is reserved for a replacement primary school and site E1 is allocated for employment use. On the eastern side of Denwell Road, Scotia Homes are the owners of the area to the east of site EH2 and Drumrossie Land Development Company own the area to the north of EH1. Scotia Homes are in discussion with the landowner regarding the purchase of land on the western side of Denwell Road, including site R2.

11. The bids for site G145 proposed 630 houses in a mixed use development. Identifying Inch for this scale of growth would almost double the population of the settlement. The council has advised that there is no capacity within Inch Primary School to accommodate additional housing development without the need for additional classroom accommodation. The existing school is land locked and only minor additions could be constructed. The scale of development on the north side of Inch would require to be sufficient to sustain a second primary school or justify a replacement school with increased capacity. In relation to secondary education, the development of 630 houses in Inch would have a similar impact on the Gordon Schools in Huntly as a similar development in Huntly.

12. The prospective developers of site G145 have put forward a site for a replacement primary school (site R2), which could be designed to accommodate pupils generated by the development of an additional 630 houses. However, the replacement of Inch Primary School is not in the council's Capital Plan and the minimum lead in time for a new primary school would be 3-4 years. Any delay in committing this proposal to the Capital Plan would lengthen this timeframe. The Education Authority would accept some detriment to the existing school for a short period of time whilst a new school was being delivered but only after the proposal was a committed project.

13. There are no other infrastructure constraints to the development of site G145. Satisfactory access can be provided and there are no insurmountable difficulties with accommodating the traffic generated. There is capacity within the Inch waste water treatment works. The land to the east of the B992 is within the control of a housebuilder/developer. However, as indicated in relation to issue 31, the continued allocation of site H1 at Huntly for 630 houses is supported and there is no need to consider such a scale of allocation in Inch. Nevertheless, as indicated in relation to Issue 31, there is considerable uncertainty over the ability of site H1 at Huntly to deliver 145 houses in phase 1 of the proposed Plan. Consideration has been given, therefore, to whether that part of site G145 situated to the east of Denwell Road would be an appropriate alternative location for housing to meet this shortfall.

14. Existing site EH1 at Inch has a capacity for 70 houses and planning permission has been granted for 41 houses and flats on part of the site. Planning permission has been granted for 34 houses on part of site EH2 and there is an outstanding planning application for the erection of a further 46 house units on the rest of the site. The development of the remaining part of site G145 on the eastern side of Denwell Road would be a logical extension to this existing development. It lies within walking and cycling distance of the town centre and is located close to the leisure centre and playing fields. It lies in close proximity to the Inch Business Park. The Roads Authority has not raised any issues regarding the development of this site.

15. A number of concerns have been raised in relation to the development of that part of site G145 situated to the east of site EH2. These relate to a number of issues, including the impact of further development on the amenity of the surrounding area, the effect on the woodlands and landscape

around Drumrossie House, the need to protect the core path that borders the northern and eastern boundary of the site, and the adequacy of the roads infrastructure. However, it is considered that there is sufficient land to the east of site EH2 to accommodate approximately some 50 houses and provide sufficient open space and a landscape buffer to conserve the amenities of Drumrossie House and its policy woodlands. Other issues such as the layout and design of the housing and the protection of the core path are matters to be considered in the detailed planning of the development.

16. Therefore, it is considered that the remaining part of site G145 on the eastern side of Denwell Road, comprising the areas of land situated east of site EH2 and north of EH1, would be an appropriate location for the allocation of the 145 houses to meet the shortfall at Huntly in phase 1 of the proposed Plan. However, the development of an additional 145 houses at Inch would place an intolerable burden on the existing primary school, which is projected to be over capacity by 2016. The development of a further 145 houses, in addition to those proposed on sites H1, H2 and H3, would take the projected roll over 400 when the current capacity is 265 pupils. Only minor additions to the existing school are possible and an additional 145 houses is insufficient to sustain the provision of a second or replacement primary school. Consequently, the lack of school capacity is a severe constraint on any additional development and it is considered, for this reason alone, that there should be no further allocations of housing land at Inch in this Plan.

Site G159

17. Site G159 lies to the north of site E1. It was originally the subject of a development bid by Aberdeenshire Council (Property) for employment purposes. The site, together with site G145, was also the subject of the bid to allocate land for 630 houses on the north side of Inch. As indicated above, this scale of growth would almost double the population of the settlement and would be excessive for the size of the settlement. On the basis that site H1 at Huntly is retained in the plan, such a scale of development at Inch is not required to achieve the structure plan allowance for the Huntly-Pitcaple SGA. In relation to site G159 specifically, this lies to the north of the proposed employment site E1 and any housing development on this site would be divorced from the rest of the built-up area. The opportunity to examine the future development of this site would be a matter for the intended review of the local development plan.

**Reporter’s recommendations:**

No modifications.

<b>Issue 33</b>	<b>Other Sites: Huntly to Pitcaple Strategic Growth Area</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Marr (p24) Schedule 1 Table 7 (p29) Schedule 2 Table 7 (p33) Schedule 3 Table 2 (p37) Volume 3I Supplementary Guidance, Settlement Statements Marr 2010	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
William Lippe Architects Ltd on behalf of L & W Properties (391, 396) William Lippe Architects Ltd on behalf of Hamish McIntosh (431, 434, 2875) Ryden LLP on behalf of Drumrossie Land Development (1853) Ryden LLP on behalf of Ian Duncan Developments Ltd (1908, 1911) Old Rayne Community Association (2391) Derek Dawson (2276)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in other settlements within the Huntly to Pitcaple Strategic Growth Corridor.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Old Rayne</b>  <b>2391:</b> Seeks confirmation that as highlighted in the response to the 2009 Main Issues Report, the Council considers that there are fundamental infrastructure limitations in Old Rayne which rule out new allocations in Old Rayne.</p> <p><b>2276:</b> Agrees with the settlement strategy for Old Rayne.</p> <p><u>Site G71</u>  <b>391, 396:</b> Object to the failure to allocate land at Main Issues Report site G71 for 31 houses in 2 phases. The site adjoins an existing site and can easily be integrated with it. Being within the strategic growth corridor Old Rayne should be allocated housing to support local needs. Unallocated units within the Rural Housing Market Area should be allocated to settlements and rural service centres and Old Rayne should be given an allocation of 30 to 35 houses. The allocation could otherwise be removed from other sites within the strategic growth corridor. There is capacity at school for an additional 34 households.</p> <p><u>Site G72</u>  <b>431, 434, 2875:</b> Main Issues Report site G72 is a natural extension to existing housing and the settlement. Being within the strategic growth corridor Old Rayne should be allocated housing to support local shops, community facilities, sports and the primary school. Unallocated units within the Rural Housing Market Area should be allocated to settlements and rural service centres and Old Rayne should be given an allocation of 30 to 35 houses. The allocation could otherwise be removed from other sites within the strategic growth corridor. There is capacity at school for an additional 34 households.</p> <p><u>Site G80/G86</u>  <b>1908, 1911:</b> Unallocated units within the Rural Housing Market Area should be allocated to settlements and rural service centres and to Old Rayne. There is capacity at the school for an additional 34 households. Site G80 was removed by the Garioch Area Committee following a misunderstanding about its capacity. Site G86 could be released for development once site G80 has been developed and provided necessary servicing.</p>		

**Whiteford**

**1853:** The existing sites in Whiteford have not come forward due to infrastructure constraints. The client has recently acquired the sites and is intending on resolving these and submitting a planning application for the development of the sites in 2010. It is now in the control of a capable housebuilder and should be carried forward.

**Modifications sought by those submitting representations:**

**Old Rayne**

**391, 396:** 30 to 35 houses should be allocated in Old Rayne. Site G71 should be allocated for approximately 31 houses.

**431, 434:** 30 to 35 houses should be allocated in Old Rayne. Site G72 should be allocated for approximately 15 houses.

**1908, 1911:** Site G80 should be identified for 5 units. Site G86 should be identified for up to 65 units and business units and a village shop, after the development of G80.

**2391:** Plan should confirm that there are fundamental infrastructure limitations in Old Rayne which rule out new allocations in Old Rayne.

**2875:** 30 to 35 houses should be allocated in Old Rayne. Site G72 should be allocated for approximately 15 houses.

**Whiteford**

**1853:** The Plan should be modified to include Whiteford and specifically the fh1 site carried forward from the existing local plan.

**Summary of responses (including reasons) by planning authority:**

**Overview**

This response is in respect of sites in the Huntly to Pitcaple Strategic Growth Area. The strategy within this area is for proposals to concentrate development on certain locations on a scale that will allow major improvements to roads, schools, water, sewers and other infrastructure. Huntly has been identified as a focus for growth within this strategic growth corridor due to its scale, servicing, and opportunities for economic development. The allocations made within the Huntly to Pitcaple Strategic Growth Area are an appropriate response to the structure plan spatial strategy (see Issue 30). No additional allocation is required to meet Structure Plan requirements.

**Old Rayne**

Due to the relatively limited school capacity, the level of existing allocations yet to be built out and the weight of public opinion, no new allocations are proposed for Old Rayne. Old Rayne is forecast to be operating at 85% capacity in 2016, which is only seven pupils below capacity. Further information on the sites is contained in the Issues and Actions paper (May 2010 Volume 5 page 98 Old Rayne), which was prepared following consultation on the Main Issues Report, and was produced to inform the allocations in the Proposed Plan.

Allocating units from the Rural Housing Market Area would not be consistent with the Structure Plan, as Old Rayne is adjacent to the trunk road and located within a Strategic Growth Area. On the other hand, redistributing some of the allocations required for the growth corridor in a piecemeal fashion elsewhere would run the risk of making other strategic allocations in Huntly unviable. Issues relating to the general sufficiency and maintenance of housing land supply are dealt with in Issue 12 Housing land supply. Issues relating to the specific allocation of sites and their effect on the housing land allocations are dealt with in Issue 25 New housing land allocations.

**Site G71**

The site was fully debated following consultation on the Main Issues Report, and following widespread community engagement the Council's conclusion was to exclude the site. There would be some visual and landscape impact, especially if the site was developed in isolation from the existing effective site.

**Site G72**

The site was fully debated following consultation on the Main Issues Report, and following widespread community engagement the Council's conclusion was to exclude it, as it was detached from the village, would impact on the landscape and setting of the village and had little opportunities for safer routes to school.

**Site G80**

The site was fully debated following consultation on the Main Issues Report, and following widespread community engagement the Council's conclusion was to exclude the site. Whilst the site was capable of being developed and could be combined with the adjacent existing site, due to the limited capacity at the school, the existing sites yet to be built out and the strategy to focus development in Huntly, an allocation was not required.

**Site G86**

The site was fully debated following consultation on the Main Issues Report, and following widespread community engagement the Council's conclusion was to exclude it, as it would have significant impacts on the character of the village as well as raising concerns in respect of landscape impacts and flood risk.

**Whiteford**

The site at Whiteford was fully debated following consultation on the Main Issues Report, and following widespread community engagement the Council's conclusion was to exclude the site. The technical constraints, in particular potential impacts on the A96 junction, mean that development at Whiteford can only be delivered through significant growth, in excess of that currently proposed in the Aberdeenshire Local Plan on site fh1. The levels of growth required to overcome the constraints would be out of proportion to the size of the village and have significant impacts on character. Further information on the site is contained in the Issues and Actions paper (May 2010 Volume 5 page 126 Whiteford), which are prepared following consultation on the Main Issues Report, and was produced to inform the allocations in the Proposed Plan.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in the Huntly to Pitcapple Strategic Growth Area are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No further changes to the plan are commended.

**Reporter's conclusions:**

**Old Rayne**

1. Old Rayne is located within the Huntly-Pitcapple strategic growth area (SGA), where the proposed housing allocations are concentrated in Huntly and Insch. The allocations made in Huntly and Insch, subject to the recommended modifications, are sufficient to meet structure plan requirements.
2. In Old Rayne, existing sites EH1 and EH2 each have the capacity for the development of 10 houses. A planning application for the erection of 16 dwellings and four affordable flats on site EH1

submitted in 2010 was withdrawn. It is understood that a proposal for the erection of 17 houses is being considered but no planning application has been submitted to date. A planning application for the erection of 4 houses on site EH2 remains undetermined.

3. According to the council's school roll projections, Old Rayne Primary School could accommodate the development of approximately an additional 20 houses yielding 8 pupils. Any additional development beyond 20 units would require to be of sufficient scale to generate an additional classroom, i.e. approximately an additional 60 houses. That scale of development would have a significant adverse impact on the character and amenity of Old Rayne. The council's interpretation of the school roll projections is disputed by the prospective developer of site G71, who suggests that the 2016 forecast capacity is the equivalent of an additional 25 houses.

Site G71

4. Site G71 lies to the east of sites EH1 and P1 (the playing field) and is located either side of the Old Rayne to Durno road. This site is capable of accommodating some 31 houses in total; with some 14 plots in the northern part accessed from site EH1 and some 17 plots in the southern part, which would be accessed from the road leading from Market Cross. The northern part could be considered a logical extension of site EH1 and the additional 14 houses would be within the projected primary school capacity. However, site EH1 remains ineffective in the housing land audit and there is no indication of when any housing development might take place on the site. It would be premature to allocate further land in this location in advance of the development of site EH1, particularly since there is no need for additional housing land to meet structure plan requirements. The intended review of the local development plan would provide the opportunity for a re-assessment of the situation.

Site G72

5. Site G72 is situated in an elevated position beyond the property 'Parkneuk' and a tree belt that forms the southern boundary of site G71. Any housing development on this site would be detached from the existing settlement and would be conspicuous in the landscape. Housing development on this site would not be well related to the form and setting of the village.

Site G80

6. The local primary school would have capacity to accommodate an additional 5 houses on site G80. Site G80 would form an appropriate extension to existing site EH1 but there is no evidence of any agreement over the provision of access from site EH1; the suggested layout for site EH1 shows no vehicular access to site G80. Independent access to the site from Lawrence Road would be possible utilising an existing field access between two dwelling houses but could be problematic. The provision of adequate visibility splays and a possible layby for refuse bin collection could require the agreement of third parties.

7. Furthermore, any development on site G80 in isolation, prior to the development of site EH1, would not be well related to the form of the existing settlement. It would constitute an intrusion into open countryside. Consequently, the allocation of site G80 for housing would be premature until such time as there is more certainty over the prospects for the development of site EH1. The intended review of the local development plan would provide the opportunity for a re-assessment of the situation.

Site G86

8. Site G86 would accommodate a phased development of some 60 houses, business units and a village shop. Such a scale of development would have significant impact on the character of the village. There is no justification for this scale of development.

**Whiteford**

9. The adopted local plan identifies the area of land between Whiteford Road and the playing field (site eh1) as being suitable for housing development (74 houses) during the local plan period. It also identifies an area of land to the west (site fh1) as being suitable for approximately 15 houses in the future. Neither of these sites has been developed due to infrastructure constraints and neither



has been carried forward into the proposed Plan.

10. There are a number of existing technical constraints at Whiteford, which would require a significant scale of growth to resolve. Existing local plan allocations eh1 and fh1 have been removed because of capacity constraints at the local primary school, which was operating at 174% capacity in 2010 and is forecast to be operating at 193% capacity in 2016. There are also road access issues. A footway link between the village and the A96 would be required for any major development at Whiteford. There are visibility issues at the junction with the A96 and a potential requirement for a stacking lane for right turning traffic for more than an additional 20 houses. There is capacity for only an additional 10 households at the Whiteford North waste water treatment works.

11. Notwithstanding the fact that site eh1 is identified for housing in the adopted local plan, it is clear that there are major constraints to the scale of development envisaged for this site. In relation to site fh1, decisions on two planning applications for a total of 18 dwelling houses are pending. The detailed consideration of these proposals is not a matter for this examination. In relation to the principle of development, this site in the absence of any development on site eh1, projects into open countryside and a housing development on this site would bear little relationship with the form and character of the existing settlement.

12. As indicated above, the allocations made in Huntly and Insch, subject to the recommended modifications, are sufficient to meet structure plan requirements for the Huntly-Pitcaple SGA. There is no need to allocate more land in Whiteford.

**Reporter’s recommendations:**

No modifications.

<b>Issue 34</b>	<b>Spatial Strategy: Inverurie to Blackburn Strategic Growth Area</b>	
<b>Development plan reference:</b>	Section 4, Page 6 The Spatial Strategy (p6) Section 6, The Proposals Maps (p18) Schedule 1 New housing land allocations (p25) Schedule 2 New employment land allocations (p30) Schedule 3 Likely infrastructure needs (p34) Schedule 4 Affordable housing requirements (p42)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Barton Willmore on behalf of Stewart Milne Homes (955, 1066) Bancon Developments (1417, 1421, 1430, 1439, 1451, 1452, 1454) Halliday Fraser Munro on behalf of Mr McDonald (1434, 1436) Turley Associates on behalf of Bancon Developments Ltd (1470, 1984, 1986) Halliday Fraser Munro on behalf of The Blackburn Consortium (1475, 1476, 1477) Kirkwood Homes Ltd on behalf of Kintore Consortium (1505, 1506, 1508, 1510, 1957) Archial Planning on behalf of J M Gilbert (1641) Ryden LLP on behalf of Mesdames Rhind & Wilson (1875, 1876) Ryden LLP on behalf of Mr & Mrs Campbell (1913, 1914) Scottish Government (2142)		
<b>Provision of the development plan to which the issue relates:</b>	Distribution of development within the Inverurie/Blackburn strategic growth corridor.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Transportation and education infrastructure</u>  <b>2142:</b> Sites in Inverurie should be deleted due to potential transport and built heritage impacts, and the shortfall in the land allowances should be met in one or more suitable sites elsewhere.</p> <p><b>955, 1066, 1454:</b> The strategy in the second phase depends on infrastructure, over which there is doubt about delivery. Two key issues on this corridor are infrastructure - provision of an eastern link road around Inverurie to relieve town centre congestion and the necessity to deliver a secondary school. Neither of these is guaranteed, and failure to deliver them would prejudice the plan.</p> <p><b>1470, 1984, 1986:</b> It is accepted that the future growth of Inverurie is dependent on a new eastern link road. The LDP must adopt a different strategy and distribute development better around Inverurie to reduce the impact on the A96 trunk road.</p> <p><b>1417, 1421:</b> The development pattern promoted does little to resolve the two infrastructure issues. Development will not help deliver an Eastern Inverurie by-pass, and the expansion of Inverurie Academy would be a more appropriate long term strategy than locating a new secondary school at Kintore. The strategy should be directed at laying the foundation for achieving the major growth anticipated for the 2016-2030 phases of the Structure Plan. Current proposals, particularly those at H1 Inverurie (Crichie) will contribute little to the wider area or facilitate later growth in the area.</p> <p><b>1875, 1876:</b> Development of Site F Inverurie is dependent upon the feasibility of an eastern bypass, but cannot be delivered until that is in place. It would increase congestion of the town centre.</p> <p><u>Land for business</u>  <b>1434, 1436:</b> Insufficient high class business land has been identified in the corridor.</p> <p><b>1475, 1476, 1477:</b> There is over provision of employment land in Inverurie and Kintore.</p>		

Alternative strategies

**1957:** The strategy is supported but there should be included a reference to a major mixed use development in Kintore.

**1505, 1506, 1508, 1510:** The proposed allocations for the Inverurie-Blackburn SGA cannot deliver on the SP requirement. This is particularly true of the H1, M2 and F sites given the uncertainty regarding the provision of a new eastern bypass and viability of the proposals. Site M1 at Kintore has additional capacity, is capable of delivery and can be brought forward earlier in the LDP programme to contribute towards educational facilities which are urgently required within Kintore.

**1421, 1452:** Expansion of Kintore can help to achieve the ambitious targets for growth in this Strategic Growth Area, but the location of a new secondary and further housing developments in Kintore is short sighted and unsustainable. Assuming third phase numbers of 4,000 are located in Inverurie it is illogical to locate a new academy in Kintore that will result in considerable travelling from Inverurie to populate it. A more logical solution is to consider what the pattern of development will be for the life of the Structure Plan and locate a second academy at Inverurie. Kintore will not be of a sufficient size to support an academy without dependence on pupils from Inverurie. Incorporation of 600 houses and a secondary school in the space of 7 years, in a town already reeling from rapid expansion in recent years is unrealistic.

**1475, 1476, 1477:** The principle of large allocations at Kintore and Inverurie is accepted. However, this does raise some questions regarding deliverability. Additional allocations at Blackburn could allow the early delivery of development. Without an appropriate level of development at Blackburn, the village will remain as a dormitory settlement to Aberdeen and miss out on opportunities to establish a village centre, appropriate levels of services and community facilities, employment land and site for a replacement primary.

**1913, 1914:** The scale of development required by the Structure Plan is unlikely to be delivered on sites H1 and F in Inverurie. Further over-allocation of land is required to ensure the housing land requirement is met, requiring identification of additional sites. In any event redistribution of allocation to other settlements is required to ensure the full delivery of the Structure Plan. Blackburn is an appropriate place for this growth.

**1641:** Housing allocations in this Strategic Growth Area are concentrated in Inverurie and Kintore, whilst a range of sites have been identified in Inverurie and only one allocated in Kintore. A single allocation within the major settlement of Kintore does not provide the degree of choice which is required by paragraph 80 of Scottish Planning Policy. Increasing the range of sites offer benefits in terms of improving the chances of delivering the numbers and increasing flexibility.

Phasing

**1475, 1476, 1477:** The allocations in this Strategic Growth Area should be amended to ensure the levels of development required by the Structure Plan can be realistically delivered at the right times.

**1430, 1439, 1451:** With 4,000 houses identified for the third SP phase (albeit not in this plan), it is imperative that the long term sustainability of the Strategic Growth Area is considered. The longer term scenario must be given greater consideration.

**Modifications sought by those submitting representations:**

**1434, 1436:** Additional land at Kintore (site G30 in the Main Issues Report) should be allocated.

**1417, 1421, 1430, 1451, 1452, 1454:** Reduce allocation for Phase 2 Kintore to 300 units. Phase 2 allocations for Inverurie should be increased on Site F or alternative sites put forward. This will contribute directly to the delivery of a new secondary school in Inverurie and also the necessary roads infrastructure.

**1470, 1984, 1986:** Deletion of development land at Crichtie, re-phasing of Kintore site M1, Allocation

of Inverurie 'F' sites as 'M' sites and delivered through phases 1 and 2, allocation of additional land at Keithhall and Ardtannes.

**1475, 1476, 1477, 1913, 1914:** Allocate land at Blackburn for up to 500 houses, and other employment/retail/community uses (5ha employment land). Identify reserved land for a primary school.

**1505, 1506, 1508, 1510:** Expansion of M1 site in Kintore to 1,200, phasing of 600 housing in the first phase and 600 in the second.

**1508, 1510:** Wording of the Spatial Strategy on page 6 of the LDP should be amended to read: "the development of a major extension to Inverurie at Crichie over both phases of the plan and by creating an employment hub at Thainstone" and "A major mixed-use extension at Kintore".

**1641:** Re-allocate 70 units from M1 Kintore, or site F Inverurie for the Phase 2 period to Fordtown Farm.

**Summary of responses (including reasons) by planning authority:**

Overview

The proposed strategy seeks to achieve the housing and business land allocations identified in the Structure Plan (Para 3.9 p10, Figure 3 p14, Schedule 1 p27) and desired policy outcomes in line with Para. 70 of Scottish Planning Policy as detailed below. It is also entirely consistent with para. 71 of Scottish Planning Policy, which advises that early consideration of the scale and location of the housing land requirement in development plans ahead of the land being required for development, and that this should assist in aligning the investment decisions of developers, infrastructure providers and others. Due to uncertainty relating to the period beyond 2023, no allocations have been made beyond this point. Again, this is consistent with para. 72 of Scottish Planning Policy.

As a major service centre Inverurie is an appropriate place for growth. As a successful location it would be perverse to draw up the bridge and declare it closed for any future development.

Land allocations have been made on the light of the need to resolve three specific issues in the area: long term capacity in the secondary school estate; issues associated with congestion in and around Inverurie; and the need to provide land for business in an accessible and sustainable location. Uniquely in the plan, some of the proposed allocations have been given the lesser status of 'F' for "future" sites, due to uncertainty associated with infrastructure interventions required to deliver them. In these terms the settlement strategy for the Inverurie-Blackburn Strategic Growth Area is an appropriate response to the structure plan strategy.

Secondary schooling

In relation to education issues, there is currently no capacity in Kemnay Academy to support significant additional population growth; the current school roll is projected to be 131% of capacity in 2016, even without additional growth. The settlement strategy therefore capitalises on the spare capacity within Inverurie Academy (forecast to be 153 pupils in 2016, based on delivery of the current effective housing land supply), while providing sufficient time for procurement of a new, larger, replacement Academy to serve Kemnay, Kintore and Blackburn. Allocations would only be able to capitalise on new provision in the second phase of the plan, due to the time required to plan and construct a new academy. This strategy provides potential for the partial closure and refurbishment of Kemnay Academy to provide additional capacity for the period post 2023. Different permutations for the education estate are currently being appraised, but this approach provides an optimal land use solution for the area. However, it will not be possible to depart significantly from the overall approach without undermining it altogether.

Provision of a new secondary school in the short term in Inverurie does not make best use of infrastructure capacity or assist in resolving long term capacity issues

### Transportation

In terms of transportation issues the views of Transport Scotland have been instrumental in arriving at the strategy promoted. Transport Scotland have been involved in scenario planning from the earliest stages of the development of the Structure Plan, and in the appraisal of sites within the corridor to meet that strategy. They have consistently raised concerns regarding the scale of growth and its potential impact on the trunk road. The proposed settlement strategy balances their concerns with the opportunities that development presents to provide long term solutions to the constraints in the area.

The settlement strategy proposed minimises the short term impact on the road network, while providing a clear vision for a long term resolution for congestion and access to allow for the continued growth of the area. This vision is based on a new by-pass to the north-east of the town. Transportation studies have shown that this link is the most realistic option to enable the continued growth of the town, it would significantly reduce congestion in Inverurie, and open up areas to the north (including the “F” site) for development through direct connection to the dual carriageway network. However, as this link passes through a nationally important designed landscape, its delivery is a matter of objection from Historic Scotland (see objection 2142 Scottish Government). Early phase development in Inverurie does not prejudice this issue, and provides sufficient time for this matter to be examined and resolved. Any other strategy for distributing housing around Inverurie would encounter the same problems of capacity at the three A92 roundabouts

### Land for business

There is an aspiration to build on the successes of business development at Thainstone and to create a strategic business location (as promoted by Scottish Planning Policy paras 49-51), with direct connection to the dual carriageway network, public transport routes, and with the long term potential to link to the rail network. The 32ha of employment land identified in the strategic growth corridor is in proportion to the proposed scale of housing development, and cannot therefore be considered to be “over-provision”. This includes 5ha of high class business land to contribute to the structure plan target of 20 ha across the City and Shire. This is sufficient, as additional land for this purpose could be “drawn down” from strategic land reserves also identified.

### Alternative strategies

Pursuit of an alternative strategy, such as focusing early phases of development at Kintore (including Fordtown Farm) or Blackburn, and effectively prohibiting further development in Inverurie, does not capitalise on the facilities and services in that town, and promotes a pattern of land use which does not make best use of the infrastructure in this area. The scale of development required is undeliverable in Blackburn due to topographic and flooding constraints. Development in Kintore is only appropriate once capacity in the school estate has been created. As noted above the proposed strategy seeks to achieve desired policy outcomes in line with Para. 70 of Scottish Planning Policy.

### Phasing

The development required by the structure plan can realistically be delivered by this strategy. Delivery of all first phase sites and substantial second phase sites can be assured, recognising that we need not expect all the new homes to be built within the relevant plan period, and as long as the Education Authority take an early decision on the timing of a new academy in the area (a decision that is not itself within the ambit of the LDP). The sites identified are deliverable, and are both appropriate and sufficient to meet the allocations required in schedule 1 of the structure plan. There is no need for either increasing allocations or changing the phasing of the plan at Kintore and / or for replacement allocations at Blackburn. Preparation of a strategic development plan in 2012 and review of the local development plan in 2016 will provide opportunities to confirm the “F” allocations, or to pursue an alternative strategy if this is necessary. Immediate release of the “F” sites is untenable, until existing congestion and access issues are resolved.

### Conclusion

The scale of the allocations proposed provides the most appropriate and certain solution to deliver the infrastructure requirements and facilities for the settlements. Distributing development across a range of sites would not deliver these long term benefits.

<b>Any further plan changes commended by the planning authority:</b>
No changes are commended.
<b>Reporter's conclusions:</b>
<p>1. The proposed strategy seeks to achieve the housing and business land allowances identified in the structure plan. In relation to the structure plan housing allowance, the required allocation for the Inverurie-Blackburn Strategic Growth Area (SGA) is 1000 housing units in the period 2007-2016 and 1500 housing units in the period 2017-2023. The proposed Plan allocates land for 952 units in phase 1 and 1500 units in phase 2. The first phase allocations are concentrated in Inverurie with the phase 2 allocations spread between Inverurie (850 units), Kintore (600 units) and Blackburn (50 units). The representations received in respect of the spatial strategy for the SGA cover a range of issues and overlap with those that relate to specific proposals in Inverurie, Kintore and Blackburn.</p> <p>2. The representations received variously seek: more development in Inverurie during phase 2 of the plan rather than at Kintore, to contribute to the delivery of a new secondary school and the necessary roads infrastructure; the allocation of houses in Kintore over both phases of the Plan; the re-distribution of housing from Inverurie to Kintore in phase 2 of the Plan; and the allocation of land for up to 500 houses and employment/retail and community uses at Blackburn with a corresponding reduction in the allocations at Inverurie and Kintore. The representations received in relation to the distribution of housing within Inverurie, Kintore and Blackburn are considered under Issues 35, 36 and 37 respectively.</p> <p>3. Inverurie is the major service centre within the SGA but future housing development within this settlement is dependent on the ability to resolve various transportation issues associated with congestion in and around Inverurie and the provision of land for business in an accessible and sustainable location. Transport Scotland has been instrumental in arriving at the strategy promoted by the council. Transport Scotland originally recommended that Inverurie sites H1, E1, E3, SR1, SR2 and F be deleted from the proposed Plan and that the resultant shortfall in the structure plan housing and employment allowances for the Inverurie-Blackburn SGA be met elsewhere in the corridor. However, following further assessment work, including additional traffic modelling, Transport Scotland now considers that the effects of the first phase of the proposed Plan on the A96 can be mitigated. The mitigation required is the removal of the Port Elphinstone and Thainstone at-grade roundabouts and their replacement by a grade separated intersection (GSI). Whilst a preliminary layout indicates that a GSI can be accommodated that will comply with the horizontal geometry requirements of Design Manual for Roads and Bridges (DMRB), further preliminary and subsequent detailed design will be required to ensure that the proposed intervention complies fully with DMRB.</p> <p>4. As a consequence of the uncertainty over the timing of the proposed transportation mitigation measures, concerns have been raised by respondents over the deliverability of the phase 1 allocations in Inverurie. The deliverability of site H1 and the alternative sites suggested by respondents is examined under Issue 35. The conclusion drawn from this examination is that the required allocation of 1000 housing units for the first phase of the Plan can be met in Inverurie but not entirely as envisaged in the proposed Plan.</p> <p>5. With regard to the second phase allocations, Transport Scotland considers that the provision of an Eastern Bypass (the Keith Hall Link Road) is critical to support the delivery of sites SR1, SR2 and F. However, Keith Hall is included in the Inventory of Gardens and Designed Landscapes in Scotland in recognition of its national importance. It also forms the setting for the Category A listed Keith Hall. On the western fringe of the designed landscape is the Bass of Inverurie, motte and bailey castle, one of the best preserved of its type in Scotland. It is designated a scheduled monument. Consequently, the proposed Keith Hall Link Road is likely to result in significant adverse impacts on the Keith Hall designed landscape and there must be some doubt, therefore, that site F can contribute to meeting the structure plan housing allowance for phase 2 of the proposed Plan.</p>



6. As regards the possibility of more development in Inverurie during phase 2 of the Plan rather than at Kintore, the transportation issues outlined above suggest that it would be premature to consider any further housing development in Inverurie until such time as there is more certainty over the feasibility of an Eastern Bypass. There will be an opportunity to reassess all future options for the second phase of the proposed Plan and for the period beyond 2023 in the proposed review of the local development plan to be commenced in 2013.

7. In addition to the above transportation issues, secondary education provision has had a significant influence in the determination of the spatial strategy for the Inverurie-Blackburn SGA. The settlement strategy capitalises, in the first phase, on the spare capacity within Inverurie Academy in order to provide sufficient time for the procurement of a new, larger, replacement academy to serve Kintore, Blackburn and Kemnay. Allocations in Kintore and Blackburn are therefore restricted to the second phase of the plan due to the time required to plan and construct a new academy. There is no proposal for a new secondary school in Inverurie.

8. Focussing early phases of development at Kintore would not be appropriate in view of the fact that Kemnay Academy is operating at 117% capacity and is forecast to be at 134% capacity by 2016. Furthermore, there is no room to accommodate additional temporary accommodation. The council's Education Service is actively examining the future requirements for secondary education provision and the council's Future Infrastructure Services Group has identified a new academy in Kintore as a key strategic asset that should be considered for early "up-front" funding. A report on the matter is to be discussed early in 2012. Nevertheless, land acquisition and procurement is likely to take 3-4 years and, realistically, it will be 2016 before a new secondary school is built and opened. Accordingly, it would not be prudent to allocate further land for housing development in Kintore until such time as a new secondary school is delivered.

9. Therefore, although site M1 in Kintore has the capacity for some 1200 houses in total, the allocation is restricted to 600 houses in phase 2 of the proposed Plan due to the time required to plan and construct a new academy. Also, as explained in relation to Issue 36, the requirements for a new primary school and roads infrastructure improvements also suggest that it is most unlikely that site M1 will be effective as a housing site before 2017. However, should housing sites in Inverurie not come forward as anticipated to meet the structure plan allowance in phase 1 of the proposed Plan, consideration could be given to bringing forward site M1 in advance of 2017 depending on the progress that has been made in relation to education provision and roads infrastructure improvements. This would be a matter for the council to determine in the light of the requirement to maintain a 5 years supply of effective housing land.

10. As regards the re-distribution of housing from Inverurie to Kintore in phase 2 of the Plan, site M1 has the capacity for more than the 600 houses allocated to it in phase 2 to allow for development beyond 2023. Should other allocations within the SGA not come forward as expected, the council would have the option to bring forward the timescale for the development of site M1. Again, this would be a matter for the council to determine in the light of the requirement to maintain a 5 years supply of effective housing land.

11. As regards the request to allocate more land for housing in Blackburn rather than at Inverurie or Kintore, the first phase allocation of housing land in Inverurie reflects the spare capacity in secondary school provision. The lack of capacity at Kemnay Academy limits any new housing land allocations in Kemnay, Kintore and Blackburn to phase 2 of the proposed Plan. In relation to phase 2, site M1 at Kintore rather than Blackburn is better placed to capitalise on the provision of a new secondary school to serve Kintore and Blackburn. Site M1 at Kintore is deliverable and there is no need for replacement allocations at Blackburn.

12. In conclusion, the delivery of the spatial strategy for the Inverurie-Blackburn Strategic Growth Area depends on the speed with which the transportation issues at Inverurie can be resolved and on the timing of a new academy for the Kintore-Blackburn area. Delays in the removal of transportation and education constraints could jeopardise the proposed Plan's ability to deliver the development required by the structure plan, particularly the phase 2 land allocations. However, the intended

review of the local development plan will provide the council with the opportunity to re-appraise the Inverurie and Kintore allocations in the light of the progress made in delivering the transportation improvements and new secondary education provision.

**Reporter's recommendations:**

No modifications to spatial strategy.

Issue 35	Inverurie	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p27)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Knight Frank LLP on behalf of Ferguson Modular (2, 4) John Sample (10, 147) National Grid (20) Paul &amp; Judith Schlicke (27) Dennis McGillvray (33) Amanda Ingram (81) Martin Parrott (171) Sarah Sanders (175) Mukul Agrawal (177) Kim Cate (191) Norman P Lawie Limited on behalf of J R Green (261) William Lippe Architects Ltd on behalf of RCM &amp; RD Maitland (383) William Lippe Architects Ltd on behalf of Mr &amp; Mrs Gilbert Bruce (393, 394) William Lippe Architects Ltd on behalf of Mr &amp; Mrs Paterson (436) William Lippe Architects Ltd on behalf of ANM Group Ltd (491) Mike Hebenton (504) Julia Masson (576) Keith Johnston (577) David &amp; Debbie Bessell (595) Moira Moran (624) Derek Moran (625) Stuart Rae (627) Murray McIntosh (629) Jon Shepherd (631) Richard Bromley (632) Andrew Campbell (634) Dian McIntosh (636) Denise Robertson (637) Kathy Murray (638) Chrisanne Aitken (639) Derek P (640) Ken Shepherd (641) Karen Beattie (642) L Fraser (643) D Robertson (644) H Maybury (645) James Rodd (647) June Linton (650) Allison Strachan (652) Yvonne Emslie (653) David Brown (654)</p>	<p>Charles &amp; Aileen Simpson (1131) Hilda Betty Dransart (1132) Bancon Developments (1417, 1421, 1430, 1444, 1451, 1452, 1453, 1454, 1469) Turley Associates on behalf of Bancon Developments Ltd (1470, 1984, 1986) Halliday Fraser Munro on behalf of The Blackburn Consortium (1475, 1476, 1477) Kirkwood Homes Ltd on behalf of Kintore Consortium (1506, 1507, 1508, 1510, 1957) Cameron &amp; Ross Consulting Engineers on behalf of Scotframe Timber Engineering Ltd (1544) Halliday Fraser Munro on behalf of Barratt East Scotland (1581, 1584, 1585, 1586, 1588) Archial Planning on behalf of J M Gilbert (1641) Ryden LLP on behalf of Mesdames Rhind &amp; Wilson (1875, 1876) Ryden LLP on behalf of Mr &amp; Mrs Campbell (1913, 1914) Scottish Environment Protection Agency (1979) Gordon &amp; Kathleen Mitchell (2137) Scottish Government (2142) Dr Joe Maltin (2189) Charles Maltin (2190) Scott Sneddon (2192) Dr Charlotte Maltin (2193) Peter Maltin (2194) Rosemary Ashton (2198) Russell Wright (2201) Nicola Wilkinson (2206) Andrea Forbes (2209) Valarie Maltin (2210) Murray McIntosh (2223) Pritchett Planning Consultancy on behalf of Northburn Developments Limited (2434) Ann Morrison (2470) Residents of the Colony (2508) Will Prince (2606, 2607) Montgomery Forgan Associates on behalf of Taylor Wimpey/The Mitchell Partnership (2634, 2635, 2637, 2639, 2636, 2640, 2641, 2643) PPCA Ltd on behalf of Tulloch Castleglen (Inverurie) Ltd (2676) Dr James Piggins (2682, 2683) Pritchett Planning Consultancy on behalf of International Paper &amp; Kilbride Group (2748) Julie Simpson (2842)</p>	

Wendy Eaton (656) Mr & Mrs S Cruickshank (657) Knight Frank LLP on behalf of C & M Donald (665) James Size (701) Peter Paton	Marie Simpson Stuart Warrender Pamela Paton Louise Percival Morag Warrender
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Inverurie.
<b>Planning authority's summary of the representation(s):</b>	
<p><b>Part A – Inverurie South</b></p> <p><b>Site H1</b></p> <p><u>Deliverability</u></p> <p><b>2676:</b> The site is deliverable. The allocation is in full control of Tulloch Castleglen: there is one other owner (north east corner of H1), who also intends to develop and has been included in the development framework. The development framework demonstrates that it is physically suitable for development. There are no abnormal public funding requirements, it is marketable, and is free from infrastructure constraints. The site is effective and complies with paragraph 55 of PAN2/2010.</p> <p><b>1417, 1421, 1430, 1451, 1454:</b> There is only 1 developer and deliverability is questionable. It is worrying that Council officers seemed to indicate at Committee that the site will not be developed by 2016. This means the allocation fails to comply with the Structure Plan. The expected delivery rates of 200 houses per year from 2013 to 2017 are unachievable.</p> <p><b>1507:</b> The site is predominantly located on difficult to develop land and there is no existing infrastructure. The site could only deliver 200 units by 2016.</p> <p><b>1581, 1585, 1586:</b> The allocation is undeliverable in the timeframe suggested. The site requires a primary school. The allocation was made without consideration of delivery. The allocation fails to comply with the Structure Plan</p> <p><b>1913, 1914:</b> The expected delivery rate of 147 units per year on site H1 is unachievable.</p> <p><b>2142:</b> At time of writing there is no information that traffic solution is available, so there are significant doubts that sites H1, E1, E3, SR1, SR2 and F can be developed. This means that Scottish Planning Policy requirement for housing land to have a realistic prospect of development in order to deliver an effective 5 years supply of housing land at all times is seriously in doubt.</p> <p><b>2635, 2637, 2639:</b> It is unreasonable to expect the delivery of such a large allocation in phase 1 of the Plan as major infrastructure is required. A Kintore train station is presumably a requirement, but it is not a committed development.</p> <p><u>Traffic</u></p> <p><b>504:</b> Support development due to access to A96, development within the current boundary of Inverurie is unsuitable as the road network cannot cope.</p> <p><b>1417, 1421, 1430, 1451, 1454:</b> Aberdeenshire Council Future Infrastructure Requirements for Services group and roads team prefer a new eastern bypass to A96 development. This allocation does not accord with that. Development will contribute nothing to an eastern bypass, a project which is essential in phase 2 and 3 of the Structure Plan. Major work to the A96 is required to accommodate even small scale development.</p> <p><b>1470, 1984, 1986:</b> A single grade separated junction is likely to be required but even this, according</p>	

to AECOM (appendix 4), would result in significant queuing through the town. The evidence shows that development at Crichton and Thainstone requires more than a grade separated junction. It is illogical and uneconomic, in transport terms, to proceed with a development scenario that creates more problems for the road network.

**1475, 1476, 1477, 1585, 1586:** Transport Scotland, in their response to the Main Issues Report, stated that any development in Inverurie will lead to significant impact on the A96 trunk road at Inverurie: this will take a long time to overcome.

**1506, 1507, and 1508:** Strategic road requirements are uncertain. Access is required from a constrained A96 junction.

**2142:** Transport Scotland has consistently expressed its concerns regarding site H1, E1, E3, SR1, SR2, F and their potential impact on the operation of the A96. While the Council and Transport Scotland have undertaken a significant degree of detailed modelling, this showed that without mitigation the effect would be detrimental to network performance and would conflict with the purpose of the trunk road network as outlined in SPP. The report detailed mitigation measures including the fact that a "*Keithhall link road appears to be essential when considering the additional development in various combinations*" (paragraph 10.7), but even with the Keithhall link road, queue lengths of 1000m and 600m are to be expected at the Port Elphinstone and Thainstone Roundabouts, respectively.

**2606:** No new housing should be permitted on sites H1 and M1 until the Aberdeen Western Peripheral Route is opened.

**2683:** Significant delay would be caused at the Port Elphinstone roundabout. The function of the bypass would be diminished. Reducing the function of the A96 would compromise its role as a strategic development corridor in the Structure Plan. Similar mistakes have been made in Westhill on the A944. The cost of remedying this with grade separated junctions will be prohibitive. There would be negative impact on residents of Kemnay and Monymusk and users of B944.

**701:** The increase in traffic will reduce quality of life for those in the area.

#### Access and Sustainability

**2676:** The site is sustainable as it is in close proximity to Inverurie and Kintore (planned) train stations. A transport assessment submitted shows that it is accessible to a range of public transport. The site forms part of a mixed use development (H1 along with E1, SR1), delivering housing, and employment land and community facilities in line with the requirements of the Structure Plan.

The allocation is consistent with the 'accessibility' and 'climate change' objectives of the Structure Plan. The allocation would meet the population growth objective and sustainable community objective of the Structure Plan. The allocation would provide a new neighbourhood with facilities, in close proximity to the rest of Inverurie. The site can deliver the aims and visions of the Structure Plan. The allocation would deliver a range and choice of housing, including 35% affordable housing and housing at 30 houses per hectare.

**1470, 1507, 1508:** There is no obvious safe travel route between the site and Inverurie Academy which avoids crossing the A96.

**10:** There is no pedestrian access across the A96. Any development should not take place until an underpass is built.

**2635:** Site H1 runs contrary to Scottish Planning Policy as it is not a sustainable location for development (as per paragraph 66 of Scottish Planning Policy), and more sustainable alternatives exist. It is not accessible by non-car users (paragraph 167) and does not make best use of existing public transport connections (paragraph 174-176). The site runs contrary to Structure Plan objectives as it is not sustainable or accessible. The site runs contrary to the Proposed Local

Development Plan as it does not make efficient use of the transport network. The non-committed Kintore train station, at 3km distance, will require motorised transport from the site.

**2683:** The site is physically unsuitable for development and would not create a walkable neighbourhood. The scale of development and its locations will lead to separate settlement.

Landscape and Environment

**1132:** Object to loss of woodland and wildlife.

**1585, 1586, 2635, 2637, 2639:** Parts of the site are constrained by topography, landscape, woodlands, access, and flooding. Due to topography, flood risk, visual impact and landscape constraints, the site is not capable of the scale of development suggested.

**2683:** Loss of woods damages landscape. Loss of agricultural land is contrary to the Plan's Supplementary Guidance Safeguarding 2. It is a physically prominent site, which contradicts Supplementary Guidance Landscape 1 and Supplementary Guidance landscape 2.

**1979:** Part of the site is at medium to high risk of flooding and the Scottish Environment Protection Agency objects to the site unless additional text is added to the Plan or Supplementary Guidance highlighting the flood risk.

Other

**2635:** The site scored one of the lowest scores in the Inverurie and Kintore Capacity study, below the threshold the Council stated it would consider for new development.

**Site E1**

Deliverability

**2676:** Site E1 is deliverable. The allocation is in full control of Tulloch Castleglen. There are no constraints which cannot be overcome.

**665:** Site E1, E2, E3 are lacking in infrastructure and deliverability is questionable.

**2142:** At the time of writing there is no information that a traffic solution is available, so there are significant doubts that sites H1, E1, E3, SR1, SR2 and F can be developed.

**2748:** The E1, E2, E3, SR1, SR2 sites rely on the delivery of key infrastructure and are not likely to be delivered until the 2016-2023 phase.

Traffic

**504:** Support development due to access to A96, development within the current boundary of Inverurie is unsuitable as the road network cannot cope.

**2142:** Transport Scotland has consistently expressed its concerns regarding site H1, E1, E3, SR1, SR2, F and their potential impact on the operation of the A96. While the Council and Transport Scotland have undertaken a significant degree of detailed modelling, this showed that without mitigation the effect would be detrimental to network performance and conflict with the purpose of the trunk road network. The mitigation measures have been modelled, but their acceptability and deliverability is in significant doubt, particularly the Keithhall link road.

**2606:** Current congestion means no development should take place until A96 junction improvements are made.

**147:** Site access to SR1 is accessible via the old A96 and could integrate the Crichton and Thainstone sites far more successfully than E1.

Accessibility and Sustainability

**2676:** The site is sustainable as it is in close proximity to Inverurie and Kintore (planned) train



stations. A transport assessment submitted shows that it is accessible to a range of public transport. The site forms part of a mixed use development in line with the requirements of the Structure Plan. The allocation is consistent with the 'accessibility' and 'climate change' objectives of the Structure Plan.

**2634, 2641:** The site runs contrary to Scottish Planning Policy, as it is not a sustainable location for development (paragraph 66 of Scottish Planning Policy) and more sustainable alternatives exist. It is not accessible by non-car uses (paragraph 167) and does not make best use of existing public transport connections (paragraph 174-176). The site runs contrary to Structure Plan objectives as it is not sustainable or accessible. The site runs contrary to the Proposed Local Development Plan, as it does not make efficient use of the transport network. The non-committed Kintore train station, 3 km away, will require motorised transport from the site.

**2683:** The site is physically unsuitable for development. The scale of development and locations will lead to separate settlement.

**2748:** No need for the E1, E2, E3, SR1, SR2 allocations, as sufficient brownfield land exists at the former paper mill and its surrounding landholding.

#### Landscape and the Environment

**2634, 2641:** Location of the site breaches Structure Plan (page 19) and Scottish Planning Policy (paragraph 127) on landscape.

#### Site E2

**491:** Generally support allocation of site E2.

#### Deliverability

**2137:** E1, E2, E3 lack infrastructure; major traffic infrastructure is required.

**2748:** the E1, E2, E3, SR1, SR2 sites rely on the delivery of key infrastructure and are not likely to be delivered until the 2016-2023 phase at the earliest, doing little to alleviate the shortage of employment land in Inverurie.

#### Traffic

**2137:** E2, E3, SR2 and Bus, 8, 9,10,11 will exacerbate traffic congestion and will impact on property.

**2606:** Current congestion means no development should take place until A96 junction improvements are made.

#### Sustainable and accessible communities

**665:** Concentration of employment allocation on Inverurie is contrary to Structure Plan strategy to allocate employment land in a range of places.

**2748:** There is no need for the E1, E2, E3, SR1, SR2 allocations, as sufficient brownfield land exists at the former paper mill and its surrounding landholding.

#### Landscape and the Environment

**2223:** E2 and SR1 will have a negative impact on the listed Thainstone House. E2 and SR1 will have negative impact on mature woodland and which is home to a variety of habitats and will be detrimental. Objector has had planning restrictions imposed on property extension in the past due to local surroundings: the E2 and SR1 plans contradict this.

#### Other

**2223:** The objector's land has been included in the site without notification.

#### Site E3

**491:** Generally support the allocation of development at Thainstone, but propose changes. E3 needs

to be relocated to the south towards the A96, adjoining the current building, but with the same total area as allocated in the Plan.

Landscape and the Environment

**175, 177, 191, 595, 1131:** The impact on the landscape would be unacceptable.

**624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 647, 650, 651, 652, 653, 654, 656, 657:** The site is visible from up to 15 miles away and development would ruin the landscape. Previous development on the adjacent, less prominent, site has been governed by strict guidance in order to ensure the skyline is not breached. Through a planning application for development on the adjacent site, a Council report stated there are attractive views towards and from the site. It also suggested that there is a need for a recreational route to maintain recreation links on the site and recommended that a masterplan for the site be prepared. There is a need to avoid further development which a Council officer described as "piecemeal" so far.

**949, 2842, 2843, 2844, 2845, 2846, 2847:** Recent development was only permitted with stipulations to protect the landscape, as it is recognised that the site is prominent. Actual development there has flouted the regulations.

**624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 647, 650, 651, 652, 653, 654, 656, 657, 1131:** The site has high amenity value. The site has a wide range of biodiversity.

**624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 645, 647, 650, 651, 652, 653, 654, 656, 657:** Development would create drainage problems and flooding.

**949, 2842, 2843, 2844, 2845, 2846, 2847:** The sloping site is unsuitable for industrial development. There would be access issues in winter and drainage problems.

**191:** Development would cause noise and disruption to neighbours.

**2137:** There will be a negative impact on neighbouring property.

Traffic

**2142:** Transport Scotland has consistently expressed its concerns regarding site H1, E1, E3, SR1, SR2, F and their potential impact on the operation of the A96. In order to assess the implications of the Proposed Plan allocations, the Council and Transport Scotland have undertaken a significant degree of detailed modelling. The Report results showed that without mitigation the effect would be detrimental to network performance. The mitigation measures have been modelled, but their acceptability and deliverability is in significant doubt.

**191, 624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 645, 647, 650, 651, 652, 653, 654, 656, 657:** There will be a significant impact on traffic at the Thainstone roundabout.

**949, 2842, 2843, 2844, 2845, 2846, 2847, 1131:** The local C114 and the A96 would not cope with congestion.

**1131:** There are poor transport links, and no public transport links for school children.

**2137:** E2, E3, SR2 and Bus, 8, 9,10,11 will exacerbate traffic congestion.

**2606:** Current congestion means no development should take place until A96 junction improvements are made.

Deliverability

**491:** Surface water drainage and public sewers are all available adjoining the site. Public water supply and all services are available onsite. Landownership is within the client's control.

**665** Site E1, E2, E3 are lacking infrastructure and deliverability is questionable.

**2748:** The E1, E2, E3, SR1, SR2 sites rely on the delivery of key infrastructure and are not likely to be delivered in the 2016-2023 phase.

**2142:** At time of writing there is no information that traffic solution is available, so there are significant doubts that sites H1, E1, E3, SR1, SR2 and F can be developed.

Sustainable and Accessible Communities

**949 2842, 2843, 2844, 2845, 2846, 2847:** The rationale for moving the mart to the site at Thainstone was to ensure it was located away from heavily populated and congested areas. There is no rationale for developing around it.

**191, 624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 645, 647, 650, 651, 652, 653, 654, 656, 657:** The site is used for lairage for the purposes of the mart; it would not make operational sense to develop the site.

**191, 624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 645, 647, 650, 651, 652, 653, 654, 656, 657:** Due to the impact on the setting of the area, development would actually be economically detrimental through a loss of tourism revenue.

**624, 625, 627,, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 645, 647, 650, 651, 652, 653, 654, 656, 657, 2748:** Development should take place at the former paper mill, which is a brownfield site.

Other

**624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 645, 647, 650, 651, 652, 653, 654, 656, 657:** Throughout the allocation process there has been no consultation from Councillors with local residents.

**Site SR1**

General

**491:** Generally support allocation of site SR1, with partial reduction to allow for a new reserved use for a potential site for an agricultural education facility. The partial reduction in Strategic Reserve land should be offset by increasing the size of SR2.

Traffic

**504:** Support development due to access to A96, development within the current boundary of Inverurie is unsuitable as road network cannot cope.

**147:** Site access to SR1 is accessible via the old A96 and could integrate the Crichton and Thainstone sites far more successfully than E1.

**491:** The transport assessment is likely to confirm that improvements are required to the Thainstone roundabout, but the landownership is within client's control and it can be delivered.

**2142:** Transport Scotland has consistently expressed its concerns regarding site H1, E1, E3, SR1, SR2, F and their potential impact on the operation of the A96. In order to assess the implications of the Proposed Plan allocations, the Council and Transport Scotland have undertaken a significant degree of detailed modelling. The Report results showed that without mitigation the effect would be detrimental to network performance. The mitigation measures have been modelled, but their acceptability and deliverability is in significant doubt.

**2682:** Significant delay would be caused at the Port Elphinstone roundabout and the function of the bypass would be diminished. This would compromise its role as a strategic development corridor in the Structure Plan. Similar mistakes have been made in Westhill on the A944. The cost of remedying this with grade separated junctions will be prohibitive. There will be negative impact on

residents of Kemnay and Monymusk and users of the B994.

Sustainability and Accessibility

**491:** The site has good connections to the A96 dual carriageway, is in close proximity to public transport, both bus and rail, and is in close proximity to the airport. Inverurie is a town with a thriving community and significant workforce. Development would add to this and reduce commuting into Aberdeen.

**2634, 2641:** Allocation of the site runs contrary to Scottish Planning Policy, as it is not a sustainable location for development (as per paragraph 66 of Scottish Planning Policy), and more sustainable alternatives exist. It is not accessible by non-car uses (paragraph 167) and does not make best use of existing public transport connections (paragraph 174-176). The site runs contrary to Structure Plan objectives as it is not sustainable or accessible. The site runs contrary to the Proposed Local Development Plan as it does not make efficient use of the transport network. The non-committed Kintore train station, at 3km distance, will require motorised transport from the site.

**2682:** The scale of development and locations will lead to a separate settlement.

**2748:** There is no need for the E1, E2, E3, SR1, SR2 allocations as sufficient brownfield land exists at the former paper mill and its surrounding landholding.

Landscape and Environment

**491:** Strategic landscaping is accepted as part of the overall Master Plan.

**2223:** E2 and SR1 will have a negative impact on the listed Thainstone House and on mature woodland which is home to a variety of habitats. The objector has had planning restrictions imposed on property extension in the past due to local surroundings: the E2 and SR1 plans contradict this.

**2634, 2641:** Allocation of the site breaches Structure Plan and Scottish Planning Policy objectives on landscape.

**2682:** Loss of woods damages landscape. Loss of agricultural land contrary to the Plan's Supplementary Guidance Safeguarding 2. The site is physically prominent, and development would contradict the Plan's Supplementary Guidance Landscape 1 and Supplementary Guidance Landscape 2.

Deliverability

**491:** Surface water drainage and public sewers are all available adjoining the site. Public water supply and all services are available onsite. Landownership is within the client's control.

**2748:** The E1, E2, E3, SR1, SR2 sites rely on the delivery of key infrastructure and are not likely to be delivered in the 2016-2023 phase.

**2682:** Site is physically unsuitable for development and this contradicts Supplementary Guidance Developer Contributions 2, item A5. The cost of remedying transport issues, with grade separated junctions, will be prohibitive.

**2142:** At time of writing there is no information that a traffic solution is available, so there are significant doubts that sites H1, that site H1, E1, E3, SR1, SR2 and F can be developed.

Other

**2606:** The objector's land has been included within the site, without any notification.

**Site SR2**

Support

**491:** Generally support the site's allocation, but there are changes required. The site should be relocated further east to adjoin the current employment land. The area size should be increased, to

accommodate the related proposed replacement of a portion of SR1 with Reserved status. This way the total Strategic Reserve allocation will remain the same, and there will be no change to the employment land schedules.

**1979:** Scottish Environment Protection Agency raises no significant flooding concerns for the site.

Landscape and the Environment

**491:** Strategic landscaping will be delivered through the master plan.

**27, 175, 177, 191, 595, 1131:** The impact on the landscape would be unacceptable.

**624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 647, 650, 651, 652, 653, 654, 656, 657:** The site is visible from up to 15 miles away and development would ruin the landscape. Previous development on the adjacent, less prominent, site has been governed by strict guidance in order to ensure the skyline is not breached. Through a planning application for development on the adjacent site, a Council report stated there are attractive views towards and from the site. It also suggested that there is a need for a recreational route to maintain recreation links on the site and recommended that a masterplan for the site be prepared. There is a need to avoid further development which a Council officer described as "piecemeal" so far.

**949, 2842, 2843, 2844, 2845, 2846, 2847:** Recent development was only permitted with stipulations to protect the landscape, as it is recognised that the site is prominent. Actual development there has flouted the regulations.

**27, 624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 647, 650, 651, 652, 653, 654, 656, 657, 1131:** The site has high amenity value. The site has a wide range of biodiversity.

**624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 647, 650, 651, 652, 653, 654, 656, 657:** Development would create drainage problems and flooding.

**949, 2842, 2843, 2844, 2845, 2846, 2847:** The sloping site is unsuitable for industrial development. There would be access issues in winter and drainage problems.

**191:** Development would cause noise and disruption to neighbours.

**2137:** There will be a negative impact on neighbouring property.

Traffic

**491:** The transport assessment is likely to confirm that improvements are required to the Thainstone roundabout, but the landownership is within client's control and it can be delivered.

**2137:** E2, E3, SR2 and Bus, 8, 9,10,11 will exacerbate traffic congestion.

**2142:** Transport Scotland has consistently expressed its concerns regarding site H1, E1, E3, SR1, SR2, F and their potential impact on the operation of the A96. In order to assess the implications of the Proposed Plan allocations, the Council and Transport Scotland have undertaken a significant degree of detailed modelling. The Report results showed that without mitigation the effect would be detrimental to network performance. The mitigation measures have been modelled, but their acceptability and deliverability is in significant doubt.

**1131:** The local C113 and the A96 would not cope with congestion.

Accessibility and Sustainability

**27, 1131** The site has no public transport links.

**191, 624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 647, 650,**

**651, 652, 653, 654, 656, 657:** Due to the impact on the setting of the area, development would actually be economically detrimental through a loss of tourism revenue.

**949 2842, 2843, 2844, 2845, 2846, 2847:** The rationale for moving the mart to the site at Thainstone was to ensure it was located away from heavily populated and congested areas. There is no rationale for developing around it.

**191, 624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 647, 650, 651, 652, 653, 654, 656, 657:** The site is used for lairage for the purposes of the Mart. It would not make operational sense to develop the site.

**191, 624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 647, 650, 651, 652, 653, 654, 656, 657:** Due to the impact on the setting of the area, development would actually be economically detrimental through a loss of tourism revenue.

**624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 645, 644, 647, 650, 651, 652, 653, 654, 656, 657:** Development should take place at the former paper mill, which is a brownfield site.

**2748:** There is no need for the E1, E2, E3, SR1, SR2 allocations as sufficient brownfield land exists at the former paper mill and its surrounding landholding.

**624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 647, 650, 651, 652, 653, 654, 656, 657:** It would be easier and more logical for development to take place to the south east of the current mart site.

#### Deliverability

**665:** Site E1, E2, E3 are lacking infrastructure and deliverability is questionable.

**2748:** The E1, E2, E3, SR1, SR2 sites rely on the delivery of key infrastructure and are not likely to be delivered in the 2016-2023 phase.

**2142:** At time of writing there is no information that a traffic solution is available, so there are significant doubts that sites H1, hat sites H1, E1, E3, SR1, SR2 and F can be developed.

### **Part B – Other Proposed Sites**

#### **Site M1**

**576, 577:** Object to the loss of view, light pollution, noise and disruption.

**1979:** Scottish Environment Protection Agency raises no significant flooding concerns for site M1.

**2606:** No new housing should be permitted on site H1 and M1 until the Aberdeen Western Peripheral Route is opened.

#### **Site M2**

##### General

**2:** Support the identification of site M2 as the "Inverurie Redevelopment Area". The site will deliver: 150 residential units; 6000 sqm of convenience and up to 5000 sqm of comparison retail floorspace; new community facilities; and business units.

**2, 4:** Object to the failure to extend the Town Centre boundary to include the entire M2 site. Object to the reference to a "potential edge of (town centre)" retail facility within the description of the Inverurie Redevelopment Area. A firm commitment to a retail facility should be made on the site.

##### Rationale for development

**2:** Development meets the requirements of the Structure Plan. It will deliver required housing and



recreation facilities in a mixed use sustainable community. It will deliver required retail facilities, improving the offer and function of Inverurie town centre. It will provide opportunities for start up businesses and business expansion.

**2434:** A large part of the M2 site is already developed and will not be re-developed. The zoning should not include the established uses. Any specific areas which require development should be clearly identified as the vast majority of M2 is already a functioning mixed use area. The allocation is contrary to Supplementary Guidance Safeguarding 5 Safeguarding Employment Land as a large part of the site is a functioning business area with no constraints and should remain protected. The fragmentation of the site is also inconsistent with the remainder of the plan, which states there is a shortage of business land availability in Inverurie, calls for the additional employment opportunities in the Strategic Corridor, and aims to reduce greenfield development.. There is no scope for increasing linkages with the town centre.

**2508:** There is no need for a foodstore so close to the current Tesco. The development would not benefit Inverurie or Harlaw Road.

#### Deliverability

**1957:** The site has been subject to an early planning application by the developer which only includes part of the site and development for 40 residential units: this proves there is no intention to deliver the site in a single phase.

#### Other

**2434, 2508:** No consideration has been given to Colony Park. It should be a protected open space in line with the remainder of the supplementary guidance and the Open Space aspect of the Plan's Layout Siting and Design Policy.

**81:** Speed and volume of traffic will create a safety issue and affect the structure of neighbouring buildings.

**1470, 1506, 1507, 1508:** Re-phasing of development in Inverurie is required as a result of the respondent's concerns over the deliverability of the Blackburn to Inverurie Strategic Growth Corridor, particularly site H1 Inverurie and M1 Kintore (*see Spatial Strategy paper, Kintore settlement paper, and relevant sections of this paper*). The changes required include the allocation of the respondent's sites and the removal and re-phasing of allocated sites. This includes the phasing of site M2 over phase 1 and phase 2 (*see detail in the modifications section*).

### **F Sites**

#### Traffic

**1430, 1451, 2682:** Development of the eastern link road according to preliminary study is likely to cost around £30m. Site F would directly contribute to the eastern link road in the short term, unlocking future development opportunities in Inverurie. It is logical to avoid the need for compulsory purchase orders on the Keithhall estate for the eastern link road, by opening up the estate for development. Development could deliver a new school, if required, on the north Inverurie site within the F sites.

The F sites will be required in future and, given the constraints on sites at south-west of Inverurie, should be prioritised for development beginning in phase 1 (2682).

**1470:** Preliminary work conducted by Bancon provides reasonable comfort that the eastern link road can be provided. Commitment to this should be made by removing the uncertain F status and replace with positive allocations.

**1506, 1507, 1508, 1510, 1641, 1875, 1876, 1957:** The allocations on the F sites will not be able to deliver their allocation identified for the 2017-2023 due to uncertainty over the deliverability of the eastern link road.

**2142:** The mitigation measures have been modelled, but their acceptability and deliverability is in significant doubt, particularly the Keithhall link road. The likely route and design of the Keith Hall Link road, is contrary to Scottish Planning Policy by virtue of the significant adverse impacts on the character of the designed landscape and on the settings of Keith Hall A-listed building and on the Bass of Inverurie Scheduled monument.

Deliverability

**2142:** The respondent has serious doubt that sites F can be developed. This means that Scottish Planning Policy requirement for housing land to have a realistic prospect of development in order to deliver an effective 5 years supply of housing land at all times is seriously in doubt.

**1913, 1914:** The expected delivery rate of 121 units per year on site F is unachievable.

**2640, 2643:** The Souterford Road part of F is technically capable of development in line with Scottish Planning Policy and Structure Plan. There is no requirement for an eastern link road to allow its delivery. The site is physically capable of delivering a 300 unit housing development.

Environment and Landscape

**171:** In relation to the northern sites of F, there would be a loss of natural beauty. A flood protection scheme required or else the site is undevelopable.

**1430:** In relation to the Keithhall sites of F a report has been produced which details how development at Keithhall will not undermine important features of the designed landscape.

**2189, 2190, 2192, 2193, 2194, 2198, 2201, 2206, 2209, 2210:** Keithhall estate is widely used for recreation. Keithhall estate will suffer major loss of biodiversity.

**2640, 2636, 2643:** There is no landscape issue associated with developing the Souterford road part of F.

**1979:** Part of the site is at medium to high risk of flooding and the Scottish Environment Protection Agency objects to the site, unless additional text is added to the Plan or Supplementary Guidance highlighting the flood risk.

Sustainability and accessibility

**1430:** Existing road capacity lends itself to small housing development in a number of locations, until the eastern link road is complete.

**1470, 1986:** There is an imperative to progress an eastern link road in strategic and local terms.

**2640, 2636, 2643:** The Souterford Road site part of F is within walking distance of the town centre and train station, in line with Scottish Planning Policy and the Structure Plan, and it would provide a physical link between Uryside and the town. It would allow land to be reserved for an eastern link road if it is required.

**1470:** Re-phasing of development in Inverurie is required as a result of the respondent's concerns over the deliverability of the Blackburn to Inverurie Strategic Growth Corridor, particularly site H1 Inverurie and M1 Kintore (*see Spatial Strategy paper and relevant settlement papers/sections*). The changes required include the re-phasing of allocated F sites Balhalgardy and Lofthillock in phases 1 and 2. (*see detail in the modifications section*).

**1453:** A site for an academy should be found within site F, rather than Kintore, to support the provision of additional allocations in Inverurie rather Kintore.

Other

**20:** Part of the site is crossed by one of the National Grid's high pressure underground pipelines.

**Site R3**

**1444, 1469:** Site R3 should be allocated for housing and a care home, if a care home must be located on the site at all. The site is too extensive to only accommodate a care home and should be a residential and care home opportunity. Ideally site R3 should only be allocated for housing; the area between P1 and M1 is the best location for a care home (Dillyhill).

**1979:** Scottish Environment Protection Agency raises no significant flooding concerns for site R3.

**Site R4**

**1875:** Do not object to the allocation of R4. However, the allocation could be accommodated with the bid site G36. The size of the site for the school seems excessive. Clarification of the exact size of site is requested in order to allow masterplanning of proposed alternative housing site.

**Site R5**

**2607:** Land is required within R5 for an extension to the station car park to meet demand for 'park and train ride.' This will resolve the over-use of the station car park and retail car parks.

**Existing Sites**

**2189, 2190, 2192, 2193, 2194, 2198, 2201, 2206, 2209, 2210, 2470:** Sites Eh1 and Eh2 from the existing local plan should be removed in order to allow development to take place to the west of Inverurie. Development west of Inverurie makes better use of transport connections. Further development across the River Ury should not take place (2470).

**Part C Alternative Sites**

**Main Issues Report G6 site (Uryside/Souterford Road)**

**33:** Photographic evidence submitted to show that this site does not flood as extensively as stated in Scottish Environmental Protection Agency data. It is a well connected site in terms of roads and pedestrian linkages to the town centre. The site would deliver a higher level of affordable housing compared to proposals. There would be less of a visual impact than other proposals. Development would make higher use of brownfield land than other sites. The site should be classed as infill development between Inverurie and Uryside. Development would provide pedestrian links between Uryside and river Don recreation area.

**Main Issues Report G22 site (Uryside/Portstown)**

**261:** Site north of the proposed B970 and B9001 roads would provide major landscaping for the proposed link road. The site is closer to Inverurie town centre than land at Crichton.

**Main Issues Report G78 site (Uryside/Howford)**

**383:** Object to the land being included within site R5. A portion of the land could be developed for housing. A large portion of land is not at risk of flooding: Flood Risk Analysis can prove this. Its allocation could help deliver the R5 park.

**Existing Employment site Bus 12 (Souterford Road)**

**393:** Bus 12 sites should be fully reinstated in the plan as it is defined in the Aberdeenshire Local Plan. There is no flood risk on the site and no reason for the site to be reduced. The reduction of Bus 12 will threaten deliverability of services and infrastructure on the site.

**1544:** Fully reinstate the site: there are no constraints on it. There was an ownership constraint on the site which has now been resolved.

**394:** If reduction of Bus 12 is to occur then a small area of the remaining Bus 12 should be allocated for 3 houses.

**1979:** Flood risk category C due to the presence of an adjacent watercourse and the topography of the site which makes a larger floodplain than estimated likely. A detailed flood risk assessment will be required to accompany any future development proposals for this site.

Existing Employment site Bus 11 (Thainstone)

**436:**

Bus 11 should be extended to include Main Issues Report site G75.

Existing Employment site Bus 7 (Paper Mill)

**436:** Bus 7 should be removed as it is a landfill site which is unlikely to be developable.

Entirety (sections not allocated as F sites) of the Main Issues Report Sites G33 (Keithhall Estate), G94 (Balhalgardy and Conglass/Inverurie North); and other site G32 (Ardtannes – site including current Golf Club)

**1421, 1451:** There is an imperative to progress an eastern link road in strategic and local terms. Preliminary work conducted by Bancon provides reasonable comfort that the eastern link road can be provided. Commitment to this should be made by removing the uncertain F status and replacing these with positive allocations. The eastern link road could be delivered by a mix of development of the F sites and Main Issues Report sites at the current golf course (Ardtannes), Keithhall Estate (to the east), Balhalgardy and Conglass (to north).

**1430, 1451:** Development of the eastern link road, according to preliminary study, is likely to cost around £30m. F1 would directly contribute to the eastern link road in the short term, unlocking future development opportunities in Inverurie. It is logical to avoid the need for compulsory purchase orders on the Keithhall estate for the eastern link road, by opening up the estate for development. Existing road capacity lends itself to small housing development in a number of locations, until the eastern link road is complete. A report has been produced which details how development at Keithhall will not undermine important features of the designed landscape.

**1470:** A new academy should be provided in Inverurie rather than Kintore and development directed there in Phase 2 as well as phase 1. Development should take place at Main Issues Report site G32 including a primary school in phase 1 and phase 2.

Reallocation of Keithhall Estate

**2201, 2206, 2209:** Keithhall Estate should be identified as protected for community uses and any development proposals removed.

Main Issues Report Site G36 (west of Blackhall Road, Inverurie)

**1875, 1876:** Site G36 should be developed as an extension to existing Aberdeenshire Local Plan site EH3. Service infrastructure can be delivered alongside EH3. Site F cannot be relied upon to deliver the required number of units, even if feasibility shows that the eastern link road should go ahead. The development could accommodate a new St Andrews School within the site. Site G36 could contribute to an eastern bypass, but could still ensure that the structure plan housing targets are reached.

Main Issues Report G148 site (Uryside)

**1581, 1584,:** The Main Issues Report site G148 was favoured by officers for 150 units and was unjustifiably removed by Committee without valid planning reasons.

The site is more sustainable than the sites proposed in the plan. It is closer to Inverurie's current and proposed services. It can be delivered in addition to current Uryside development without any significant impact on the road network: a transport assessment has been carried out and accompanies the submission. The site is located on a public transport route. Services and infrastructure could be delivered on the site easily and sustainably. Transport Scotland support eastward expansion of Inverurie. There is public support for the eastward expansion of Inverurie and the site, according to public a consultation carried out by the respondent. There is no landscape issue. The site is supported by the Uryside Development Framework. The site is deliverable in first phase of the plan. The justification for the removal of the site on the grounds of the requirement for a school is flawed. This is because recent planning applications have retained the balance of housing to community uses throughout the Uryside development. The additional 150 houses would add to the balanced community. The 150 houses are still required to deliver the school. The site's allocation

would comply with the objectives of the Structure Plan. There is no flood risk.

**1585:** The Main Issues Report site G148 was favoured by officers for 150 units and was unjustifiably removed by Committee without valid planning reasons. There was no technical justification or assessment carried out to support the removal of the site. Reallocating the site will not affect the structure plan strategy and indeed will aid the delivery of phase 1 sites, whereas the current strategy does not.

**1588:** Reallocating the site will not affect the structure plan strategy and indeed will aid the delivery of phase 1 sites, whereas the current strategy does not.

Care home site Dillyhill

**1444:** Area between P1 and M1 is the best location for a care home (Dillyhill).

**Modifications sought by those submitting representations:**

**Part A – Inverurie South**

**Site H1**

**701, 1132, 1470, 1475, 1476, 1477, 1585, 1586, 1588, 1984, 1986, 2683:** Delete H1.

**1417, 1421, 1430, 1451, 1454:** Site H1 should be either deleted or reduced in scale considerably to suit a short term strategy of spreading developments around the town to ensure delivery and accordance with the structure plan requirements.

**2635, 2637, 2639:** Delete site and allocate other sites including Souterford Road.

**1507, 1508:** allocate 237 houses in Phase 1 and 500 units in Phase 2 and concentrate Phase 1 allocations on Kintore.

**1913,1914:** Allocate site G38 in Blackburn to ensure the housing requirement is met.

**1957:** H1 should be amended and allocated for 237 units in phase 1 and 500 units in phase 2. Allocations should be moved to Kintore M1.

**2142:** Site H1, E1, E3, SR1, SR2, and F should be deleted from the plan and the resultant shortfall met elsewhere in the corridor.

**1506:** Allocate 500 units to site H1 in phase 2.

**1581, 1585, 1586, 1588:** 150 units should be removed from H1 and reallocated at Uryside.

**1979:** Delete site H1 unless the following wording is included in the settlement statement for Inverurie “Part of this site lies within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and adequate buffer strips will be required adjacent to existing watercourses.”

**2606:** Do not develop site H1 until the Aberdeen Western Peripheral Route is opened. No development to take place until transport solution on A96 is complete.

**10:** No development until underpass for pedestrians is built.

**Site E1**

**147:** Delete site E1 and replace with site SR1.

**2606:** No development to take place until transport solution on A96 is complete.

**2634, 2641:** Delete site from the plan.

**2748:** E1, E2, E3, SR1, SR2 should be deleted from the plan.

**2748:** Delete the site and replace it with prioritisation of Paper Mill redevelopment for employment use.

**2142:** Site H1, E1, E3, SR1, SR2, and F should be deleted from the plan and the resultant shortfall met elsewhere in the corridor.

**665:** Allocate land at Bridgefield, Kintore rather than Thainstone and Crichie.

**Site E2**

**2748:** E1, E2, E3, SR1, SR2 should be deleted from the plan.

**2137:** Measures are required to ensure impact minimised.

**665:** Additional employment land should be allocated at Kintore.

**2223:** E2 and SR1 should be rezoned to avoid mature woods and Thainstone House.

**2606:** No development to take place until transport solution on A96 is complete.

**2748:** Delete the site and replace it with prioritisation of Paper Mill redevelopment for employment use.

**Site E3**

**665:** Allocate land at Bridgefield, Kintore rather than Thainstone and Crichie.

**624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 645, 647, 650, 651, 652, 653, 654, 656, 657:** Remove site. Development should take place at the former paper mill. Alternatively development should take place to the south east of the site, adjoining the current mart.

**2142:** Site H1, E1, E3, SR1, SR2, and F should be deleted from the plan and the resultant shortfall met elsewhere in the corridor.

**1131:** Remove allocation.

**2137:** Impacts of development must be minimised.

**491, 949, 2842, 2843, 2844, 2845, 2846, 2847:** The site should be deleted and the allocation moved to the south towards the A96 to adjoin the Thainstone Centre.

**2606:** No development to take place until transport solution on A96 is complete.

**2748:** Delete the site and replace it with prioritisation of Paper Mill redevelopment for employment use.

**Site SR1**

**2682:** Delete site.

**2142:** Site H1, E1, E3, SR1, SR2, and F should be deleted from the plan and the resultant shortfall met elsewhere in the corridor.

**2634:** Delete the site and replace it with an alternative site at Uryside, Inverurie.

**2748:** Delete the site and replace it with prioritisation of Paper Mill redevelopment for employment use.



**147:** Allocate as E1 rather than strategic reserved status. Accommodate by making site E1 a strategic reserve site.

**491:** Part of the site should be reallocated for a new reserved use for a potential site for an agricultural education facility. The partial reduction in Strategic Reserve land should be offset by increasing the size of SR2.

**2223:** E2 and SR1 should be rezoned to avoid mature woods and Thainstone House.

**Site SR2**

**27, 191, 1131:** Delete the site.

**2142:** Site H1, E1, E3, SR1, SR2, and F should be deleted from the plan and the resultant shortfall met elsewhere in the corridor.

**624, 625, 627, 629, 631, 632, 634, 636, 637, 638, 639, 640, 641, 642, 643, 645, 647, 650, 651, 652, 653, 654, 656, 657, 2748 :** Delete the site. Development should take place at the former paper mill. Alternatively development should take place to the south east of the site, adjoining the current mart.

**665:** Allocate land at Bridgefield, Kintore rather than Thainstone and Crichtie.

**949, 2842, 2843, 2844, 2845, 2846, 2847:** The site should be deleted and the allocation moved to adjoin the Thainstone Centre towards the south east.

**481:** The site should be relocated further east to adjoin the current employment land. The area size should be increased to accommodate the proposed replacement of a portion of SR1 with Reserved status. This way the total Strategic Reserve allocation will remain the same, and there will be no change to the employment land schedules.

**2137:** Mitigation measures are required if development is to take place.

**2748:** Delete the site and replace it with prioritisation of Paper Mill redevelopment for employment use.

**Part B – Inverurie Other Proposed Sites**

**Site M1**

**576, 577:** Delete M1.

**2606:** Do not develop site H1 until the Aberdeen Western Peripheral Route is opened. No development to take place until transport solution on A96 is complete.

**Site M2**

**2434:** Remove allocation M2.

**2508:** Preferably remove site M2. If development takes place, Colony Park should be protected and incorporated within any plans as a green space, and no supermarket to be allowed.

**2, 4:** Entire site should be classed as town centre and should include a firm commitment to a retail facility.

**81:** Transport Assessment and assessment for structural safety is required.

**F, 1506, 1507, 1508, 1957:** Development at M2 should be amended to 50 houses in Phase 1 and 100 houses in Phase 2.

**Site F**

**1430, 1451, 2682:** Allocate F sites in phase 1 and Phase 2.

**2640, 2636:** Site should be allocated as an H site for 300 units; primary school (if necessary); community park in Phase 1.

**2142:** Site H1, E1, E3, SR1, SR2, and F should be deleted from the plan and the resultant shortfall met elsewhere in the corridor.

**171:** No allocation on northern Inverurie sites of F.

**1875, 1876, 1957:** Allocate F sites in a 3<sup>rd</sup> Phase.

**1641:** F1 allocations should be redistributed.

**1453:** Remove 300 units in phase 2 from Kintore and replace at site F to deliver a new school in the north of Inverurie.

**1470:** Remove the uncertain F status and replace with positive allocations. Allocation of some Inverurie F sites as M sites. Balhalgardy East site, including a primary school to commence in phase 1 and continue through to phase 2. Development of Balhalgardy West site to commence in phase 2. Lofthillock to be developed over phases 1 and 2.

**1506, 1507, 1508, 1510:** The F allocation should be reduced to 250 houses with any future allocations brought forward from a 2023-2030 phase.

**1979:** Delete site F, unless the following wording is included in the settlement statement for Inverurie "A significant part of this site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and appropriate buffer strips will be required adjacent to the existing watercourses."

**1913, 1914:** Allocate site G38 in Blackburn to ensure the housing requirement is met.

**20:** Local Authorities have a statutory duty to consider applications for development in the vicinity of high pressure pipelines, and to advise the developer on whether the development should be allowed on safety grounds based on rules provided by the Health and Safety Executive (relevant guidance sourced).

#### **Site R3**

**1444:** If a care home must be built on the land, it should be mixed with housing. Change the allocation to "residential including a care home."

#### **Site R4**

**1875:** Reduce size of R4 site, or clarify why it needs to be 6ha in size. Allocate the site as part of a larger housing extension to the Aberdeenshire Local Plan EH3 site.

#### **Site R5**

**2607:** Land is required within R5 for an extension to the station car park to meet demand for 'park and train ride'

#### **Existing Sites**

**2189,2190,2192,2193,2194,2198,2201,2206,2209,2210, 2470:** Sites Eh1 and Eh2 from the existing local plan should be removed.

#### **Part C Inverurie Alternative Sites**

**33:** Allocate the Main Issues Report site G6 for housing.

**261:** Allocate the Main Issues Report site G22 for housing with extensive landscaping.

**383:** Allocate the Main Issues Report site G78 for housing.

**393:** Bus 12 site should be fully reinstated in the plan as it is defined in the Aberdeenshire Local Plan.

**1544:** Bus 12 should be fully reinstated in the Plan.

**394:** If Bus 12 is reduced as proposed, then a small area of the remaining Bus 12 should be allocated for 3 houses.

**436:** Extend site Bus 11 and delete site Bus 7 to compensate.

**1421, 1430:** Allocate F sites as committed M sites for immediate development. Allocate Main Issues Report sites at the current golf course (Ardtannes), Keithhall Estate (to the east), Balhalgardy and Conglass (to north) for housing.

**1470:** Development should take place at the current golf course (Ardtannes) including a primary school in phase 1 and phase 2.

**1444:** Allocate area between P1 and M1 for a care home (Dillyhill).

**1581, 1584, 1585, 1588:** Reinstate the 150 units allocation at Main Issues Report site G148 as Uryside Phase 2.

**1875, 1876:** Site G36 should be developed for housing with a reservation for a new St Andrews School.

**2189,2190,2192,2193,2194,2198,2201,2206,2209,2210:** Keithhall Estate should be identified as protected for community uses and any development proposals removed.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The land allocations in Inverurie are appropriate and sufficient for the purposes of ensuring the Local Development Plan strategy in Inverurie meets the requirements of the Structure Plan's spatial strategy in the Inverurie to Blackburn Strategic Growth Area. They have been made following an extensive assessment and consultation process. All allocations are made with a view to the large scale allocations the Structure Plan has made for the corridor in the period 2024 to 2030.

Further information

Elaboration and justification for the strategy is provided in Issue 34 *Spatial Strategy Inverurie to Blackburn*. For further information on the allocations strategy in this settlement, especially the assessment of alternative sites, reference is made to the Issues and Actions paper ('Issues and Actions', Vol 5, Garioch, page 41, (May 2010), which was produced to inform allocations in the Proposed Plan.

Allocations strategy

As detailed in Issue 34, there are education and transport constraints in the corridor. The allocations for phase 1 focus on Inverurie, utilising spare capacity in Inverurie Academy. The delivery of housing and employment land in the Thainstone/Crichie area is a major objective for development proposed in phase 1. A traffic solution will be delivered at the A96 Thainstone and Port Elphinstone junctions: this will open up the area for development and allow further long term development within the corridor. Mixed use redevelopment is proposed in the town centre. Given the major current traffic constraints in Inverurie town centre, the strategy supports the pursuit of an eastern link road, which will allow development to take place on the east and north sides of Inverurie in Phase 2.

**Part A – Inverurie South  
Site H1**

Deliverability

The support for the site is welcomed. The site is the best available option through which the settlement strategy for the Inverurie to Blackburn corridor can be delivered in Phase 1 of the Plan.

The developer has confirmed the entire allocation will be able to provide an effective 5 year supply of housing beginning delivery in phase 1 of the Plan. The fact that there is one developer and one housebuilder involved in the delivery of the site at this stage eases deliverability.

The preparation of the local development plan is a dynamic process and opinions expressed are a snapshot in time. The allocation does not need to be delivered in its entirety by the end of 2016 in order to comply with the Structure Plan. The Local Development Plan must provide for a minimum of 5 years of effective supply upon the point of adoption of the Plan and maintain this throughout the Plan period. The Structure Plan (paragraph 4.17) states the “*plan provides a generous supply of land for new housing, although we cannot expect all the new homes to be built within the relevant plan period.*” For further information on housing land supply please see Issue 12 ‘*Policy 5 Housing Land Supply*’.

To develop the entire allocation, a new primary school will be required on the site. Port Elphinstone primary school will be operating at 52% in 2016. There are physical limitations to capacity at the primary school, but 150 houses could be built on H1, with children schooled at Port Elphinstone before a new school is required on site H1. Safe access under the A96 will be a key issue that the masterplan for the site has to consider.

The allocation does not fail to comply with Scottish Planning Policy in terms of deliverability on account of the lack of a traffic solution. A deliverable and economically viable solution has been produced by the developer in conjunction with the Council and involving Transport Scotland. Importantly the solution provides for connectivity with a future eastern bypass, should this come to pass.

A Kintore rail station is not required to allow the development of H1 and the surrounding sites. All development in Inverurie is required to contribute to strategic transportation improvements. This is outlined on Table 1 of Schedule 3 of the Plan. The supplementary guidance details that this contribution in Crichton/Thainstone should be directed to a Kintore train station/transport interchange. It is an aspiration of NESTRANS and the Council to deliver a Kintore train station and/or transport interchange at the north of Kintore. It is appropriate for part of the Crichton/Thainstone strategic transport contribution to be directed towards one or both of these projects and such a project would further enhance the connectivity of the sites. It is recognised that a train station at Kintore remains an aspirational project. If this cannot be taken forward then any strategic transport contribution could be used, with contributions from other development sites, to fund a bus based transport interchange on that, or another, site.

Traffic

The development of an eastern bypass is a requirement to allow development to take place in Inverurie in the second and third phases of the Structure Plan. To allow the deliverability of the strategic growth corridor strategy in the first phase Crichton is required only to resolve the transport implications of its own allocation, rather than resolve all issues in the area. However, the transport solution produced since the publication of the Proposed Plan for Crichton/Thainstone also allows for the connectivity of the development area with the eastern bypass. This fits with the longer term strategy for Inverurie. The transport solution does not create more problems for the road network and is economically viable. Transport Scotland has previously made its views on the site clear, but has been involved in the transport solution since the publication of the Proposed Plan. The transport solution would improve the function of the A96 bypass at Inverurie and adheres to Scottish Planning Policy paragraph 174.

In terms of allowing no housing development at the site until the Aberdeen Western Peripheral Route (AWPR) is delivered, if this stance were taken then the structure plan requirements could not be met. The Structure Plan and the Local Development Plan have been developed with full consideration of expected traffic volumes and the impact of the delivery of the project.

Access and Sustainability

The positive comments on the site in terms of accessibility and sustainability and its adherence to the Structure Plan and the Local Development Plan requirements for the site are noted.

The site does require pedestrian connectivity to the remainder of Port Elphinstone. It is agreed that the best way to provide this would be through an underpass or underpasses. At least one of these would be timed to come into operation when houses are ready for occupation. This is a matter of local detail at the masterplan stage.

Alternative bid sites which are closer to the main public transport hub in Inverurie town centre were considered to the east of Inverurie. However, due to existing problems with traffic in the town centre which the allocations would have worsened, these are not considered viable alternative locations for development in phase 1. Instead a number of these sites are allocated in phase 2, by which time it is expected that the feasibility and deliverability of a long term solution will have been determined. Sites to the north-west of Inverurie at Ardtannes and Blackhall Road were also considered, but these would have caused major traffic problems on the A96 which would have been extremely difficult to resolve. Both these issues are discussed under section C '*alternative sites*.' While access to public transport is a major consideration, it would be misguided for the Plan to assume that these new developments will not also generate significant private transport use.

The approach complies with Scottish Planning Policy paragraphs 165 to 170. It balances the need to provide land which makes "best use of existing networks" (paragraph 167), with the need to "consider opportunities and constraints of the programmed capacity of the transport network and sustainable transport objectives" (paragraph 167). In line with paragraph 168, the transport assessment has been carried out of all sites in Inverurie (Dec 2009), and it has identified the cumulative impact of development. In line with paragraph 168, the conclusion is that the allocation of H1 has the least chance of a negative cumulative impact. That study and the transport solution and masterplan developed by the developer show that, although H1 is not as close to the existing transport hub of Inverurie as some other sites, it does not encourage a reliance on the private car for the following reasons:

- *Direct walking and cycling links exist* (to Inverurie and Kintore) and can be improved (through provision of an underpass to Port Elphinstone);
- *Access to public transport networks* (A96 and Port Elphinstone bus links) *would not involve walking more than 400m* (and would be improved further by an underpass);
- *It would improve the capacity of the strategic road network*. By improvement to the A96, and it would also minimise impact on Inverurie town centre and allow for linking with phase 2 allocations); and
- *The transport assessment identifies satisfactory mechanisms for meeting sustainable transport objectives*. The Inverurie Traffic Capacity Study (December 2009) and the developer's transport solution and masterplan show that the site can provide walkable links to the existing settlement as well as the proposed employment area, can utilise existing bus links which are in close proximity, and can support the use of Inverurie train station and development of a Kintore train station.

The topography does not make the site undevelopable. There are steep sloping aspects to the site, but these areas would be likely to make up a significant proportion of the open space requirement. The developable area of the site does occupy a relatively lofty setting. However, within that area the topography plateaus and is capable of producing a walkable neighbourhood of the scale required. The developer has produced an initial development framework which broadly presents how the site will be developed. That document shows that the site can be developed for the full allocation on the currently allocated sites, but could benefit, in design terms, from an extension towards to the west.

This is a matter of local detail and the exact boundary of the site is best addressed in the settlement statement supplementary guidance. The developer's preliminary framework is provided as a supporting document.

#### Landscape and Environment

The woodland will be subject to the Plan's policy '*Safeguarding of resources and areas of search*' and its *Supplementary Guidance Safeguarding 3: Protection and conservation of trees and woodland.*' The impact of the development on the landscape will be subject to the policy on Landscape conservation and its *Supplementary Guidance 1: Landscape Character.* The woodland, the topography and the landscape features, contribute to the area and will add value to the development.

The overall landscape character of the site has been subject to the Local Development Plan's assessment process. The developer has produced a masterplan, which details how the key features of the landscape are to be retained in order to protect its overall quality and its overall composition and quality. This includes the protection of its key topographical areas such as the banks of the Don. The remainder of the site is sufficient to allow the development of the allocation on the site.

The Plan's Strategic Environmental Assessment has not revealed any issue with wildlife which cannot be mitigated. There plan will be subject to *Policy 11 Natural Environment* and *SG Natural Environment 2.* In terms of the protection of prime agricultural land, there is no prime agricultural land on the site.

There is a flood risk on the River Don floodplain, but no development will take place in this area. A flood risk assessment will be required as part of any future planning application.

#### Other

The Inverurie Kintore Capacity Study is a document which informed the assessment of sites in the Local Development Plan. While it presented a collection of useful data and analysis available at its time of its production, it has since been supplemented by a multitude of additional information. One strand which did not feature strongly in the capacity study was the infrastructure needs of Inverurie and the growth corridor. The settlement strategy and allocations have been decided after balancing differing requirements and constraints identified by a variety of sources such as the work of the Future Infrastructure Requirements for Services group, Transport Studies and consultation with communities and statutory consultees.

#### **Site E1**

##### Deliverability

For comments on transport solutions refer to site H1. Key infrastructure, aside from transport, is also required for the sites to reach marketable status in Phase 1 of the Plan.

In terms of deleting the site or moving the allocations at E1, E2, E3, SR1, SR2 to phase 2 in order to prioritise redevelopment at the former paper mill site, this would not support the development strategy in the area. While it is accepted that the Paper Mill sites are ready for development in transport and servicing terms, extensive re-fitting and on-site development of units is likely to be required. As an existing site, the Paper Mill site is already an allocated area for employment development and could come forward for development at any time, delaying or deleting development at E1, E2, E3, SR1, SR2 would not achieve anything.

##### Traffic

For traffic impact on the A96 trunk road and the resolution of this, the transport solution provided for H1 is applicable, please see site H1 'Traffic'.

SR1 should not be allocated prior to site E1 because the transport solution for the Crichtie/Thainstone sites will render the current road access arrangements redundant.

##### Sustainability and Access

The comments in support of the site are noted.



Comments by respondents 2676; 1470, 1507, 1508; 2634; and 2683 are covered in the response to H1.

The allocations of land in the Inverurie to Blackburn corridor at E1, E2, E3, SR1, SR2 are a requirement of the Structure Plan and have been allocated according to this (see Section 4 of the Structure Plan and Figure 3 (p14)). There is a need for new employment allocations in the corridor to supplement the considerable brownfield opportunity at the former Paper Mill.

Landscape and Environment

The allocation considered the impact on the landscape as part of the site assessment process. The allocation of the site conforms to Scottish Planning Policy paragraph 127.

The siting of the development has been informed by local landscape character. The developer has produced a masterplan to be further developed, which shows how the design of the site will minimise the landscape impact. The allocation conforms to Structure Plan page 19, as the site has been chosen to ensure the development will not lead to the decline of natural and cultural assets. This will be ensured through the application of the plan's policies which are consistent with the structure plan. The development of the site will be subject to the Policy 8 *Layout Siting and Design* and Policy 12 *Landscape Conservation* to ensure that the negative impacts of development are mitigated. Although employment development will alter the landscape, the landscape is not of such importance that it should be protected from any sort of development. Instead, thoughtfully laid out and designed development will be required on the site in adherence with the Development Framework and Masterplan which will guide development.

**Site E2**

General support for the site is noted.

Deliverability

Comments on the deliverability of transport solutions are covered in site H1 'Traffic' and the deliverability of infrastructure is covered in E1 'Deliverability'.

Traffic

A transport solution to allow the site to be developed with the wider Thainstone/Crichie allocations has been provided (see H1 traffic). Congestion levels will be improved by this. There will be an impact on neighbouring properties, but this is an inevitable if unfortunate consequence of development. However, it will be minimised at the design stage through adherence to the Layout Siting and Design Policy as well as national standards.

Sustainability and Access

For a response to the preference to brownfield development at the paper mill, see E1. In terms of the need to allocate employment land in a greater range of sites, the Thainstone/Crichie site is purposefully large as it will allow development to take place at a strategically important location in line with Scottish Planning Policy paragraph 165 and 167. The critical mass of development will aid the delivery of a transport solution for the area which will further improve its accessibility in line with paragraph 168 of Scottish Planning Policy. Employment land is best allocated strategically rather than over a multitude of sites which can create unforeseen cumulative impacts. A balance in distribution of employment land has to be struck and there are also new employment sites allocated in on M1 and M2 Inverurie. In addition to this employment land is allocated at M1 Kintore.

Landscape and the Environment

E2 and SR1 are located close to Thainstone House and will have to adhere to the Plan's Policy 8 *Layout Siting and Design* and Policy 13 *Protecting, improving and conserving the historic environment*. The sites can be developed to minimise any impact to the setting of the house. The woodland will be subject to the Plan's policy '*Safeguarding of resources and areas of search*' and its *Supplementary Guidance Safeguarding 3: Protection and conservation of trees and woodland*.' The woodland contributes to the character of the area and it should be incorporated within the design, adding value to the development.

Other

On neighbour notification see Schedule 4 'Plan Process'. The property in question did not fall within the notifiable area for neighbours. Landowners do not require notification as part of the Plan process.

**Site E3**

The comments of general support for the allocations and the change required are noted.

For traffic impact on the A96 trunk road and the resolution of this, the transport solution provided for H1 is applicable, please see site H1 'Traffic'.

The numerous comments stating that the site is not suitable for development due to landscape, biodiversity and amenity issues are noted as are the responses on operational needs at the site. The proposed solution which would involve the relocation of the development site to the area which adjoins the south end of the Thainstone centre (former Main Issues Report site G75) could be appropriate in this case. This would minimise the potential landscape impact of the development and satisfy the operational needs of the development. The view of the Council is that the current allocation is appropriate and sufficient, but it is not an option without its problems. There would be potential issues with the pipeline constraint and there is a doubt over the ability of the SR2 site to be accommodated adjacent to the new area. In addition, the combination of both sites could lead to potential coalescence issues with Kintore along the A96 corridor. On the other hand, only re-allocating the E3 site leaves the previously adjacent SR2 site in a state of limbo.

The positive comments in terms of the deliverability of the site are noted. The other comments regarding deliverability of the site and its surrounding allocations have been covered in the E1 and E2 responses. The issues of traffic and the availability of brownfield land at the former Paper Mill have all been covered in the E1 and E2 responses. In terms of the consultation process, this is considered under Issue 1 "Process of plan Development".

**Site SR1**

The general support for the site is noted. Swapping land from SR1 to SR2 to free up land for a reservation for an educational facility is a suggestion which is worthy of further consideration. It would be a positive attribute to the area, especially if linked with the Thainstone Centre. However, the proposal is more speculation than fact and the allocations in the plan do not preclude this use.

For responses on the issue of deliverability, traffic, landscape and environment, as well as sustainability and accessibility issues raised, see response to E1.

Other

On neighbour notification see Issue 1 'Process of Plan development'. The property in question did not fall within the notifiable area for neighbours. Landowners do not require notification as part of the Plan process.

**Site SR2**

The general support for the site is noted. In terms of swapping land from SR1 to SR2, this would require a modification of the plan (see response to SR1). Site SR2 would be affected by a relocation of the E3 site (see response to E3 on this issue).

For comments on the traffic, landscape and environment, sustainability and accessibility, and deliverability issues see response under site E3.

**Part B – Other Proposed Sites**

**Site M1**

Loss of view, light pollution, noise and disruption are unfortunate consequences of development for neighbouring properties, but the purpose of the planning system is to balance community needs with individual impacts. Long term planned growth outweighs local adverse impacts. All can be mitigated

through the Layout, Siting and Design requirements of the plan and the adherence to national standards.

For the response to the potential for delaying allocations on the site until the completion of the Aberdeen Western Peripheral Route, see response to site H1 (Traffic).

## **Site M2**

### General and the rationale for development

The support for the mixed use allocation is noted. There is no firm commitment to a retail facility within the site as it would be inappropriate to allocate such a use without a sufficient analysis of its need and appropriateness. There are alternative locations available for consideration in the strategic growth corridor for large scale retail use, and there would be no benefit in committing the development plan to such a use at this stage. The town centre boundary was not changed to envelop the site. This was partly because it would have prematurely set a precedent of support for a supermarket, but also because the site is intended to be a mixed use development, where retail use is clearly an acceptable component, but not necessarily the primary use.

The benefits of the allocation are noted. The benefit of a comprehensive allocation for the site, through the supplementary guidance in the Plan and a future masterplan, is that it will allow development to take place in a coordinated and structured manner.

The site is a functioning business location, but there are major land users which intend on relocating in the near future from the site. The masterplanned approach is preferred to one of uncoordinated and disparate allocations.

While there is shortage of employment land in the Inverurie area, the settlement strategy for the growth corridor makes major employment allocations at Thainstone/Crichie as well as Kintore. In the interim period while these allocations are being brought up to marketable status it is accepted that there might be a period where the release of employment land for alternative uses should be avoided, but this does not require the removal of this allocation.

In terms of the scope for pedestrian linkages between the site and the town centre, there is already pedestrian connectivity between the two and there is scope for design solutions to improve this, even if this does not involve the direct linkages through the Tesco property.

### Deliverability

It cannot be assumed that because an application has been lodged for 40 units prior to the Plan's adoption there is no intention to develop the remainder in the 5 years following the Plan's adoption.

### Other

In terms of the Plan's Layout Siting and Design Policy, Colony Park would have to be retained until a replacement of equal or greater value is available in a suitable location. Options are being considered for this on at least two locations.

The speed and volume of traffic is not something which is expected to affect neighbouring buildings. Building standards service and the roads authority will have to be satisfied of this prior to development taking place.

## **F sites**

### Traffic

The initial work completed in relation to the eastern link road is welcomed. However, it should be noted that aside from the financial costs of the project there are important landscape and heritage issues which require resolution. The uncertainty of the F sites is due to this. Given that this is a major issue which requires a solution, the Plan takes a realistic view that these phase 2 allocations should be reliant on the guaranteed feasibility of the eastern link road. By the time of preparing the next Plan, if the feasibility study casts doubt on the project, other options elsewhere in the growth corridor will replace the allocation.

The statement from this respondent regarding the opening up of the estate for development is assumed to be in relation to the respondent's previous bid for the wider development of the Keithhall estate for housing and a relocated golf course. This was a bid rejected at the Main Issues Report stage. This is discussed under the 'alternative sites' section of this paper.

A new primary school would be required in the second phase of development in Inverurie, probably in northern section of the F sites. However, a new secondary school would not be required in phase 2 given the settlement strategy. For the rationale behind this, see Issue 35 *Blackburn to Inverurie Strategic Growth Corridor*.

The potential landscape and heritage impacts on Keithhall designed landscape, Keith Hall and the Bass of Inverurie are extremely important, hence the F status of the sites. It is still the view of the Council that this is an important strategic project and that a solution can be arrived at which minimises the impact on these important features while allowing growth to take place. The feasibility study will address this and allow a firm conclusion to be reached in ample time for the preparation of the next Local Development Plan.

#### Deliverability

The F sites are extensive and spread across a number of locations and are considered to be capable of delivering allocations in the second phase subject to the resolution of the link road issue identified above units within the designated phase of development (see 'H1 Deliverability') on each site. The major factor raised by the respondent in terms of deliverability is that this allocation hinges on a deliverable eastern link road. As discussed previously, if the feasibility study concludes that the project is unfeasible, then other sites in the corridor will be considered in time for the next Plan while allowing the maintenance of the minimum 5 year effective supply of housing land across the Housing Market Area.

Despite the respondent's views, the Souterford Road section of the F site is reliant on an Eastern Link Road according to the transport study carried out by the Council "Inverurie Traffic Capacity Study Phase 2" (December 2009). It shows that with due consideration to committed development at Uryside, no new allocations can be made in the area without significant trunk road and congestion issues.

#### Environment and Landscape

The northern section of site F (Conglass and Balhalgardy) would lead to a change in the landscape and a degree of loss of natural beauty, but not of a scale which would rule out development. The site has been assessed through the Plan's site selection process and there are workable solutions. The Plan's Environment, Landscape, and Layout Siting and Design policies would have to be adhered to in order to minimise any problem.

The work carried out detailing how the development of the F sites will minimise the important features of the designed landscape is welcomed.

The Souterford road F allocation is developable as long as the features of the designed landscape are protected and considerate development takes place. However, this does not justify a change in strategy in terms of the scale, scope, and timing of the Souterford Road F site allocation given the traffic constraints which require resolution on the F sites.

Parts of the wider F site are acknowledged to be at risk of flooding, and this has been acknowledged since the F sites were first considered at the Main Issues Report stage. The need for a Flood Risk Assessment will be required of all development. The constrained areas can be avoided and can become part of the open space requirement, leaving more than enough land for the allocated units to be developed.

#### Sustainability and Accessibility

The allocation strategy does not support the allocation of a series of small allocations, including the F sites, and others around Inverurie beginning in phase 1. This would only create an incremental

build up of development resulting in the scenario of critical congestion in the town centre and A96. The strategy followed by the Plan is consistent with Scottish Planning Policy paragraph 168.

It is agreed that there is an imperative to progress an eastern link road in strategic and local terms. However the strategy of the Plan can help deliver this and it does not require the allocation of the F sites in phase 1.

The Souterford Road F site is located within walking distance of the town centre which is the public transport hub of the town. While access to public transport is a major consideration, it would be misguided for the Plan to assume that these new developments will not also generate significant private transport use. This is not a viable strategy in the first phase of the Plan. The problems which would be created by additional development across the River Urie without an eastern link road in place have been discussed under 'H1 Traffic.'

A new academy is best situated in Kintore rather than Inverurie. This issue is covered in Issue 34 *Spatial strategy Inverurie to Blackburn.*

#### Other

The section of the site crossed by the high pressure underground pipelines will be avoided in line with the Health and Safety Executive's guidance. The undevelopable area could form part of the open space contribution.

#### **Site R3**

The site is allocated for a care home and the Council's housing service are actively pursuing the development of the site for that purpose. There is an identified need for a care home in Inverurie. An increased density housing allocation has been made at the nearby M1 site: additional housing allocations are not required in Inverurie. The alternative location for the care home is not suitable; this is referred to in the alternative settlements section.

#### **Site R4**

The site for the potential replacement St Andrews School could be reduced through supplementary guidance if the Council's property service agrees this is necessary. However, this would be refined in order to ensure the practicality and deliverability of the site, not to allow the site to fit with the respondent's plans for the G36 site, which are discussed under alternative sites below.

#### **Site R5**

There is an issue with under-provision of 'park and train ride' parking in Inverurie. The preferred solution to this would be to integrate additional parking on brownfield land adjacent to the planned transport interchange adjacent the train station. At this stage R5 should remain a reservation for Uryside Park. If the need for car parking on R5 arises at a later date, it could be dealt with through an alteration to the supplementary guidance or incorporated into a planning application for the development of the park. Given the timescales that this issue has been progressing, this may be an issue for the 2016 plan.

#### **Existing Sites**

Sites EH1 and EH2 are part of the existing allocated sites forming part of the effective housing land supply. Their removal through the Plan process, to allocate further development to the west of Inverurie, would be inappropriate and counterproductive.

#### **Part C - Alternative Sites**

##### Main Issues Report G6 site (Uryside/Souterford Road)

The site was fully considered in consultation on the Main Issues Report and following widespread community engagement, the Council's conclusion was to exclude it. Photographic evidence of an episode of flooding has been submitted, but the site is located on the River Ury floodplain and a substantial area of the site is still subject to flood risk. The fact that this part of the site did not flood on one particular occasion does not guarantee that it is free of significant flood risk. New allocations across the River Ury are not favoured in the first phase of development due to the traffic issues

outlined previously. The site is not suitable for an F allocation due to the proportion of the site affected by flood risk. There is adjacent developed land in the area at the Souterford Road employment allocation and a small amount of existing housing. However, additional allocation would set a precedent for development along the banks of the River Ury, an area which is best left as a green corridor.

Main Issues Report G22 site (Uryside/Portsdown)

The site was fully considered in consultation on the Main Issues Report and following widespread community engagement, the Council's consideration was to exclude it. According to the respondent, the main benefit of the site is that it could deliver a significant amount of landscaping for the approved B9001- B9170 link road which would be adjacent to the site. Being located to the east of the River Ury, the site could not be allocated in the first phase of the Plan which is when landscaping to reduce the visual impact of the road is required. Landscaping will be required for that project anyway. It would be illogical to allocate a housing site in order to mitigate the landscape impact of the new road.

Site G78

Object to the land being included within site R5. A portion of the land could be developed for housing. A large portion of land is not at risk of flooding: Flood Risk Analysis can prove this. Its allocation could help deliver the R5 park

The site is reserved for a town park in the current local plan and the reservation is to continue in this local development plan. It is stated that the developable portion could help deliver the Uryside park but the park is already to be developed as part of the existing allocations in Uryside and site G78 is entirely covered by the protected area P5 for this park.

Existing Employment site Bus 12 (Souterford Road)

The reduction in the size of the site was fully considered in consultation on the Main Issues Report and following widespread community engagement, the Council's conclusion was to exclude it. Updated information from the Scottish Environmental Protection Agency states that the Bus 12 site is at risk from flooding. The site would require a buffer strip to reduce flood risk which would reduce the developable area of the site. Given that the settlement strategy for Inverurie makes major allocations to the south of Inverurie, the potential benefits of development are outweighed by the constraints on the site. Allocating the site or adjacent sites for housing in lieu of the previous employment allocation is not appropriate as development is constrained by the need for Keithhall link road as well as the flooding issue.

Existing employment site Bus 11

Extending Bus 11 (Thainstone Centre) to the south east within the boundaries of the main issues report site G75 has been discussed above, see site E3.

Existing Employment site Bus 7 (Paper Mill)

It is accepted that the site was once used for landfill. However, the paper mill site, as a whole, is a major redevelopment opportunity. A rise in the value of the land through redevelopment may allow any issues to be overcome. Alternatively, the site could be allocated as informal open space within the masterplan for the redevelopment of the Paper Mill site. For these reasons it is not necessary to remove the allocation. Instead, the site should be considered as part of the wider paper mill redevelopment area.

Main Issues Report Sites G33 (Keithhall Estate) and G32 (Ardtannes –including current Golf Club) (For the response to issues raised on G34 Balhalgardy and Conglass/Inverurie north, see the section on F sites).

The development of the Ardtannes site including current Golf Club (G32) was also ruled out following the Main Issues Report consultation. Given the inability to develop across the River Ury until phase 2, this would have to be a phase 1 allocation. This would entail the relocation of the golf club to the Keithhall Estate. The Inverurie Traffic Capacity Study (December 2009) showed that the development of the golf club for housing would require major development of the A96 including



dualling and a new Don Bridge. This investment would not result in an improvement in town centre congestion. The allocation of housing on the site would not support the development of the Thainstone and Crichtie employment area, as it would require an expensive but separate transport solution of its own. However, the allocation of site H1 for housing, and of E1, E2, E3 and the SR sites at the Thainstone and Paper Mill employment area allows the co-ordinated development of one traffic solution for all these sites. It also takes advantage of existing rail halts, and supports brownfield opportunities in line with Scottish Planning Policy paragraphs 45, 46, 80 and 167. Allocation of G32 could not provide these benefits.

The allocation of G33 (Keithhall Estate) for a relocated golf club and additional housing development would be inappropriate in landscape and historical environment terms. Historic Scotland has made this clear in earlier phases of the development plan process. The site was fully considered in consultation on the Main Issues Report and following widespread community engagement the Council's conclusion was to exclude it. The rationale for the relocation of the golf club to allow housing development to take place on site G32 has been dismissed (see above site G32). For clarity, the reason that the Keithhall estate is still being considered for development of an eastern link road is because it is a matter of strategic importance and there is no alternative site available. There are also F sites on the western boundary of the Keithhall Garden Designed Landscape allocated for housing.

Re-allocation of Keithhall Estate as protected for community uses

Keithhall estate lies outside the Inverurie settlement boundary and as such is protected from development. However, the F sites on the northern boundary of the estate can be developed without damaging the historic value of the estate and the Keithhall link road is considered to be of strategic importance but is subject to a viability study. This is why the plan sets out some areas for potential partial development.

Main Issues Report Site G36 (west of Blackhall Road, Inverurie)

The site was fully considered in consultation on the Main Issues Report and following widespread community engagement, the Council's conclusion was to exclude it. Site G36 was not allocated as the decision was taken to avoid major allocation north of the Port Elphinstone roundabout on the A96. The G36 development would add to congestion at Blackhall roundabout on the A96 and while the developer has stated this will be resolved, there is no clear rationale for why further development to the north-west of Inverurie should take place. There is not a strong rationale for developing the site in Phase 1. In terms of the transport solutions required and their potential integration with the allocations to the south of Port Elphinstone, the same arguments as for the non-allocation of site G32 apply.

It is suggested that the site should be allocated due to concern over the deliverability of the F sites. The only deliverability concern with the F sites is the feasibility of the eastern link road. The allocation of G36 to replace or supplement these sites in phase 2 is not necessary at this stage. Such an option would only be considered at the time to of the production of the next Local Development Plan after the results of the feasibility study are available.

Main Issues Report G148 site (Uryside)

The site was fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement. This site was originally intended to compensate for the loss of land to the developer through the allocation of a site for a primary school on the existing Uryside housing allocation. However, when that allocation of the school was made on another developer's land the necessity for the site was eliminated. The settlement strategy for Inverurie does not propose any new allocations in Uryside in phase 1 due to traffic congestion in the town centre and the trunk road which allocations will worsen. This has been discussed under the F site section. The 150 units allocation is considered to be more suitable at the H1 site.

Care home site Dillyhill

The site was not proposed at any previous stage so there has been no site assessment or public debate on the site. This is not a suitable site for a care home. It is located on a sloping site and is

relatively isolated. There is a better alternative which is identified in the Plan for this purpose at site R3.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Part A – Inverurie South**

Site H1

1. The Crichton development is identified as one of the main development opportunities in the spatial strategy for the Inverurie-Blackburn Strategic Growth Area. However, a number of respondents question the deliverability of site H1 in the timeframe suggested. Some respondents suggest that the site should be removed from the proposed Plan altogether since its development will contribute nothing to an Eastern Bypass, which is considered essential to enable housing development to take place in Inverurie beyond 2016. Others question the sustainability of the location, being dependent on the private car and distant from the train station. More site specific objections relate to the visual and landscape impact of any new development in this location, the loss of woodland and the effect on wildlife.
2. The deliverability of site H1 requires the provision of a grade separated interchange (GSI) on the A96 and the removal of the Thainstone and Port Elphinstone roundabouts. A preliminary layout for the GSI has been agreed in principle by Transport Scotland but further detailed design is required to ensure that the proposal complies fully with the Design Manual for Roads and Bridges (DMRB). It has been designed to serve all sites in phase 1 of the proposed Plan and allow for the potential future development of the 'F' sites via the Eastern Bypass, should this option progress in phase 2. A number of mechanisms are available for the delivery of the GSI, requiring developer contributions from all phase 1 sites. The prospective developers of site H1 are confident that the GSI can be delivered by 2016.
3. Transport Scotland has not yet taken a view on the scale of short term detriment to the trunk road network that it would be prepared to accept in support of the structure plan strategy and the long term remediation of congestion at this location on the A96. If Transport Scotland accepts some detriment to the trunk road network in the short term, this would allow the capital raised from an initial phase of the development of site H1 to assist the funding of the GSI.
4. According to the prospective developers, 300 houses could be constructed in advance of the completion of the GSI without having an unacceptable impact on the trunk road network. With a start in Spring 2013, and an assumed building rate of 100 units per annum, this number of houses could be constructed by December 2016. The council points out that the H1 allocation does not need to be delivered in its entirety by the end of 2016 in order to comply with the structure plan. The full allocation would constitute an effective supply of housing land on completion of the GSI.
5. Although the majority of the land required for the GSI is on land provided by the prospective developer of site H1, or in the council's control, at least two other landowners would be involved in the project. Based on the representations heard at the hearing into this issue, there is no guarantee that the agreement of all landholders will be forthcoming. The required STAG appraisal, possible compulsory purchase order and the necessary consents could take two years before site acquisition was completed with a possible three years for construction. Nevertheless, the council considers that completion of the GSI by the end of 2016 is achievable.
6. The developers of the employment hub at Thainstone, who own land required for the GSI, question whether the Thainstone allocations require the construction of the GSI. The proposed GSI would result in a more circuitous access to the Mart area and the operators contend that the closure of the Thainstone roundabout would blight the Mart area. It is suggested that sites E2, E3, the

southern part of SR1 and SR2 can be accessed satisfactorily from an improved Thainstone roundabout. Options include widening the roundabout to three lanes and introducing traffic signals. The council acknowledges that there is some spare capacity at this junction following the demise of the paper mill. However, queuing at this junction is acute and further employment land development is not possible without substantial improvements to the roundabout. The GSI would provide a far better access to this employment hub.

7. The prospective developers of the 'F' sites fundamentally disagree with the council's preference for development west of the A96, which is dependent on a GSI, rather than the construction of an Eastern Bypass (the Keith Hall Link Road) and development of the 'F' sites. They consider that the Eastern Bypass should be advanced as soon as possible. In this respect, reference is made to the SIAS transport modelling reports, particularly SIAS Report 73273, which indicates that there is little difference in network wide comparisons, for the full phase 1 developments, between the at-grade mitigation measures (widening of Port Elphinstone and Thainstone roundabouts to three lanes and partial signalisation) and the GSI measures, combined with the Eastern Bypass. Although the GSI option benefits traffic movement around the A96 area, the Eastern Bypass provides more benefits for Inverurie town centre. On this basis, the prospective developers of the 'F' sites consider that it is uneconomic and illogical to proceed with the GSI. They consider that the at-grade roundabout improvements should be progressed in the short term, whilst pursuing the implementation of the Eastern Bypass, which could provide for the long term road network requirements of Inverurie without the need for a GSI. This option would significantly reduce the road infrastructure funding requirements.

8. It is generally accepted that the Eastern Bypass cannot be provided until at least 2016. The indicative route for this road passes through the Keith Hall Estate, located to the east of Inverurie. As discussed in relation to Issue 34, Keith Hall is included in the Inventory of Gardens and Designed Landscapes in Scotland in recognition of its national importance. It also forms the setting for the Category A listed Keith Hall. On the western fringe of the designed landscape is the Bass of Inverurie motte and bailey castle, one of the best preserved of its type in Scotland. It is designated a scheduled monument. The proposed Eastern Bypass would effectively divorce the house and landscape from its river setting. Consequently, this proposed road has the potential to result in significant adverse impacts on the Keith Hall designed landscape contrary to Scottish Planning Policy. Accordingly, The 'F' sites, which are dependent on the Eastern Bypass for their delivery, are not a realistic alternative to the Crichton development in terms of meeting the housing requirement for phase 1 of the proposed Plan and, unless the Keith Hall designed landscape issue is resolved, there must be serious doubts as to whether the 'F' sites can contribute to meeting the structure plan housing allowance for phase 2 of the proposed Plan.

9. Taking all these matters into account, it is clear that the proposed GSI is the only realistic transport solution that will deliver the phase 1 allocations. It will open up the Crichton Farm site for development and will provide improved access to the employment hub at Thainstone. The proposed GSI will result in a material improvement to traffic flows through a congested area of the A96 and will provide the longer-term potential for connections to the Eastern Bypass, should this option be progressed. However, there is considerable uncertainty over the timing of the completion of the proposed GSI and it is considered most unlikely that site H1 will contribute 737 houses to the structure plan housing land requirement for phase 1 of the Plan period.

10. In assessing the contribution that site H1 is likely to make during phase 1, the scale of development possible prior to the completion of the GSI is an important consideration. The prospective developers consider that 300 houses could be constructed without unacceptable detriment to the trunk road network but Transport Scotland has yet to take a view on this. Consequently, it is considered that this is the maximum number of houses that could realistically be delivered before 2016, and there is no certainty that this scale of development will be found acceptable by Transport Scotland. Primary school pupils from an additional 300 houses could be accommodated at existing schools but a new primary school on the site would be required for its full development. Secondary school provision does not constitute a constraint to the full development of site H1.

11. In relation to the sustainability of the location, site H1 forms part of a mixed use proposal that also includes 15.5 hectares of employment land, a new primary school, retail and community facilities. The initial development framework demonstrates how the development would function as a neighbourhood extension of Inverurie with its own services, facilities and employment uses to reduce the requirement for travel. Although site H1 is not as accessible by public transport as some other sites, the transport assessment shows that the site can provide walkable links to the existing settlement and the employment areas, can utilise existing bus links which are in close proximity and can support the use of Inverurie train station and the development of a Kintore train station.

12. In relation to landscape and environmental impacts, the initial development framework demonstrates how the key features of the landscape are to be retained. A masterplan is required to ensure that the detailed planning of the site complies with the appropriate policies of the proposed Plan.

13. It is concluded, therefore, that site H1 should be retained in the proposed Plan but that the allocation of 737 housing units should be split between phases 1 & 2, with 300 houses contributing to the phase 1 requirement and 430 houses contributing to the phase 2 requirement. As a consequence, it is considered desirable to examine alternative locations for the allocation of the additional 430 houses required to ensure that the proposed Plan provides a suitable range and choice of housing sites in the Inverurie-Blackburn SGA in phase 1 of the Plan.

#### Site E1/SR1

14. Site E1 and the northern part of SR1 are under the control of the prospective developer of site H1. Site E1 forms part of the package of proposals that comprises 15.5 hectares of employment land, 737 houses, a new primary school, retail and community facilities. As discussed above, any development in this location is dependent on the transportation mitigation measures required by Transport Scotland which involve the removal of both the Port Elphinstone and Thainstone roundabouts and their replacement with a single grade separated interchange. There are doubts about the timescale for the deliverability of the GSI. However, site E1 is allocated for development over the whole plan period and any delay in the implementation of the transportation mitigation measures is less critical to this aspect of the spatial strategy for the Inverurie-Blackburn SGA.

15. The southern part of site SR1 is in the control of the owner of sites E2 and E3/SR2. The landowners of this site have suggested that the site be reserved for the potential relocation of the Scottish Agricultural College or similar education facility and that site SR2 be extended to compensate for the loss of this land. However, whilst the council considers this suggestion worthy of consideration, there is little substance to this proposal at present and the employment allocation at SR1 would not preclude such a development on part of the site. Access to the southern part of site SR1 is technically possible from the Thainstone roundabout but Transport Scotland has intimated that, in order to accommodate development on the sites at Crichton and Thainstone, a GSI is required to replace both the Port Elphinstone and Thainstone roundabouts. Site SR1 forms part of the strategic reserve of employment land for release post 2023 and any delay in the implementation of the transportation mitigation measures is less critical to this aspect of the spatial strategy for the Inverurie-Blackburn SGA. The intended review of the local development plan will provide the council with the opportunity to reappraise the allocations at Thainstone in the light of the progress made towards delivering the GSI.

16. In relation to the request that the paper mill site be identified as a major development site and sites E1, E2, E3, SR1 and SR2 be deleted from the plan, there is a clear need for new employment allocations in the Inverurie-Blackburn corridor and the allocation of site E1, together with sites E2 and E3, is necessary to meet the requirements of the structure plan. Although the former paper mill site is available for development, extensive refurbishment of existing buildings is required to deliver business units. The redevelopment potential of this site is recognised by the council, subject to the preparation of a masterplan for the site. The delivery of this redevelopment project is unlikely to be affected by the identification of new employment land at Crichton (E1/SR1) and Thainstone (E2 and E3/SR2)

17. Concerns have been raised regarding the landscape impact of the development of site SR1, which occupies steeply rising ground overlooking the A96. A development framework for the Crichtie area (sites H1, E1 and the northern part of SR1) is being prepared to ensure that the development has a minimum impact on the area's natural and cultural assets. Development of the southern part of site SR1 would be subject to the appropriate policies of the proposed Plan; policies 8 & 12, to ensure that any adverse impacts of the development on the landscape and on the setting of Thainstone House Hotel, a listed building, are mitigated.

Site E2

18. Site E2 is allocated for high-quality business use. It comprises a small field located to the north of Government Offices, which adjoins the drive to Thainstone House Hotel, a listed building. There is no doubt that the development of this site would encroach visually on the approach to the hotel and its setting. However, any development would be subject to the appropriate policies of the proposed Plan relating to layout, siting and design; and conserving the historic environment, in order to minimise any impact on the setting of the hotel.

Site E3/SR2

19. The spatial strategy identifies the creation of an employment hub at Thainstone as one of the main aims of the Plan. The landowners of sites E3 and SR2 request that the E3 allocation be relocated to the south of the existing development and that the land allocated E3 in the plan be included in the strategic reserve SR2. This would compensate for the area lost from site SR1 for a potential agricultural education facility. The landowners of site G75, which is located to the south of the existing Mart, have requested that this site be allocated for employment use as an extension to the existing development. The net result of these requests would be that the whole area between the Thainstone access road and Clovenstone Road, almost as far west as Camiestone Croft and Clovenstone Farm, would be allocated for employment uses. This would constitute a significant concentration of employment land.

20. The plan allocates site E3 for development in the period 2007-2023 but site SR2 is held in reserve for the post 2023 period. The main constraint on any development at this location is the access to the A96 and, as discussed in relation to the spatial strategy for the Inverurie-Blackburn SGA, Transport Scotland has indicated that the phase 1 developments (H1, E1, E2 & E3) could be accommodated on the A96 subject to the removal of both the Port Elphinstone and Thainstone roundabouts and their replacement with a single grade separated interchange. Whilst a preliminary layout indicates that a GSI can be accommodated between these existing roundabouts, further detailed design is required to ensure that it fully complies with DMRB. Furthermore, there are land ownership issues and various concerns have been expressed regarding the timing of this road improvement.

21. No specific testing has been undertaken of individual developments going ahead at Thainstone in advance of developments at Crichtie (sites H1 & E1). The landowners of the Thainstone allocations suggest that it would be possible to serve sites E2, E3 and SR2 without the need for a GSI subject to capacity enhancement at the Thainstone junction, which could include flaring the entries, widening the circulatory carriageway and installing signals. However, such measures would not fundamentally address concerns about accessing Inverurie from the trunk road, which focus on the Port Elphinstone roundabout, nor the provision of access to the preferred housing site H1. Furthermore, the alternative to a GSI on the A96; improvements to the at-grade roundabouts at Thainstone and Port Elphinstone, requires the provision of the Eastern Bypass. As discussed in relation to Issue 34, the feasibility of an Eastern Bypass (Keith Hall Link Road) is by no means certain. Consequently, at-grade improvements at Thainstone and at other roundabouts on the A96 may not, in themselves, satisfy the requirement to provide satisfactory access to new development and, at the same time, resolve the transportation issues associated with congestion in and around Inverurie.

22. The council acknowledges that there is some spare capacity at the Thainstone roundabout following the demise of the paper mill. However, queuing at this junction is acute and further employment land development requires substantial improvements to the roundabout. Until such



time as a firm decision has been made on the proposed GSI or further investigations show that upgrading of the existing Thainstone roundabout is a practicable alternative, it would be premature to allocate additional employment land at Thainstone. The intended review of the local development plan will provide the council with the opportunity to reappraise the allocations at Thainstone in the light of the progress made towards delivering the GSI or, conversely, the results of any further investigations into the capacity of the existing Thainstone roundabout to accommodate additional development prior to the construction of the Eastern Bypass.

23. The proposed allocations have resulted in a wide range of objections relating to the loss of amenity, landscape impact and effect on biodiversity. These are all matters that would require to be considered in the detailed masterplanning of this area.

## **Part B – Other Proposed Sites**

### 'F' sites

24. The Proposed Plan proposes 850 houses on 'F' sites, including Souterford Road and Lofthillock. The allocation of 500 houses in the Balhalgardy/Conglass area to phase 2 is significantly smaller than the capacity of the whole site, which could make a significant contribution to the housing land requirement for the period post 2023. As demonstrated by the various traffic modelling studies, development of the Balhalgardy/Conglass area requires the provision of an Eastern Bypass. As indicated in relation to the spatial strategy for the Inverurie-Blackburn SGA (Issue 34), Transport Scotland considers that the provision of the Eastern Bypass (Keith Hall Link Road) is critical to support the delivery of the 'F' sites.

25. The Eastern Bypass, which would involve a bridge crossing of the River Don, is likely to cost around £30 million according to a preliminary study and the feasibility of this road is by no means certain. Although some 90% of the route is in the control of the prospective developers of the 'F' sites, other landholdings are involved. The proposed bypass has been subject to objection from Historic Scotland due to the potential impact on the Keith Hall designed landscape (see also Issue 34). As discussed in relation to Issue 34, Keith Hall is included in the Inventory of Gardens and Designed Landscapes in Scotland in recognition of its national importance. It also forms the setting for the Category A listed Keith Hall. On the western fringe of the designed landscape is the Bass of Inverurie, motte and bailey castle, one of the best preserved of its type in Scotland. It is designated a scheduled monument. The proposed bypass would effectively divorce the house and landscape from its river setting. Consequently, the proposed Eastern Bypass has the potential to result in significant adverse impacts on the Keith Hall designed landscape contrary to Scottish Planning Policy.

26. It is generally accepted that the Eastern Bypass could not be provided until at least 2016 and, consequently, there is little prospect of the 'F' sites at Balhalgardy and Conglass becoming effective in phase 1 of the proposed Plan. Indeed, there must be some doubt as to whether these sites can contribute to meeting the structure plan housing allowance for phase 2 of the Plan. Furthermore, as a result of the likely delay in the delivery of house units at Crichton, there is a reduced requirement for housing land at Balhalgardy and Conglass in phase 2. The delay in the phasing of the 'F' sites will provide time for the feasibility of the Eastern Bypass to be further explored and the intended review of the local development plan will provide the opportunity to reassess the contribution that the 'F' sites can make to phase 2 of the proposed Plan and towards the housing requirement for the post 2023 period.

27. Limited development would be possible on the 'F' sites at Balhalgardy and Conglass in advance of the construction of the Eastern Bypass. The AECOM transport assessments indicate that 300 houses at Balhalgardy and Conglass could be part of an alternative to the Crichton phase 1 housing allocation. This would require improvements to the Blackhall Road roundabout and other "downstream" A96 junction improvements. However, in addition to the road infrastructure issues, existing primary schools in the area would be unable to accommodate the development. This would be resolved with the new school proposed at Uryside but, as indicated below, it is considered that Uryside/Portstown is best placed to accommodate the alternative phase 1 allocation required as a result of the likely delay in the delivery of the GSI and Crichton site H1.



28. It is anticipated that the 'F' sites at Souterford Road and Lofthillock will deliver some 350 of the 850 houses allocated to phase 2 of the proposed Plan, if the transport infrastructure and education constraints can be overcome. The Souterford Road site is on the route of the proposed Eastern Bypass and could deliver a 700m section of this road. However, as previously discussed, until there is confidence that an Eastern Bypass can be delivered, development at this location must remain an aspiration.

29. The prospective developer of Souterford Road has suggested that a development of around 300 houses, plus a school, could be accommodated on the site in advance of the completion of the Eastern Bypass because the location of the development close to the town centre and the train station minimises reliance on the private car. However, road traffic issues associated with town centre congestion, as well as trunk road impacts, are complex. As indicated below, it is considered that Uryside/Portstown, which would deliver the Northern Link Road and other transportation mitigation measures, as well as a new primary school, is best placed to accommodate the alternative phase 1 allocation sought as a result of the likely delay in the delivery of the GSI and Crichton site H1.

#### Site M1

30. Site M1 is allocated for mixed uses including up to 80 houses in phase 1 of the proposed Plan, of which 35 houses are carried forward from the adopted local plan (site fh2), and 1.7 hectares of employment land (site EmpH in the adopted local plan). Planning permission has been granted for a new care home on this site, reducing the size of the site available for housing and employment uses to 4.37 hectares. If an area amounting to 1.7 hectares is retained for employment uses, the remaining 2.7 hectares would accommodate only 58 houses at the density required by the structure plan and also accommodating 40% open space. Conversely, if the allocation of 80 houses is retained, the land available for employment uses would be reduced to 0.77 hectares. In this respect, attention is drawn to the consideration of site R3 below, a site reserved for a care home in the proposed Plan, which concludes that site R3 would be an appropriate location for the housing element displaced from site M1 by the relocation of the care home. On this basis, site M1 would continue as a mixed use site for 58 houses, 1.7 hectares of employment land and a care home.

31. The issues raised in relation to the loss of view, light pollution, noise and disruption are matters to be considered in the preparation of the masterplan for the site. The proposed development will be required to comply with the layout, siting and design requirements of the proposed Plan in order to mitigate any adverse impacts. There are no grounds for delaying the development of this site until the Aberdeen Western Peripheral Route (AWPR) is opened.

#### Site M2

32. This area is allocated for up to 150 houses in phase 1 of the proposed Plan, employment uses, community facilities and a variety of retail uses, including a potential edge of town centre retail facility. The southern part of M2, which is occupied by a new supermarket and the locomotive works redevelopment area, is included within the town centre to which policy 2 applies. The northern part, which includes a range of employment uses, day centre, recreation ground and football ground, lies outwith the designated town centre.

33. Objections have been received in relation to the failure to include the whole of site M2 within the designated town centre and the failure to make a firm commitment to a retail facility on the site. Representations have also been received requesting that the northern part of site M1 be included in Bus2 to reflect the existing businesses in the industrial park. It is also requested that the town centre boundary be amended to follow the northern boundary of the Tesco store site and exclude the locomotive works redevelopment area. Another representation questions the need for a further foodstore in the area.

34. The council recognises that the site is a functioning business location but there are major land users who intend to relocate from the area in the near future. Consequently, little would be gained by separately identifying the disparate land uses within this mixed-use area in the proposed Plan. The council also points out there is no firm commitment to an additional retail facility within this area.

Any proposals that might affect Colony Park would be the subject of detailed consideration through the masterplanning process. As regards the town centre boundary, this is unchanged from the adopted local plan.

35. Representations have been received requesting that the housing proposed for site M2 be phased over two phases and that 100 houses be reallocated to site M1 in Kintore in phase 1 of the proposed Plan. The timescale for the development of site M1 at Kintore is considered under Issue 36 where it is concluded that the constraints imposed by education provision and the requirement for road infrastructure improvements suggest that it is most unlikely that site M1 will be effective as a housing site before 2017. On this basis, there are no grounds for changing the phasing of site M2 at Inverurie and reducing the phase 1 allocation.

#### Site R3

36. In the proposed Plan, site R3 is reserved for a care home to replace the existing Blythewood Care Home. The prospective developer of the site has requested that it be allocated for up to 27 houses, with associated open space and SUDS features. As indicated in paragraph 30 above, planning permission has been granted for a new care home on site M1 to the south of Conglass Cottage. Consequently, the council is content for site R3, which measures 1.9 hectares, to be reallocated as a replacement for the loss of land from the M1 site to the care home.

37. The council's preference, due to the potential loss of amenity caused by the proximity of the railway line, is for site R3 to be allocated for business use with the remainder of site M1 being identified as a housing only site. The council acknowledges, however, that an allocation for up to 40 houses (at the density required by the structure plan) would be likely to be the landowner's choice. Site R3 is bounded by housing to east and west and, notwithstanding the proximity of the railway line which also bounds the housing development to the east, the site was previously considered suitable for a care home. On balance it is considered that the respondent's request should be acceded to and that site R3 should be reallocated for housing. The council agrees that there is no reason to defer the development of the site to phase 2; or include in the 'F' site, as the combined impacts of the development of sites M1 and R3 have been assessed and are unchanged.

#### Site R4

38. This site is reserved for the potential replacement of St. Andrews School. The prospective developers of the adjoining bid site G36 do not object to the principle of this allocation but question the size of the site. This would be a matter to consider in the overall masterplanning of this area should the adjoining site be allocated for housing, a matter that is considered under the heading 'alternative sites'.

#### Site R5

39. Site R5 is reserved for the development of Uryside Park on the flood plain of the River Urie. The provision of car parking related to the 'park and ride' facility at Inverurie Station is a matter that could be dealt with in the detailed planning of this park.

#### Existing sites (EH1 & EH2)

40. Sites EH1 and EH2 are allocated in the adopted local plan and form part of the effective housing supply. They do not constitute proposals in the proposed Plan and their removal is not a matter for this examination.

### **Part C – Alternative sites**

#### Site G94 (Balhalgardy and Conglass)

41. The prospective developers have requested that the uncertain 'F' status of Balhalgardy and Conglass should be replaced with positive allocations. As indicated in paragraphs 24-26 above, the development of this area requires the provision of an Eastern Bypass, which is not expected to be completed before 2016 at the earliest. Indeed, there is some doubt as to whether an Eastern Bypass is a realistic possibility at all and a positive allocation would be premature until such time as there is more certainty about the prospects for this bypass. The intended review of the local development plan will provide the opportunity to reassess the contribution that the 'F' sites can make

to phases 2 & 3 of the structure plan housing requirements. As intimated in paragraph 27 above, limited development would be possible on the 'F' sites at Balhalgardy and Conglass in advance of the construction of the Eastern Bypass but it is considered that Uryside/Portstown is best placed to accommodate the phase 1 housing reallocated from Crichton site H1.

Site G22/G84 (Collyhill Farm)

42. This site lies to the north of the proposed northern link road that connects the B9170 and the B9001 and forms the northern boundary of the Uryside/Portstown development. The respondent suggests that allocation of the site for housing would facilitate major landscaping to minimise the impact of the new road. A decision on the planning application for this road link is pending, subject to the submission of additional information on design and landscaping details. It is understood that no additional land is required for landscaping purposes. Subject to the proposed modifications to the housing allocations in Inverurie, the structure plan housing allowance for the Inverurie-Blackburn SGA has been met. The intended review of the local development plan would provide the opportunity to reappraise this site.

Site G78

43. The respondent requests that site G78 be excluded from reservation R5 and allocated for residential development. Reservation R5 (the designation of the Town Park) is a continuation from the adopted local plan. A substantial proportion of site G78 is subject to flooding and a flood risk assessment would be required. Furthermore, housing development on that part of the site identified as being outwith the flood risk area would be somewhat isolated from the rest of the built-up area at Uryside/Portstown. Subject to the proposed modifications to the housing allocations in Inverurie, the structure plan housing allowance for the Inverurie-Blackburn SGA has been met. The intended review of the local development plan would provide the opportunity to reappraise this site.

Uryside/Portstown (including site G148)

44. Representations have been received on behalf of the developers of the Uryside/Portstown area that the proposals for this area in the proposed Plan should comply with the Uryside Development Framework. More specifically, these representations relate to the north-east section of the development, which borders on the proposed northern link road, and on site G148. For the avoidance of doubt, although representation 271 was not attributed to Issue 35 by the council (only to Issue 5), this representation clearly relates to housing land allocations at Uryside. The deliverability of additional housing at Uryside was examined at the hearing held in Inverurie in September 2011, at which all relevant parties had the opportunity to discuss what scale of housing could be achieved by 2016, the nature of infrastructure constraints to development and the timescale for overcoming any infrastructure constraints.

45. That part of site G148 located to the north-east of site EH1 is identified in the main issues report (MIR) as a preferred site for an additional 150 houses. According to the council, the site was originally intended to compensate for the loss of land within the existing development (site EH1) identified for a primary school. However, when the allocation was transferred to another developer's land (site R1), the necessity for this extension to site EH1 was eliminated.

46. The request to include this part of site G148 in the proposed Plan has been considered in relation to the overall development of the Uryside/Portstown area. The adopted local plan, adopted in June 2006, identifies land at Uryside and Portstown for housing (site C - 233 houses; site fh1 - 465 houses) and for low density, high quality business park development (site EmpF). Concurrently, with the preparation of the adopted local plan, a development framework for the Uryside/Portstown area was prepared on behalf of the council. This framework was approved in November 2006 and has influenced the planning and development of this area to date.

47. The development framework indicated that the area could accommodate some 1,150 residential units, together with employment and community uses, including a new primary school. It was also based on the relocation, for landscape reasons, of the northern link road further north than the line shown in the adopted local plan. The proposed Plan does not reflect the changes resulting from the adoption of the development framework. In support of its position, the council points out that the

Uryside Development Framework is supplementary planning guidance approved by the Garioch Area Committee. It was not endorsed by the Infrastructure Services Committee, the policy committee of Aberdeenshire Council. It does not substitute for the adopted local plan.

48. In supplementary guidance, two housing sites are shown at Uryside/Portstown (EH1 and EH2) with a joint capacity of 640 houses. Four planning applications have been submitted for housing at Uryside/Portstown, which propose a total of 1071 units, 430 units above the existing allocations. The council acknowledges that this is broadly within the scale of allocation suggested by the Uryside Development Framework. According to the prospective developers, it is imperative that approximately 1,100 units come forward to deliver the infrastructure required by the council. These include the construction of the northern link road, improvements to Howford Bridge, improvements at the Blackhall Road and Port Elphinstone roundabouts, and the provision of land and financial contributions towards a new primary school. The agreed package of transport mitigation measures can be fully funded by the Uryside/Portstown proposals.

49. The Transport Assessment submitted in January 2011 demonstrates that the proposed development can be accommodated, with the mitigation measures proposed, without detriment to the trunk road and local road network. This has been agreed by Transport Scotland and Aberdeenshire Council. Neither of the recently refused planning applications for the erection of 611 dwellinghouses and 253 dwellinghouses, respectively (APP/2009/2542 & APP/2008/4145), was refused on traffic grounds and there were no objections from Transport Scotland.

50. The delivery of the northern link road would take through-traffic away from the town centre but other mitigation measures would be required on Burghmuir Drive and in the town centre. According to the prospective developers, they could deliver improvements to the Blackhall Road and Port Elphinstone roundabouts, which would involve increasing both roundabouts to three lanes and introducing signalisation. According to the council, land ownership at the two roundabouts is very complex and unlikely to be resolved in the short term. The prospective developers believe that this is not an issue and are confident that acceptable traffic solutions can be achieved at both these roundabouts.

51. The council has concerns that the allocation of additional land at Uryside/Portstown could prejudice the provision of the transport infrastructure that is required to release the development of site H1 and the employment land allocations E1, E2 & E3. However, as indicated in the discussion of site H1 above and in the examination of Issue 34, there is considerable uncertainty over the timing of the proposed transportation mitigation measures required to enable the delivery of these phase 1 allocations. It has been concluded above that site H1 is most unlikely to contribute the full complement of 737 housing units in phase 1 of the Plan period irrespective of whether land is allocated elsewhere in Inverurie. Consequently, it is considered that it would be prudent to identify alternative sites to meet the anticipated shortfall in the required housing allocation for the Inverurie-Blackburn SGA.

52. That part of site G148 located to the east of Boynds Farm is acknowledged in the MIR as being appropriate for housing development. The landscape and visual assessment demonstrates that the additional 150 houses can be accommodated within the landscape with negligible impact over and above the existing allocation. The movement of the northern link road northwards has redefined the northern boundary of the Portstown development and increased the extent of the developable area beyond the northern boundary of the Bus1 site shown in SG. The route of the northern link road now reflects the position shown in the Uryside Development Framework. The area stretching north of site EH2 in SG to the northern link road is identified for a mix of uses in the development framework and would have the capacity for the scale of residential development suggested by the prospective developer, together with business and community uses. In the light of the uncertainty over the delivery of site H1 (Crichie) during phase 1 of the Plan, it is considered that serious consideration should be given to allocating this site for a mix of uses, including business and commercial uses and some 250 houses.

53. The Uryside/Portstown development is, undoubtedly, perfectly placed to meet any shortfall in



the required housing allocation. The council has signalled its willingness to approve an additional 207 house units on sites EH1 and EH2. Planning permission for the whole Uryside/Portstown development could be forthcoming by the end of 2012. On this basis, the prospective developers envisage that, commencing in 2013, the development could deliver some 600 units by the end of 2016 (150 houses per annum). The planning gain package has been based on the numbers of houses proposed in the development framework. Reducing the numbers as proposed in the proposed Plan, could undermine the delivery of this package.

54. In relation to education provision, the planning gain package includes delivering the land for a new primary school and contributing funds towards the construction of the school. The new school would have a capacity for some 450 pupils and would accommodate the projected surplus at the Market Place Primary School and allow its rationalisation. There is no funding for the school in the council's current capital programme. Inverurie Academy has capacity to accommodate existing commitments and development proposed in phase 1 of the proposed Plan, whether it be at Crichtie or Uryside/Portstown.

55. Although there may be some unresolved issues in relation to the delivery of the improvements required to the Blackhall Road and Port Elphinstone roundabouts to facilitate the Uryside/Portstown development, the mitigation measures required are far less complex than those required to deliver the Crichtie proposals. These improvements would serve as an interim measure to enable housing to come forward in phase 1 of the proposed Plan pending the delivery of the mitigation measures required to deliver site H1 in its entirety and the associated employment allocations. It is not accepted that allocating additional housing sites for 400 houses at Uryside/Portstown and undertaking the transport mitigation measures required, in order to meet the housing requirement for phase 1 of the proposed Plan, would undermine the fundamental aim of the long term strategy for Inverurie to develop a major extension at Crichtie and an employment hub at Thainstone. Indeed, the assessments carried out in relation to the release of land at Crichtie and other locations assume the provision of the northern link road and other road improvements, which will only be delivered as part of the Uryside/Portstown development.

Site G33 (Keithhall)

56. As previously discussed, until there is confidence that an Eastern Bypass can be provided, any housing development at Souterford Road and Lofthillock must remain an aspiration. Both these sites are on the northern boundary of the Keith Hall Estate and are contained within substantial tree belts. They are described by the council as 'future options' and any development on these sites would be conditional upon the preparation of a masterplan and compliance with appropriate Plan policies. As regards the development bid for approximately 700 houses, an 18 hole golf course and possible future housing in the Keith Hall Estate itself, Historic Scotland has made it clear at earlier stages of the local development plan process that such a development would be inappropriate in landscape and historical environment terms. The rationale for the relocation of the golf club from Ardtannes cannot be substantiated (see below).

Site G32 (Ardtannes)

57. The development of the Ardtannes site would entail the relocation of the current golf course to the Keith Hall Estate. Development of the scale envisaged would require substantial roads infrastructure. The existing roundabouts at Blackhall Road and Port Elphinstone, even with the improvements required in relation to developments at Uryside/Portstown, would not accommodate significant development on site G32. Access through the adjacent Blackhall Road site would be likely to require a grade separated interchange at the Blackhall Road roundabout and this is unlikely to be achieved because of the proximity of development to the trunk road and the need to provide additional lanes on the A96. An additional access on the A96 between the Port Elphinstone and Blackhall Road roundabouts is unlikely to be possible due to the proximity of the existing bridge over the River Don and the over bridge from St. James's Place. The prospective developers suggest that perhaps around 100 houses could be constructed using existing access options (St. James's Place). However, there has been no traffic assessment of this option and, furthermore, it would not be appropriate to consider the allocation of part of this site without proper landscape and visual assessment.

Site G36 (Blackhall Road)

58. Site G36 is proposed as an extension to site EH3, which has been carried forward from the adopted local plan with a capacity of 250 house units. The landowners indicate that this site is programmed to be completed by 2018 and there is potential for the development of a further 395 houses on site G36 post 2016. Allocating 350 houses to site G36 equates to a 7-years development at 50 houses per annum. It is suggested that this site would provide a viable alternative to the development of the 'F' sites, the deliverability of which is uncertain. Pupils from approximately 90 houses could be accommodated by Strathburn Primary School but development on the scale proposed would require a new primary school and no site for such a school has been identified. The adjoining site R4 is reserved for the potential replacement of St. Andrews School.

59. Access to this site would be from the Blackhall Road roundabout. The committed improvements at this roundabout might permit limited, as yet, unquantified development at this location but no traffic assessment of the proposal has been carried out. Furthermore, the capacity constraints at the Port Elphinstone and Thainstone roundabouts would be exacerbated with additional development off the Blackhall Road roundabout. This is not likely to be accepted by Transport Scotland or Aberdeenshire Council. The provision of a GSI on the A96 to replace the Port Elphinstone and Thainstone roundabouts would not remove the requirement for further mitigation measures at the Blackhall Road roundabout. The scale of development proposed would be likely to require a grade separated interchange at the Blackhall Road roundabout and this is unlikely to be achieved because of the proximity of development to the trunk road and the need to provide additional lanes on the A96.

Site G6

60. Site G6 comprises a narrow strip of land on the eastern side of the railway line through Inverurie, located south of the level crossing at Gatehouse Lane. This site would be detached from the existing built-up area and a ribbon of housing in this location would be totally unrelated to the present form of the settlement.

Bus12 (Site G120)

61. Site EmpG in the adopted local plan has been carried forward in SG as site BUS12 with a much reduced designated area as a consequence of the flood risk to the site. Respondents request that the site should be fully re-instated as an employment site in the proposed Plan. A flood risk assessment indicates that only a relatively narrow strip of ground alongside Souterford Road/Old Port Road would be capable of development. A development on this narrow site would not be well related to the existing business park and the potential benefits of allocating the site for employment uses are limited when compared with the major allocations that are proposed for Inverurie. The development of a small area of ground next to Souterford Road for three houses is not a matter for this examination but for the council to consider in relation to policy 3 of the Proposed Plan.

Land to the south of Bus11 (Site G75)

62. Respondents request that land to the south of Bus11 in SG(MIR site G75) be allocated for employment uses as an alternative to site Bus7, which is a landfill site. This matter is discussed above in relation to the consideration of sites E3 and SR2. Site Bus7 has been carried forward from the adopted local plan (site EmpI) and forms part of the Paper Mill site, which is a major redevelopment opportunity. The site may not necessarily be developed for building but for open space.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

1. Replace site R3 on the Proposals Map-Garioch (p. 22) with the allocation H3.
2. Add site H4 to the Proposals Map-Garioch (p. 22), to include that part of MIR site G148 identified as being preferred for development in the MIR (p. G8).



3. Add site M3 to the Proposals Map-Garioch (p. 22), to include all the land to the north of existing site EH2 and reserved area R5 shown in Proposed Supplementary Guidance-Settlement Statements: Garioch (p. 21) and bounded by the B9001 (Rothienorman Road), the proposed northern link road granted planning permission under reference APP/2006/0857, and the B9170 (Oldmeldrum Road).

4. Under Inverurie in Schedule 1, Table 5 (p. 27), amend the entry for H1 to '300' in the Inverurie-Blackburn 2007-2016 column and '437' in the Inverurie-Blackburn 2017-2023 column; amend the entry for site F in the Inverurie-Blackburn column to '413'; add site H3 with a figure of '27' in the Inverurie-Blackburn 2007-2016 column; add site H4 with a figure of '150' in the Inverurie-Blackburn 2007-2016 column; amend site M1 by replacing the figure '45' with the figure '23'; and add site M3 with a figure of ' 250' in the Inverurie-Blackburn 2007-2016 column.

<b>Issue 36</b>	<b>Kintore</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p35)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Norman P Lawie Limited on behalf of John Brownie (264)  Norman P Lawie Limited on behalf of Malcolm Allan (276)  William Lippe Architects Ltd on behalf of RMB (402)  William Lippe Architects Ltd on behalf of Mr &amp; Mrs B Robertson (438)  Knight Frank LLP on behalf of C &amp; M Donald (665)  Colin Thompson Chartered Architect on behalf of Alistair Keir (713, 714)  Irene Davidson (836)  Bancon Developments (1417, 1421, 1430, 1451, 1452)  Halliday Fraser Munro on behalf of Mr McDonald (1431, 1433, 1434, 1436)  Turley Associates on behalf of Bancon Developments Ltd (1470, 1986)  Kirkwood Homes Ltd on behalf of Kintore Consortium (1504, 1505, 1507, 1508, 1509, 1510, 1957)  Archial Planning on behalf of Mr &amp; Mrs Lever (1603)  Archial Planning on behalf of J M Gilbert (1641)  Ryden LLP on behalf of AJC Homes (Scotland) Ltd (1885)  Scottish Environment Protection Agency (1979)  DPP LLP on behalf of John R Craig (Kintore) Ltd &amp; Scotia Homes (2070)  Dr Rhain Whitton (2224)  Nigel Whitton (2225)  James Laraway (2230)  Gordon Greenlaw (2260)  Kintore District Community Council (2449)  Graham &amp; Sibbald on behalf of Anne Matthews (2569)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Kintore.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>M1 Kintore</b>  <u>Landscape, Design and Environment</u>  <b>836:</b> The protection of the old canal in Kintore may be lost if this mixed development is built on site M1.  <b>1452:</b> In terms of landscape impact, there is limited scope for further development in Kintore beyond the proposed M1 site that will not have considerable visual impact.  <b>1470, 1986:</b> Site M1 is physically separated from Kintore due to the environmentally sensitive area, Tuach Hill, and employment sites BUS3 and BUS4. In effect, this site would become a New Community that is only loosely associated with the rest of Kintore.  <b>1603:</b> Object to site M1 as it does not include the entire land holding associated with Ferniebrae Croft. Currently the site has a very rural setting and attractive views. Through the development of M1 this would be totally transformed. Ferniebrae Croft would become an urban property rather than a house situated in attractive rural surroundings. The southern boundary of site M1 is irregular. Inclusion of the highlighted land would result in a more logical settlement boundary, which does not surround an existing rural property with development. There is scope to enlarge the housing</p>		

allocation within site M1 through this increase in site size. The justification for identifying additional housing land in Kintore is given backing by the current shortfall which has been identified in the 5 year Effective Housing Land Supply. Ferniebrae Croft and the associated land would provide an ideal backdrop for site M1, and its inclusion would assist in the master planning process for the site, ensuring the retention of the more attractive characteristics in this part of Kintore.

**1979:** Scottish Environment Protection Agency state that part of site M1 Kintore has a medium to high risk of flooding, as it lies within the 1:200 Indicative Flood Map or is known to flood from other sources. Scottish Environment Protection Agency object to this site unless the issue of flood risk is highlighted in the text of the Plan or the Supplementary Guidance as being a potential constraint for the site, and highlight the possible need for a drainage assessment in order to inform the development area and layout.

#### Deliverability

**1510, 1957:** The deliverability of site M1 for 1,200 houses was confirmed in a statement submitted to Aberdeenshire Council in February 2010. The development will immediately deliver a site for a new Primary School and identify land for a new Secondary School to serve the settlements in the Strategic Growth Area, subject to completion of an options assessment by Aberdeenshire Council.

**1507, 1508, 1510, 1957:** The allocation of 600 houses at site M1 Kintore is welcomed. However, the proposed allocation does not fully reflect the capacity of the site, which can contribute 1,200 houses towards the Structure Plan requirement for the Blackburn to Inverurie Strategic Growth Area, which itself is not currently being met. Site M1 has additional capacity, is capable of delivery and can be brought forward earlier in the Local Development Plan to contribute towards educational facilities which are urgently required within Kintore.

**1421, 1430, 1451, 1452:** Are concerned that the level of growth proposed for Kintore is short sighted and unsustainable. It is unrealistic to expect 600 houses and a Secondary School to be incorporated within the town in the space of 7 years, which already has little in the way of service provision.

**1470, 1986:** The Plan indicates that development of the site is predicated on the delivery of a new academy, which would be supported by the development of this site plus relatively modest allocations in Blackburn and Kemnay (a further 260 houses). If the academy cannot be delivered then the site cannot be delivered.

#### Traffic

**1510, 1957:** A transport appraisal has been undertaken using modelling work which can create sufficient capacity on the road network to accommodate the demand likely to be generated by the proposals. The infrastructure measures are indicative at this stage, and will be subject to design in further detail and consultation with Transport Scotland.

**836:** If access comes from both the A96 and the Kingsfield to Deystone Road then the amount of houses would result in too much traffic in Kintore with its narrow roads. The 600 houses proposed should be reduced.

**1641:** There is an inherent risk associated with relying upon a single housing site for the delivery of housing in Kintore. This stems from the challenges of delivering the necessary transportation connection between site M1 and the A96. Increasing the range of development sites improves the chances of delivering the necessary housing numbers as required by the Structure Plan.

#### Sustainable Communities

**836:** The respondent also does not want a supermarket within the site as it will spoil the village.

**1452:** The 600 houses proposed for Kintore in the second phase of the plan, 2017-2023 will consolidate existing problems of a lack of facilities in the town, and encourage commuting to Aberdeen and Inverurie.

**1452:** The 600 houses should be phased between 2017 and 2030, reducing the allocation in phase 2 of the plan to 300 houses. This would still facilitate the delivery of a required new primary school.

**1507, 1508, 1510, 1957:**

Bringing the site forward to phase 1 would contribute towards educational facilities which are urgently required within Kintore.

**1510, 1957:** The development will immediately deliver a site for a new Primary School and identify land for a new Secondary School to serve the settlements in the Strategic Growth Area, subject to completion of an options assessment by Aberdeenshire Council.

**2225:** An extension to the current primary school should be made or a second primary school should be built to cope with the additional housing, as the current primary school is already at capacity. A new sports centre should be developed on the site due to the lack of community facilities currently with the amount of children in the village. A supermarket with petrol sales should be identified on site M1.

**2230:** Kintore has suffered from underprovision of community facilities. The 600 houses will lead to increased pollution and congestion.

**2449:** Kintore District Community Council gives its full support for site M1. It is felt it best meets the aspirations for further sustainable growth of the community, whilst allowing Kintore to retain its sense of place and well being.

**R1 Kintore**

**1417, 1421, 1430, 1451, 1452:** Object to the proposal for a Secondary Academy to be located in Kintore. It is short sighted and unsustainable. It should be located in Inverurie instead. This is due to there being considerably more developer and landowner interest around Inverurie than in Kintore, where there is little demand beyond the 600 houses proposed. Initially the new Academy would result in pupils not having to travel to Kemnay for secondary schooling, but due to the predicted continued growth of Inverurie children could end up having to travel from Inverurie to Kintore for secondary schooling. One respondent states that from the analysis of the school rolls that by 2030 it is conceivable that 700 pupils could be travelling from Inverurie to Kintore while only 300 pupils would be generated from the entire town of Kintore. This is why the Academy should be located in Inverurie where the majority of pupils will be (**1452**).

**1504, 1505, 1509, 1957:** Objection is made to site R1 Kintore for new educational provision. It is requested that this site requirement be encompassed within an overall M1 designation. Designation of site R1 at this stage is unnecessary and may prohibit effective design integration between the development framework and the education proposals. The principle of locating the school campus within the M1 site is agreed, and a suitable site has been identified after discussion with Aberdeenshire Council. Responsibility should be placed on the required Development Framework and Masterplan(s) to determine the most appropriate locations for the education provision.

**2224:** The primary school in Kintore cannot cope with the number of residential houses planned. Appreciate that the plan takes into account further secondary education accommodation such as a Kintore Academy. However, it does not address the primary education facility within Kintore.

**2260:** Support site R1 and would like to see a new school built there.

**R2 Kintore**

**1885:** Objection is taken to the reservation of land at Lincrief, Kintore, for the provision of a Town Park under designation R2. Part of the subject site, Lincrief is covered by the R2 designation. This should be removed from the R2 allocation and left undesignated as per the remainder of the area considered suitable for development within the woodland area as identified by the Gauch Hill Development Brief. This area was considered appropriate for limited development through the Gauch Hill Development Brief, which was consulted on by the relevant natural heritage bodies.

**2070:** Object to the R2 designation as it should just be allocated as a single site, EH1, as in the current Adopted Aberdeenshire Local Plan. The designation of the site in the Proposals Map is also incorrect. This is due to it being described as “Land reserved for community use (Policy 8)”.

### **R3 Kintore**

**402:** Supports the designation of R3 for a rail halt, and for it to be located within an employment area.

**836:** The rail halt designated R3 is located too near to Overdon Nursing Home, Kintore.

**1979:** Scottish Environment Protection Agency state that part of site R3 Kintore has a medium to high risk of flooding, as it lies within the 1:200 Indicative Flood Map or is known to flood from other sources. Scottish Environment Protection Agency object to this site unless the issue of flood risk is highlighted in the text of the Plan or the Supplementary Guidance as being a potential constraint for the site, and they highlight the possible need for a drainage assessment in order to inform the development area and layout. The site is a flood risk category A. It is unclear where the boundary of R3 stops and BUS2 starts in the settlement statement. A large part of the site is within the flood map. A Flood Risk Assessment was done in 2005 for part of the site, so the boundary should be amended to exclude the part within the floodplain, or the text should state that no development is permitted in the flood plain.

### **EH2 Kintore**

**1979:** Scottish Environment Protection Agency state site EH2 is a Flood Risk Category B as >25% of the site lies in the indicative flood map boundary. Scottish Environment Protection Agency will object to this site unless the following wording is added: ‘Part of the site lies within Scottish Environment protection Agency’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and an adequate buffer strip will be required adjacent to the existing watercourse. Any realignment of the Tuach Burn which is at a poor status will be looked on favourably.’

### **Alternative Sites Kintore**

#### Employment land within M1

**276:** Key objectives indicated for Kintore include ‘Meet the need for employment land in the strategic growth area’. In order to ensure that Kintore maintains its supply of employment land, the portion of land which has permission on the south east section of site M1 needs to be allocated in the first phase of the Local Development Plan.

#### Main Issues Report site G98

**438:** The westmost boundary at Forest Road, Kintore is ill conceived and should be realigned: this will allow the opportunity for a very small scale development of approximately 5 houses. This could make a small contribution towards the windfall units required within the Garioch area to meet the demands of the Structure Plan.

#### Land at Bridgefield (south of Main Issues Report site G171, north of Broomhill roundabout).

**665:** Only 13% of the total employment land allocations have been made to Kintore in the Blackburn to Inverurie Strategic Growth Area. This disproportionate spread of the proposed allocations is contrary to the aims and objectives of the Structure Plan. It is therefore argued that additional employment land should be allocated to Kintore. Land at Bridgefield is considered to be highly suitable for commercial/employment use. There is currently a live planning application on the north of the site and shortly there is to be one on the south of the site. The site is situated on a major transport corridor with good access to public transport, which is in accordance with the aims of the Structure Plan. It is therefore argued that the natural progression of development in the area extends to the Broomhill Roundabout and this should be reflected by including the site for employment use. The land at Bridgefield is a logical extension to this area. Failure to identify this site for development in the Local Development Plan will effectively render this a gap site where infill development could come forward in an unplanned and incremental manner. The site at Bridgefield provides an

opportunity for smaller, more locally based employment uses that would help to provide more opportunities to work in Kintore and reduce people's dependence on the private car. The development proposals would create an attractive entrance into the main gateway of Kintore. A Flood Risk Assessment has also been undertaken which demonstrates that the site can be adequately drained.

Main Issues Report site G102

**713, 714:** Site G102 from the Main Issues Report, Hill of Cottown, was not considered in enough detail. The land is already partially industrial and the inclusion of this site gives the opportunity to fully regulate the planning situation. It is also adjacent to other industry uses including a very large rendering plant.

Main Issues Report site G60

**1431, 1433, 1434, 1436:** Site G60 from the Main Issues Report if allocated would comply with Scottish Planning Policy, the Aberdeen City and Shire Structure Plan and the Aberdeenshire Proposed Local Development Plan, which aim to ensure that development is located in order to meet sustainable objectives and create diverse communities on public transport routes. Site G60 offers the opportunity to create a high quality gateway site comprising commercial, retail and leisure development opportunities. This includes land suitable for company headquarters and creates a sustainable mixed community. Site G60 provides the opportunity to have a local supermarket to serve the town which it currently doesn't have. This is supported by Kintore Community Council. Site G60 will avoid the need for access to be made to site M1 through the Midmill Business Park. Instead it will provide an appealing entrance to the town and offer an improved road layout from the A96. It would also improve the Trunk Road layout which is supported by Transport Scotland. The allocation of site G60 for employment uses can contribute to necessary infrastructure costs and provide economic growth to the area to support the delivery of housing units in the second phase of the plan.

**2449:** Kintore District Community Council would like site G60 from the Main Issues Report considered for inclusion into the plan where the use is limited to retail/commercial use. This is assuming that appropriate measures are taken to minimise any traffic impact at Broomhill Roundabout.

Main Issues Report site G19

**1641:** The single allocation for housing within Kintore does not provide the degree of choice required by paragraph 80 of Scottish Planning Policy. This choice is at risk in Kintore due to the single M1 allocation and the potential for infrastructure constraints, including access between the M1 allocation and A96 is highlighted as an example. This could be overcome through the reduction of the allocation to site M1, with 70 units being transferred to the land at Fordtown Farm, site G19 in the Main Issues Report. Major infrastructure improvements would not be necessary due to the modest scale of development proposed. The allocation of this site would also help meet the necessary effective five year housing land supply. The Main Issues Report consultation showed support for the site on the basis that it adjoins the existing settlement and forms a natural boundary to the settlement. For access, two vehicular accesses would be taken directly onto the B994 to the north, addressing Transport Scotland's concerns. Traffic would then connect to the A96 via the B977 and the Broomhill Roundabout. The Scottish Environmental Protection Agency has confirmed there is no risk of flooding on the site, but have also stated that a connection to public sewers may be difficult. It is proposed to form a community park with sports facilities and pitches on the land to the west of site G19, due to a barrier to further development that a pipeline provides. These could be accessed via footpath connections both from the new and existing housing. There would be no issue with a westward spread of Kintore as the site is well contained, would be extensively landscaped, and the pipeline constraint to the west inhibits further growth. Local retail facilities would be provided within the first phase of the development, which would be accessible on foot, with other facilities such as a bus stop, a primary and secondary school and employment opportunities all within easy reach.

**264:** Site G19 from the Main Issues Report is ideally located to Kintore, and is a good alternative to the other sites proposed for Kintore. The site could provide planning gain to the major servicing requirements of Kintore.



Main Issues Report site G82/G12

**2569:** The site G82/G12 has previously been promoted for residential and employment use in the Main Issues Report. This should be considered again and it should be made clear that the client is a willing landowner relative to potential development of the site, and that the issue of potential flood risk would be fully addressed at the stage of a planning application.

**Modifications sought by those submitting representations:**

**M1 Kintore**

**1452, 1470, 1986:** Site M1 should be phased over the period 2017-2030, therefore reducing the allocation from 2017-2023 to only 300 houses. The additional 300 houses required in this plan period should be relocated to Inverurie.

**1507, 1508, 1510, 1957:** Increase allocation of site M1 from 600 houses should go to 1,200 over the life of the plan. An allocation of 600 houses to site M1 Kintore in the 2007-2016 period. This is made up of 500 houses from site H1 Inverurie from the 2007-2016 allocation and 100 houses from site M2 Inverurie from the 2007-2016 allocation. Retain allocation of 600 houses in second phase of the plan 2017-2023 for M1 Kintore.

**1603:** Modify the southern boundary of site M1 Kintore, so that it includes the land of Ferniebrae Croft.

**1641:** Remove 70 units from site M1 Kintore and reallocate these to Fordtown farm, site G19 in the Main Issues Report, remaining in the second phase of the plan, 2017-2023 period.

**1979:** Insert the following text in regard to site M1: 'Part of the site lies within Scottish Environmental Protection Agency's indicative 1 in 200 year flood risk area, or is known to flood from other sources. A detailed flood risk assessment will be required to accompany any future development proposals for this site and an adequate buffer strip will be required adjacent to the existing watercourses. Any realignment of the Tuach which is at a poor status will be welcomed.'

**R1 Kintore**

**1417, 1421, 1430, 1451, 1452:** The proposed Academy, R1, should be removed from Kintore and relocated within the phase 2 proposals for Inverurie, in a suitable location to serve the long term projected catchment area.

**1504, 1505, 1509, 1957:** Remove the R1 designation in the Plan and expand the boundaries of site M1 to include this area, and responsibility should be placed upon the required development framework and masterplan(s) to incorporate this education provision, as well as being stated in the settlement statement text.

**2224:** Include provision in the final plan for a second primary school to be built or an area for the existing primary school to be extended to house the additional children that the new housing will ultimately bring.

**R2 Kintore**

**1885:** Remove the land at Lincriff from the park designated R2 in the Proposed Plan. The boundary of site R2 should be amended to show this and the land removed left unallocated, as per the rest of the area considered suitable for development within the woodland area identified within the approved Gauch Hill Development Brief.

**2070:** The designation of site R2 should be removed and become part of site EH1. Remove the designation of "Land reserved for community use (Policy 8)" in the Proposals Map and re-designate as an existing housing site.

**R3 Kintore**

**1979:** Insert the following text in regard to site R3: 'Part of the site lies within Scottish Environmental

Protection Agency's indicative 1 in 200 year flood risk area, or is known to flood from other sources. A detailed flood risk assessment will be required to accompany any future development proposals for this site.'

**Alternative Site Kintore**

Employment land within M1

**276:** An area within site M1 (detailed) should be shown as existing business land available for development in phase 1 of the plan.

Main Issues Report Site G98

**438:** Allocate 5 houses for development at the furthest west point of the settlement boundary on Forest Road, Burghview , Kintore.

Land at Bridgefield (south of Main Issues Report site G171, north of Broomhill roundabout).

**665:** Allocate the land at Bridgefield for employment uses in the first phase of the Plan. The settlement boundary should also be amended to include this additional site.

Main Issues Report site G102

**713, 714:** Allocate site G102 from the Main Issues Report, Hill of Cottown, Kintore for employment use.

Main Issues Report Site G60

**1431, 1433, 1434, 1436, 2449:** Allocate site G60 from the Main Issues Report for 13 ha of employment land over both phases of the plan. One respondent states that the use should be limited to either a retail or commercial use within the employment land site and that measures should be taken to minimise any traffic impact it causes at Broomhill Roundabout (**2449**).

Main Issues Report Site G19

**1641:** Re-allocate 70 units from M1 Kintore, or site F Inverurie, and transfer to the land at Fordtown Farm, site G19 in the Main Issues Report, in the second phase of the plan, 2017-2023 period.

**264:** Allocate site G19 from the Main Issues Report for between 15 to 30 houses.

Main Issues Report site G82/G12

**2569:** Allocate the site for employment and residential uses.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The land allocations in Kintore are appropriate and sufficient for the purposes of delivering the Structure Plan's spatial strategy in the Inverurie to Blackburn Strategic Growth Area. They are the result of extensive assessment and consultation process.

Further analysis of the settlement strategy for this area is provided in Issue 34 *Spatial Strategy Inverurie to Blackburn*.

In Kintore the most pressing constraints are the lack of primary and secondary school capacity, as well as the lack of community facilities. As part of the spatial strategy for the area a new secondary school in Kintore will provide for pupils from Kintore, Blackburn and Kemnay as well as an additional primary school for pupils from Kintore. Development is constrained in Kintore until these facilities are built, and consequently allocations are deferred to the second phase of the plan.

Further information

Elaboration and justification for the strategy is provided in Issue 34 *Spatial Strategy Inverurie to Blackburn*. For further information on the allocations strategy in this settlement, especially the assessment of alternative sites, reference is made to the Issues and Actions paper ('Issues and Actions', Vol 5, Garioch, page 70, (May 2010), which was produced to inform allocations in the Proposed Plan.

**Site M1**

Site M1 can provide a significant portion of the strategic growth corridor's development allocations including the provision of community facilities for the settlement and surrounding area through to phase 3 of the structure plan.

Landscape, Design and Environment

The importance of the old canal, which is situated adjacent to the site, as a scheduled monument is recognised. Policy protects from any development which may affect it, (Policy13 *Protecting, improving and conserving the historic environment*).

However, the likely impact of development on the setting of Kintore is acceptable. Measures have already been taken, including the protection of Tuach Hill, and mitigation will be required through the plan's policy 8 *Layout, Siting and Design* and policy 12 *Landscape conservation*. The landscape implications of allocations beyond the local development plan and the structure plan's requirements are not a relevant concern for the allocation of site M1.

The rationale for addition of the parcel of land including Ferniebrae Croft is unclear. However, It is stated that its inclusion is required because of the adjacent urbanisation, and to assist the masterplanning of site M1. Boundary treatment will be required by the masterplan for M1. It is unclear how developing housing on the site would ensure the protection of the site and the setting of site M1. There is also a major electricity pylon passing a major portion of the site at Ferniebrae Croft, upon which housing development could not take place. Site M1 is already large enough to take an allocation of significantly larger than 600 units and has purposefully been allocated as such to allow for future phases of development. The addition of this site would do little to contribute to M1 in terms of landscape or housing land. For discussion on housing land supply see Issue 12 *Housing Land Supply*.

It is recognised that a part of this large site is subject to a fluvial flood risk due to the burn which runs through it, and this has been allowed for in the size of the allocation. The requirement for a flood risk assessment is accepted and will be addressed through the supplementary guidance and at the planning application stage. Mitigation measures may include allocating open space on the section which may flood.

Deliverability

The support for the allocation and the site's attributes are welcomed. However, constraints in the area would result in significant problems with education provision should the development take place before the construction of a new Academy (see Issue 34 *Spatial strategy Inverurie to Blackburn*). This is a realistic and pragmatic approach supported by Scottish Planning Policy (para 77). As noted above, site M1 has capacity to allow a masterplan to include the entire site area, and to allow for development beyond phase 2. There is an allocation in the Council's Capital plan to assist in the delivery of a new academy

Traffic

The support for the allocation and the deliverability of a transport solution are welcomed. The use of the Kingsfield Road as a main point of access is highly unlikely given that it is a minor narrow road and would lead to town centre congestion.

Sustainable Communities

The support of the community council towards the site and the strategy is recognised.

The facilities which the site could deliver are recognised. However, this does not merit bringing the allocation forward to phase 1 with a higher allocation. Resolving one issue (the need for a site for a primary school) would create other problems (lack of secondary education capacity). The strategy is based on the provision of essential facilities to catch up with existing developments before allocating more. This is the firm view of the Council.

The proposal does not include a supermarket, although policy allows for local retail needs to be met.

We cannot agree that allocations for 600 houses, employment land, and school and community facilities will consolidate a lack of facilities and encourage commuting to Aberdeen. These allocations are to provide the facilities essential for the sustainable growth of the community.

A new primary school is a requirement of development on the site. Sports facilities will be developed alongside the new primary and secondary schools and will add to Kintore's community facilities.

**Site R1**

Site R1 has specifically been identified as the most suitable site for a secondary school by the Council's Property Service. Allocating the land also helps ensure that the secondary school is provided within site M1.

Support for the allocation is noted. The rationale for allocating a site for secondary school provision in Kintore is provided in Issue 34 *Spatial strategy Inverurie to Blackburn*. Education policy is to create 3-18 campus schools incorporating community facilities and this will enable Kintore to become a more sustainable and self sufficient community.

The need for a new primary school in Kintore is made clear within the supplementary guidance and a specific allocation is made for 'education provision' rather than only an academy. No development will be allowed in Kintore until a new primary school is provided.

**Site R2**

The statement regarding the section of the site at Lincrief is accepted and a minor alteration to the supplementary guidance will be made to reflect the agreed development brief. However, this does not require any change to the plan itself.

**Site R3 and Bus 2**

The support for the site allocation is welcomed.

The proximity to the Inverdon care home does not preclude development. The site is large and the allocation of the rail halt/transport interchange within it would take the care home into account.

It is recognised that a part of this site is subject to a fluvial flood risk. The requirement for a flood risk assessment is accepted and will be addressed through the supplementary guidance and at the planning application stage. Mitigation measures may include allocating open space or parking on the section which floods.

**Site EH2**

It is recognised that a part of this site is subject to a fluvial flood risk. The requirement for a flood risk assessment is accepted and will be addressed through the supplementary guidance and at the planning application stage. Mitigation measures may include allocating open space on the section which floods.

**Alternative sites Kintore**

Additional Employment Land on M1

Kintore can meet the requirement for employment allocations in the strategic growth corridor in phase 1 on site M1; it is only the housing allocation which is stipulated to begin in phase 2. A change could be made to the supplementary guidance in order to clarify that employment land allocations can come forward at any time, rather than identifying the site separately.

Main Issues Report site G98

The settlement boundary at the westernmost point of Forest Road is not ill conceived. Redrawing it to allow 5 houses would be inappropriate incremental growth, and would set a precedent for all other settlement boundaries in the plan. There is no requirement for windfall units in the strategic growth area. For additional information see Issue 12 *Housing Land Supply*.

Land at Bridgefield (south of Main Issues Report site G171, north of Broomhill roundabout).

A planning application for temporary uses has recently been granted to the north of the site and a planning application for employment use has recently been refused on the site. A significant portion of the site is at risk of flooding. It is accepted that the site is accessible and is in a prominent location. However, this does not mean it must be developed. If the site remains unallocated it will fall outside the settlement boundary, but this does not mean that unplanned infill development is an inevitable consequence: quite the opposite. In fact, the site would simply remain outside the settlement. It is agreed that an attractive gateway site would ideally be located adjacent to the roundabout, but, given the flood risk on the site, this is not possible. There is also a benefit in leaving an area around the roundabout free from development until the requirements for the Broomhill roundabout are absolutely clarified over the course of the plan. There is a significant amount of employment land allocated in the settlement and the growth corridor already.

Main Issues Report site G102

The site is located around 1km from Kintore. The spatial strategy for the Plan allocates employment land in the settlements rather than in the countryside (see Issue 29 *Overall Spatial Strategy* and Issue 34 *Spatial Strategy Inverurie to Blackburn*). While the site does already contain partial industrial uses, it does not require an allocation in order to fully regulate it in planning terms. Policy 1 *Business Development* and its supplementary guidance *SGbus1 Development of employment land*, as well as Policy 3 *Development in the countryside* and its supplementary guidance *SG Rural Development 1: Housing and business development in the countryside* will be used, along with other relevant policies, to fully regulate any future development on this site. This is the strategy which is followed in this plan, rather than specific allocation of every employment site across Aberdeenshire.

Main Issues Report Site G60

The land is located in an accessible location in terms of access to the A96. However, what it offers can also be provided through development of site M1. Site M1 is a more accessible location in terms of pedestrian connectivity with Kintore, and is still located less than 400m from bus stops on the main Inverurie to Aberdeen route. Site M1 can also fulfil the potential functions identified for this site. In terms of its accessibility and prominence for a gateway employment site, site Bus 2/R3 already provides a very similar offer.

Although further work on the solution is pending, Transport Scotland have not highlighted that additional land will be required to the east of the Broomhill roundabout in order to deliver site M1. The transport solution for site G60 would not work without the transport solution for site M1. Given the importance of site M1 to the growth corridor, the only way to provide an allocation for G60 would be to amalgamate it with site M1. However, developers have not been able to agree this and there would be a risk that site G60 comes forward without integration with site M1. Site G60 provides a prominent location which could potentially form part of the future growth strategy for Kintore, but its allocation is not required through this plan.

Main Issues Report Site G19

The argument is that the site should be allocated for housing for 70 units in order to provide a degree of choice of housing site as required by Scottish Planning Policy paragraph 80. That paragraph refers to the "provision of choice across the housing market area". The spatial strategy for the housing market area and the growth corridor is set out in Issue 29 *Overall Spatial Strategy* and Issue 34 *Spatial Strategy Inverurie to Blackburn*. Additional information on this issue is available in Issue 12 *Housing Land Supply*. In these terms a sufficient provision of choice has been made for housing sites in a range of locations to provide the required level of housing land supply in both phases of the plan.

It is stated that the allocation will ensure the deliverability of housing in Kintore in phase 2. The major constraint which Kintore faces is education provision. This site would not contribute to the delivery of education provision as effectively as site M1. Therefore on the grounds of deliverability, there would be no point in removing allocations from site M1 in order to provide them at site G19. The proximity of the site to bus stops, education facilities and employment opportunities are highlighted, but on all these factors the accessibility is equal with or worse than site M1. Overall, the site does not offer an

improvement in terms of the allocation strategy's adherence to Scottish Planning Policy paragraph 80 at Kintore.

The provision of community playing fields and facilities to the west of the site are highlighted as an attribute. However, these facilities would be better off provided on site M1, where they can be better accessed by the majority of the population of Kintore. It should be noted that the plan also allocates land at Gauchhill (E2) for the provision of a town park which would serve the locality. The supportive comments for the site in the Main Issues Report Issues and Actions Paper (May 2010) all derived from one developer: the remaining comments were made by national agencies. It would be difficult to class this as general community support for the site. Promotion of the westward spread of Kintore is not supported, when there are more accessible and more deliverable options available elsewhere in the settlement.

Main Issues Report site G82/12

This site is poorly connected to the settlement of Kintore, it would offer few benefits compared to the allocated site, and would not support the allocation of site M1 in a meaningful way. The flood risk only affects a very small portion of the site, but that and the availability of a willing land owner still provides an insufficient rationale for the site's allocation.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Kintore are sufficient and appropriate to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site M1**

1. Site M1 is allocated for up to 600 houses in the second phase of the proposed Plan and for 10 hectares of employment land. The site for the required education provision is separately identified as site R1. As indicated under Issue 34, the strategy for the Inverurie-Blackburn strategic growth area (SGA) capitalises on the spare capacity within Inverurie Academy while providing sufficient time for the procurement of a new, larger, replacement academy at Kintore to serve Kintore, Kemnay and Blackburn. The allocation of site M1 is restricted to phase 2 due to the time required to plan and construct a new academy. This strategy also provides for the possible partial closure and refurbishment of Kemnay Academy to provide additional capacity for the period post 2023.

2. Site M1 has the capacity for some 1200 houses in total and a number of concerns have been raised regarding the allocation of such a large area for housing in Kintore. The integration of this development with the rest of Kintore is a major issue and a development framework and masterplan is required, which would guide the development of this area beyond 2023. The potential impact of such a large development on the setting of Kintore is acknowledged by the council and mitigation will be required in accordance with Policies 8 & 12. The adjoining Tuach Hill is identified as a protected area in supplementary guidance and the importance of the old canal, a scheduled monument which runs along the northern boundary of the site, is recognised by the council and would be protected by Policy 13.

3. The council acknowledges that part of the site is the subject of fluvial flood risk and this would be taken into account in the proposed layout of the site and the provision of open space through the masterplanning process. The requirement for a flood risk assessment will be addressed through supplementary guidance.

4. As regards the request that the entire land holding associated with Ferniebrae Croft be included in the allocation, the area excluded from site M1 comprises rising ground located to the south of a



major overhead power line. None of this land was included in site G87/G23 in the Main Issues Report and it has not therefore been the subject of any assessment and public consultation. Site M1 has sufficient capacity to provide the 600 houses allocated to it in the proposed Plan and additional land is not required to enable the housing requirement to be met. Any landscaping and boundary treatments required to protect the residential amenity of Ferniebrae Croft would be a matter for the masterplanning process.

5. In relation to the deliverability of site M1, development is constrained by the lack of adequate education and transportation infrastructure. Kemnay Academy is forecast to be operating at 134% of capacity in 2016 and significant investment is required to maintain the building within statutory space limits. The council's Education Service is actively examining the future requirements for secondary education provision and the council's Future Infrastructure Services Group has identified a new academy in Kintore as a key strategic asset that should be considered for early "up-front" funding. A report on the matter is to be discussed early in 2012. Nevertheless, land acquisition and procurement is likely to take 3-4 years and, realistically, it will be 2016 before a new secondary school is built and opened. No new housing, other than committed developments, should be allowed within Kintore, or indeed within Kemnay and Blackburn, in advance of the new secondary school.

6. The existing Kintore primary school is projected to be operating at 163% capacity by 2016 and, according to the council, a new school is required before any new housing development takes place. The lead-in time for a new primary school is 3-4 years at least. However, it is unlikely that a new school can be delivered without housing coming forward and its provision is very much tied to the development of site M1. The prospective developer suggests that, allowing one year to obtain the necessary consents and a further year to service the site, houses could be delivered by the end of 2013. At a build rate of 150 units per annum, some 450-600 houses could be delivered in the first phase of the plan and the prospective developer requests that the plan allocates 600 houses in phase 1, with a further 600 houses in phase 2.

7. A transport appraisal shows that there is sufficient capacity on the local road network, subject to certain mitigation measures, to accommodate the proposed development, which would be accessed from the B977. The use of Kingsfield Road to the north as a main point of access is highly unlikely. However, the development of site M1 would require substantial improvements to the Broomhill roundabout on the A96 and, following a traffic modelling study, a solution has been identified which shows that a significant amount of development to the south of Kintore could be accommodated on both the local and trunk road networks. The solution identified does not, however, take account of the aspirations in the structure plan to make a further 4000 house sites available within the strategic growth corridor post 2023.

8. The A96 Broomhill roundabout improvement scheme identified in the traffic modelling study requires third party land and is only one possible option. Other alternatives could be considered. In this respect, the prospective developers of MIR site G60 (Coolgardie and Boghead Crofts) for employment purposes including a supermarket, have suggested another option for access to site M1 from the Broomhill roundabout. This would enable direct access to the Broomhill roundabout from site M1 via the proposed mixed use development area and it is understood that this alternative option is presently being examined by council officers. The mitigation measures required at Broomhill are only indicative at this stage and whatever solution is arrived at, these measures will be required to be designed in detail in consultation with Transport Scotland. Consequently, there is considerable uncertainty over the timing of any upgrade to Broomhill roundabout.

9. The constraints imposed by education provision and the requirement for roads infrastructure improvements would suggest that it is most unlikely that site M1 will be effective as a housing site before 2017. However, caution should be used in interpreting school roll data as it is not an exact science and consideration could be given to commencing the housing development in advance of a new primary school coming on-stream. The council also accepts that the road network would have capacity for some housing development in advance of the up-grade of Broomhill roundabout but this has not been quantified. Consequently, should housing sites in Inverurie not come forward as

expected to meet the structure plan allowance for the Inverurie-Blackburn SGA in the first phase of the proposed Plan, consideration could be given to bringing forward site M1 at Kintore in advance of 2017, depending on the progress that has been made in relation to education provision and roads infrastructure improvements. However, this would be a matter for the council to determine against the requirement to maintain a 5 years housing land supply.

10. The council acknowledges that, while there are substantial employment land permissions awaiting implementation at Kintore, additional employment land development could be achieved on the site before 2017, providing improvements have been made to the A96 Broomhill roundabout. Indeed, planning permission has been granted for business use on the south-western section of site M1 and representations have been made that this area be allocated for business use. The council suggests that a change could be made to supplementary guidance to clarify the position and has indicated that site BUS 4 should be extended to include this land. A corresponding change would be required to the boundary of site M1 on the proposals map.

**Site R1**

11. Site R1 is reserved for education provision; a new academy and a new primary school. The rationale for secondary school provision in Kintore is dealt with under Issue 34. As indicated in paragraph 6 above, a new primary school is required before any new housing development can take place. As regards the identification of a site for education provision within site M1, the prospective developer of site M1 considers that the designation of site R1 at this stage is unnecessary and may inhibit the preparation of the development framework for the whole site, which will ensure the integration of housing and education provision, and suggests that the proposed masterplan is the proper vehicle for determining the appropriate location for education provision within the overall development. However, site R1 has been specifically identified by the council's Property Service as the most suitable site for education provision and the reservation of this site in the proposed Plan is appropriate. It is not accepted that the identification of this site will inhibit the masterplanning process, rather it will provide more certainty as to the location of education provision within the overall development.

**Site R2**

12. In conjunction with site P2, site R2 is reserved for the extension of the town park at Gauch Hill. In response to representations received, the council agrees to boundary changes in the vicinity of 'Lincrief' to better reflect the developable area. In relation to the proposed development of Woodside Croft, located to the south of Gauch Hill, the prospective developers consider that none of the development site should be included within the reservation R2. They consider that there is no need to split the housing site between EH1 and R2 and that the whole site should be shown as an existing housing site. However, the indicative layout for the proposed housing development identifies the area designated R2 as proposed public open space and it would be appropriate for the proposed Plan to reflect this. For the avoidance of doubt, the area identified as R2 on the proposals map (to which Policy 8 applies) should not include the existing housing site EH1

**Site R3 (and BUS2)**

13. The Overdon Nursing Home is situated on the northern edge of site R3 and is partially screened by trees from the ground to the south. There is more than sufficient land within the reserved area to provide a rail halt/transport interchange. The precise siting of this facility would be a matter for further detailed consideration taking account of the potential impact on the care home. As regards the flood risk, the council accepts the requirement for a flood risk assessment and will address this through supplementary guidance. The BUS2 reservation for employment purposes has been carried forward from the adopted local plan. It is not shown as a proposal in the proposed Plan and any reconsideration of this reservation in supplementary guidance is outwith the scope of this examination.

**Alternative sites**

Site G98

14. The comments regarding the realignment of the settlement boundary at Forest Road relates to supplementary guidance and is not a matter for this examination.

Land at Bridgefield (Site G171)

15. There is an existing building on the southern part of the site and a pending planning application for the erection of an additional building for car sales and workshop use on this part of the site. Planning permission for the temporary use (5 years) of the northern part of the site as a playing field was granted in December 2010. The owner of the site requests that the whole site be allocated for employment purposes in phase 1 of the proposed Plan.

16. The majority of the site comprises an open field (the location of the proposed playing field) and a significant proportion of this area is at risk of flooding. The smaller southern part is detached from the built-up area and, although there is an existing building on this part of the site, any employment use of this part of the site alone would be divorced from the existing business and industrial activity, which is restricted to the east side of the B977. There is a significant amount of employment land allocated at Midmill (BUS3 and BUS4) and no requirement for additional employment land.

Site G102

17. This site lies in the countryside over 2 km to the west of Kintore. Although it is located in an area of mixed business and industrial uses, the spatial strategy of the proposed Plan concentrates employment land within settlements. Any future development in this area requires to be assessed against policies 1 and 3 of the proposed Plan.

Site G60

18. Site G60 comprises Coolgardie and Boghead Crofts and is proposed for employment purposes, including high quality business and retail uses over both phases of the proposed Plan. There are substantial employment land permissions awaiting implementation at Kintore within the land allocated at Midmill (BUS3 and BUS4) and site M1 includes 10 hectares of employment land. Within the Strategic Growth Area, some 30 hectares of land is allocated for employment purposes with a further 40 hectares in reserve. There is no requirement for additional employment land within the timescale of the proposed Plan. The council acknowledges, however, that site G60 could potentially form part of the future growth strategy for Kintore post 2023.

19. In relation to the suggested merits of the site in the provision of access to site M1, this has been dealt with in paragraph 8 above. It is understood that Transport Scotland has not highlighted that additional land will be required to the east of the Broomhill roundabout in order to deliver site M1.

Site G19 (Fordtown Farm)

20. Site G19 lies to the west of the A96. Two representations have been received in relation to this site. The owner of Hazeldene considers that land to the north of the B994 would accommodate 15-30 houses and the owner of Fordtown Farm considers that the land to the south of the B944 would accommodate 70 houses, local retail and community facilities and a community park. This site is proposed as an alternative to concentrating housing in Kintore on site M1 during phase 2 of the plan and to provide choice. However, as discussed under Issue 29, in relation to the overall spatial strategy, and Issue 34, in relation to the Inverurie-Blackburn SGA, provision has been made in a range of locations to provide a choice of housing in both phases of the proposed Plan.

21. Any development on site G19 would extend the built-up area of Kintore westwards beyond the A96 in a manner that does not relate well to the form of the settlement. Also, site M1 will deliver the education provision that is a prerequisite to any housing development in Kintore. It is not clear how a development at Fordtown would contribute to the delivery of education provision as effectively. The site's accessibility to bus stops, education provision and employment opportunities is no more advantageous than site M1 and the proposed community park on the site would be remote from most of Kintore. The proposed Plan proposes a town park at Gauch Hill, which is much more centrally located.

Site G82/G12

22. The owner of this site considers that it has potential for employment and residential use. This site lies in the countryside to the west of the Broomhill roundabout divorced from the existing built-up

area of Kintore. Any development in this area would be poorly related to the form of the settlement and would not deliver any of the benefits of site M1.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

1. Modify boundary of site M1 on Proposals Map-Garioch (p. 22) to reflect the agreed change to site BUS4 shown in supplementary guidance.
2. Modify boundary of site R2 to reflect agreed boundary changes in vicinity of 'Lincriff' and to exclude existing housing site EH1 shown in supplementary guidance.

<b>Issue 37</b>	<b>Blackburn</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p1)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Fintray &amp; Kinellar Community Council (124)            Daniel Knapper (204)            Michael Duncan (363)            Robert &amp; Linda Youngson (425)            Halliday Fraser Munro on behalf of The Blackburn Consortium (1475, 1476, 1477)            Ryden LLP on behalf of Mr &amp; Mrs Campbell (1913, 1914)            Douglas Morton (2232)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Blackburn.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1</b>  <b>124:</b> The Community Council is in full agreement with all proposals in Blackburn and regards them as the maximum acceptable for the village.</p> <p><b>2232:</b> The proposals for Blackburn reflect the wishes of the community and the respondent fully supports them.</p> <p><b>425:</b> Concerned over the location of the R1 school within site M1 and the proximity of the extremely busy unclassified Dyce to Caskieben road which runs past the site.</p> <p><b>363:</b> The school within M1 is located too far from the settlement and will encourage traffic at the A96 roundabout. The site suffers from poor connectivity and is cut off from the rest of the settlement by a burn.</p> <p><b>363:</b> The site ignores the settlement pattern of Blackburn which is north to south.</p> <p><b>1475, 1476, 1477:</b> Question whether the site M1/R1 is the best location for the development proposed. The Community has questioned whether the site for the school is accessible from the village.</p> <p><b>204:</b> As it stands the site overlaps the natural boundary of the field which is a stone wall lined with mature trees. This will have a negative impact on the landscape of the area. Questioned whether there is an intention to maintain the tree belt.</p> <p><b>204:</b> There will be a property value decrease due to the impacts of development.</p> <p><b>Site R1</b>  <b>204:</b> Flooding issue will arise. There will be a property value decrease due to the impacts of development.</p> <p><b>425:</b> Concern over the location of the R1 school within site M1 and the proximity of the extremely</p>		

busy unclassified Dyce to Caskieben road which runs past the site.

**204, 363:** The school within M1 is located too far from the settlement and will encourage traffic at the A96 roundabout.

**1475, 1476, 1477:** Question whether the site M1/R1 is the best location for the development proposed. The Community has questioned whether the site for the school is accessible from the village.

**363:** The site suffers from poor connectivity and is cut off from the rest of the settlement by a burn.

**Alternative Site G38 (Caskieben)**

**1913, 1914:** Object to the failure to allocate site G38 for housing. Site G38 comprises 3 separate areas (*detailed in representation*). All 3 areas are capable of delivery with area 1 and 2 in phase 1 and area 3 in phase 2. There are no absolute constraints and no flood risk issues. According to the Health and Safety Executive Guidance, the gas pipeline is not a constraint to development. This contradicts the Council's evaluation of the site in the Main Issues Report. The site is accessible in accordance with Scottish Planning Policy and Planning Advice Note 75 to local services, and is on a well connected public transport route with easy access to the A96. The site will help meet the structure plan housing land for the strategic development corridor, which is otherwise unlikely to be achieved (*see Issue 25 Housing Land*). The site would not breach the skyline and would be well contained in the landscape.

**Alternative Site G114 (Glasgoego)**

**1475, 1476, and 1477:** Respondent objects to the non-allocation of development bid reference site G114. Allocation of land at Glasgoego presents the opportunity for a sustainable mixed community, meeting the Structure Plan objective, of up to 500 units, 5ha of employment land, a new primary school and appropriate village centre uses. An indicative masterplan is attached to the submission to illustrate how the mixed use development can be accommodated on the site. A community engagement report shows that there is much support for the development. The proposal is supported by Fairhurst Infrastructure Report, Ross Partnership Landscape and Visual Impact Assessment, a submission to the Main Issues Report consultation and a letter confirming deliverability. There are existing linkages which can be improved and the old turnpike road which offers connections to Kintore. This development would deliver 5ha of employment land in a location proven to be popular for business development.

**Modifications sought by those submitting representations:**

**1475, 1476, 1477:** Remove M1 and R1.

**204:** Ensure development addresses the issues raised.

**1913, 1914:** Allocate site G38 for 250 units over two phases.

**1475, 1476, 1477:** Allocate site G114 as M2 for a mixed use proposal which will include up to 500 houses and other employment, retail and community uses (5ha of employment land). 3 ha of land should be reserved for a new primary school.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The support for the Plan's proposals in Blackburn is noted. After detailed consideration of the capacity of the village and its role within the Blackburn to Inverurie strategic growth corridor, the strategy balances the need for new facilities and growth in Blackburn with its capacity limitations, as well as opportunities for growth elsewhere in the corridor. The site selected is appropriate and sufficient for the purposes of delivering the Structure Plan strategy and aims.



Elaboration and justification for the strategy is provided in Issue 35 *Spatial Strategy Inverurie to Blackburn*. For further information on the allocations strategy in this settlement, especially the assessment of alternative sites, please read the Issues and Actions paper ('Issues and Actions', Vol 5, Garioch, page 6, (May 2010), This was informed by the Main Issues Report consultation and was produced to inform the allocations in the Proposed Plan.

### **Site M1 and R1**

In terms of the location of the R1 school within site M1, the Council's roads authority have been consulted on the allocation and have not identified any safety risk which cannot be mitigated through design measures at the time of masterplanning. However, it should be noted that subsequent to the publication of the Plan, the site proposer and the Council have agreed that the school could be better located within the west of the site and not necessarily in the south-east of the site. This could resolve any potential issue with the proximity of the school to the current houses and its proximity to the nearby roads.

The settlement pattern of Blackburn is north to south as a result of the development strategy followed primarily over the last 10 years. Southward development is limited by the A96. However, one of the reasons this Plan allocates land on the M1 site is to avoid the further northward spread of the settlement. The M1 site is located closer to the village centre facilities than alternative sites to the north and is a suitable location for a new primary school as well as housing, pulling the direction of growth back towards the village centre and its facilities. This is in accordance with SPP paragraph 77 and 79.

The site for the school is the only suitable available site in Blackburn for a school. The consultation process of those supporting alternative sites may have revealed concern within the community on the accessibility of the proposed school, but the Community Council have also stated their support for the allocation. This community concern is not evident in the consultation on the proposed plan.

The site as it stands overlaps existing woods and tree belts. These would be subject to safeguarding policies within the plan. The woodland and walls contribute to the area and would be expected to be incorporated within the masterplan for the site. Scottish Environmental Protection Agency have commented on the supplementary guidance stating that there is a small watercourse nearby but that this will not preclude development subject to the provision of a buffer strip.

In terms of a private property value decrease, this is not a material consideration for the development plan to consider, albeit a new school is likely to increase property values in the area.

### **Alternative Sites**

#### Site G38 (Caskieben)

A proposal for 250 units has been made, but a sufficient case as to why the settlement strategy for the corridor should be altered has not been made. Development of this scale would be inappropriate for the village. The respondent's comments in terms of the developable extent of the site in line with the Health and Safety Executive's advice on the pipeline constraint are accepted. However, the site cannot offer a suitable location for a school, which is accessible to a wide walking catchment, and would continue the northward linear spread of the settlement away from the village centre up a relatively steep hill. At its closest possible point, the site is still 1km from the bus stops which serve the main Aberdeen to Inverness A96 routes. An allocation would not be in keeping with Scottish Planning Policy paragraphs 167 and 169 and a better alternative is available.

#### Site G114 (Glasgoego)

A development of 500 units, 5ha employment land, school and village centre uses is not appropriate in Blackburn. The supporting documents are noted, but do not provide a sufficient case as to why the settlement strategy for the corridor should be altered so significantly through the development of 500 houses. Site G114 is constrained on two sides by pipelines, which reduces the developable area. A school could only be located within the middle section of the site on what is steep sloping ground.

Conclusion

None of the modifications sought are supported. The development strategy and land allocations in Blackburn are already sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

A minor modification to the proposals map relating to the exact location of the school is commended.

**Reporter's conclusions:**

**Site M1/R1**

1. Concerns have been raised regarding the location of the proposed school within site M1. In response to the concerns raised, the council has indicated that the school would be better located within the north-western part of the site rather than the south-eastern part. The council proposes that the proposals map be modified accordingly and consequential amendments would be required to the supplementary guidance.
2. In relation to site M1 itself, the site extends northwards beyond an established tree belt and footpath and concerns have been raised regarding the retention of these landscape features. The council has indicated that these would be subject to safeguarding policies and that the tree belts and walls within the site would be expected to be incorporated within the layout for the development.
3. Issues have been raised regarding the direction of the proposed development in relation to the existing form of the settlement. Site M1 is located close to the village centre and contains the only suitable site for a primary school. It is well screened by topography and woodland and development on this site is capable of being fully integrated into the village. The allocation is supported by the local community.

**Alternative sites**

Site G38 (Caskieburn)

4. Site G38 comprises three separate areas of land to the north of Blackburn. It is requested that the whole of this site be allocated for housing with a capacity of up to 250 housing units. Blackburn lies within the Inverurie-Blackburn Strategic Growth Area where there is a housing requirement for 1000 units in the period 2007-2016 and for 1500 units in the period 2017-2023. As indicated in relation to Issues 34-36, it is considered that, subject to the recommended modifications, sufficient land is allocated in Inverurie and Kintore to satisfy the structure plan requirement. There is no need, therefore, to allocate additional land for a substantial amount of housing in Blackburn.

5. Furthermore, it is not considered that this particular site is suitable for a large scale housing development. It would further extend the northward spread of Blackburn into the countryside. The site is located approximately 1 kilometre from the village centre and from the main public transport route along the A96. Due to topographical constraints, it could not provide a site for a new primary school.

Site G114 (Glasgoego)

6. MIR site G114 occupies a particularly prominent location above the A96 immediately to the west of Blackburn. It comprises some 41 hectares of land. It is proposed that this site be allocated for mixed uses, including up to 500 houses, 5 hectares of employment land, a new primary school and community facilities. The site is constrained on two sides by pipelines, which reduce the developable area.

7. As indicated in paragraph 4 above, it is considered that, subject to the recommended modifications, sufficient land is allocated in Inverurie and Kintore to satisfy the structure plan

requirement. There is no need, therefore, to allocate such a large area of additional land for housing in Blackburn.

**Reporter's recommendations:**

No modifications.

<b>Issue 39</b>	<b>Spatial Strategy: Portlethen to Stonehaven Strategic Growth Area</b>	
<b>Development plan reference:</b>	Section 4, The Spatial Strategy (p6 & 7) Section 6, The Proposals Map, (p21) Schedule 1, Table 6 (p28) Schedule 2, Table 6, (p32) Schedule 3, Table 2 (p35 - 41) Schedule 4, (p43)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Ryden LLP on behalf of Alexander Adamson Ltd (178, 179) Phillip & Fiona Clark (517) Portlethen & District Community Council (580) Knight Frank LLP on behalf of Bett Homes Ltd (918) Barton Willmore on behalf of Stewart Milne Homes (946, 1268) Dundas & Wilson CS LLP on behalf of Stewart Milne Group (957, 959) Turley Associates on behalf of The Stonehaven South Consortium (1081, 1386, 1414, 1415, 2129, 2130) J G Jameson (1087) PPCA Ltd for Banchory & Leggart Estate & Edinmore (1378) Bancon Developments (1417, 1419, 1432, 1456, 1457) Halliday Fraser Munro on behalf of CHAP Homes (1478, 1479, 1482) Halliday Fraser Munro on behalf of Barratt East Scotland & Drum Development Company (Stonehaven) Ltd (1485, 1487, 1488, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500) James Benton (1520) Halliday Fraser Munro on behalf of Stuart McDonald (1551, 1552) Caroline Graham (1555) David Summers (1556)	Archial Planning on behalf of Stewart Milne Homes (1638, 1943) Paull & Williamsons LLP on behalf of Elsick Development Company Ltd (1684, 1686) Ryden LLP on behalf of Cala Management Ltd (1863) Ryden LLP on behalf of R M Kinghorn (1909, 1910, 2657) Montagu Evans LLP on behalf of The Sluie Estate Trust/David & Richard Strang Steel (1953) R E Winmill (1976) Michael Birch (2054) Maclay Murray & Spens LLP on behalf of Forbes Homes Limited (2062) Jack & Anne Campbell on behalf of Kirkton Development (2097) Newtonhill, Muchalls & Cammachmore Community Council (2131) Malcolm Ritchie (2236) Graham Brown (2274, 2356, 2419) Anne Geldart (2281) Neil Paterson (2292) Adam Adimi (2294) Daisy Paterson (2295) William Walton (2309) Graham & Sibbald on behalf of James Manson, Garry Manson & Sandra Brebner t/a Manson & Partners (2616)	
<b>Provision of the development plan to which the issue relates:</b>	Distribution of development between settlements in the Portlethen to Stonehaven Strategic Growth Area.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>General Issues</u>  <b>1419, 1684, 1686, 1976, 2054, 2131, 2236:</b> Support the proposed strategy for this Strategic Growth Area. <b>1684, 1686:</b> This is the most appropriate model in which to accommodate growth. <b>1976:</b> It will assist to maintain the separation of town and country.</p> <p><b>946, 959, 1268, 1417, 1863, 1909, 1910, 2062, 2657:</b> A number of respondents who support the identification of a new settlement at Elsick comment that additional sites should be allocated in the Strategic Growth Area, particularly in the first phase, in order to help meet the Structure Plan requirements.</p>		

**517, 1520, 2097:** Question the scale of housing required.

Respondents comment that the allocations should be re-allocated across a number of smaller sites to provide a range of locations and promote choice (**178, 179**).

Efficient use of infrastructure

**1482:** Comment is made about the education strategy for the South Aberdeenshire area. Object to the approach taken suggesting it is too simplistic. The approach seems to suggest that 4,000 houses are required for a secondary school and there is little to suggest re-consideration of school catchments. Suggest that it is unlikely that more than 4 academies can exist in this Strategic Growth Area. The proposed spatial strategy does not use existing educational infrastructure; Mackie Academy's roll is falling and a new Mearns Academy is in the pipeline.

Accessibility

The strategy needs to consider the implications of addressing transport infrastructure at the Bridge of Dee (**2274, 2281**).

Delivery

Respondents **178, 179, 517, 1087, 1456, 1457, 1478, 1479, 1485, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1638 2356, and 2419** comment that the strategy should direct development to existing settlements where there is existing infrastructure in place. The proposed approach will not meet the Structure Plan requirements. There is a concern that by directing development to a single large site there is little opportunity to consider alternatives if issues arise and that, due to its scale, this site will fail to deliver the structure plan housing land requirement for this area. The scale of the allocation at Elsick should be reduced.

**1378, 1555, 1556, 2292, 2294, 2295:** Development should be directed to Banchory Leggart instead of Elsick as it is a more suitable option for growth. It requires less infrastructure, bus services can be easily extended, it has less impact on the transport system, has close links to Aberdeen and can take advantage of pedestrian/cycle options. It is a more deliverable option (**1378**).

Alternatives - Focus on Portlethen

Respondents **918, 957, 959, 1943, 2616** comment on the role of Portlethen and its ability to accommodate additional growth. **918:** Portlethen is a main service centre, has good local services and infrastructure and transport. **957, 1551, 1552:** Portlethen is an established employment location and an obvious location for additional employment land.

Respondent **580**, supports the approach in the plan which proposes no further significant development around Portlethen.

Alternatives - Focus on Stonehaven

**1081, 1386, 2129, 2130:** The strategy does not suitably reflect Stonehaven's role as a regional centre. Stonehaven is the only settlement proposed to have a regional/sub-regional role within the Kincardine and Mearns area. In comparison with other regional centres the proposed scale of allocations for Stonehaven is very modest. **1386:** Whilst Stonehaven has a number of services and facilities normally associated with a sub-regional centre, there are some gaps in provision, which are not met by the plan. **1414, 1415:** The proposed allocations for Stonehaven are neither appropriate nor relevant.

**1417:** Stonehaven is the only option for additional allocations in this Strategic Growth Area. Around 800 houses at Portlethen remain in the established housing land supply and Stonehaven is capable of accommodating early growth. It would benefit from growth.

**1953:** Reference should be made to the requirement, or need for a large scale foodstore in Stonehaven, in order to reflect the Structure Plan recognition that in order to create sustainable communities, retail services must be one of the main considerations.

**1432:** Development in Stonehaven should be included in the short term where infrastructure and services are present to allow immediate delivery.

Respondent **2236**, however, comments that major development in or around Stonehaven would have a detrimental effect and put additional strain on already stretched facilities and services.

Alternatives - Laurencekirk

**2309:** The Strategic Growth Area extends as far south as Laurencekirk and consideration should be given to locating large scale development in that area, since it has an operational railway station and is an area with a greater capacity for absorbing new development.

**Modifications sought by those submitting representations:**

**959:** Re-allocate housing from Elsick to Schoolhill, Portlethen.

**957:** Re-allocate some of employment land from Elsick to Schoolhill, Portlethen. It has advantage of proximity to Aberdeen City, close association with Portlethen area, available infrastructure and enjoys stronger market profile than Elsick.

**1378:** Banchory Leggart is a better site to accommodate housing and business use required by the Structure Plan in conjunction with land at Schoolhill, Portlethen.

**1432:** Development in Stonehaven should be included in the short term where infrastructure and services are present to allow immediate delivery.

**1520:** 1000 units should be reallocated to the local needs and diversification area

**Summary of responses (including reasons) by planning authority:**

**Overview and general issues**

The spatial strategy proposed for this area is both appropriate and sufficient. The scale of development, set by the approved Aberdeen City and Shire Structure Plan, is the greatest for any of the strategic growth areas within Aberdeenshire.

The local development plan recognises and takes account of paragraph 38 of Scottish Planning Policy in identifying locations for development (see issue 29). Paragraph 77 of Scottish Planning Policy requires that in making allocations planning authorities should consider efficient use of existing infrastructure, accessibility by a range of transport options, coordination of development with infrastructure provision, deliverability and environmental impacts. Cumulative impacts on the South of the city also require to be minimised, through consideration of the settled view of Aberdeen City as to where development should take place within their boundary.

A new settlement is proposed as part of the spatial strategy for this area. This decision has been taken with reference to paragraph 85 of Scottish Planning Policy, and in particular the infrastructural constraints to the further growth of existing settlements, and the opportunity this presents to reduce development pressure on other greenfield land. Particular constraints identified include access to and impact on the trunk road network, and the capacity of the secondary school estate to accommodate an estimated 800 pupils over the life of the plan. Incremental growth on smaller, more diverse sites delivers neither the scale of vision for the area provided by the structure plan, nor the scale of investment required to overcome infrastructure thresholds. Allocations made across the Aberdeen Housing Market area provide a range of locations for development and promote choice.

Support for the proposed strategy is welcomed. Alternative strategies have been proposed which direct development to the north of Portlethen, and to Stonehaven. Both of these options were considered at the Main Issues Report stage but following widespread community engagement the Council's conclusion was to proceed with the strategy set out in the proposed plan (as set out



below). On the other hand, overcoming such constraints would not be possible with multiple small allocations.

**Efficient use of Infrastructure**

Development of the scale proposed by the structure plan cannot be accomplished within the constraints of existing infrastructure, a point fully recognised by the second bullet point of Paragraph 3.9 of the structure plan. It has been concluded that the scale of development proposed is best considered as a very limited number of large allocations, as advocated by paragraph 3.5 of the Aberdeen City and Shire Structure Plan. This allows the investment that is required to be made in new infrastructure required to serve development in an efficient manner. It avoids the provision of new infrastructure in multiple locations, where it will not create the capacity to support further growth.

Modification of catchments is not a solution to fundamental issues with the capacity of the education estate in this area, and the scale of growth anticipated. By 2016 it is forecast that there will only be capacity for 165 pupils in Portlethen and Mackie (Stonehaven) Academies to accommodate pupils from 2200 new homes. Only a “simplistic analysis” is required to identify that there is not the capacity for the new development in existing schools and that a long term solution is required. Even if Mearns Academy (remaining capacity 34 pupils, but with an additional 500 households) is also considered, this picture does not change significantly.

A specific difficulty with one of the alternative strategies is that developments to the north of Portlethen are unable to overcome deficiencies in the secondary school estate without consideration of two co-joined sites, bisected by the route of the Aberdeen Western Peripheral Route. One of these sites could not come forward in isolation, as this would result in the need for “half” a new secondary school. The two sites which could be considered are the creation of a new “village” at Banchory Leggart and a major neighbourhood expansion of Schoolhill, Portlethen. Efficient use of infrastructure requires that these two sites would have to be considered together in any assessment.

Capacity in Mackie Academy (Stonehaven) is projected to fall to 93% of capacity by 2016. More than half of this capacity will be taken up by new allocations in Stonehaven in the intervening period. Mearns Academy (Laurencekirk) is being planned to accommodate the significant growth anticipated in that town. There is limited capacity in Portlethen Academy that will allow initial phases of development in this area to be completed.

**Accessibility**

The “A90 South Comparative Appraisal of Major Sites” study (section 7.3) has appraised the transport impacts of the different strategic options and comes to the conclusion that there is little difference in the impacts that they would cause: all sites raise issues and some have strengths in some areas and not in others. Development at Banchory Leggart / Schoolhill would result in additional congestion and “an effective traffic management system has not yet been established” (Para 7.3.1). Development at Elsick results in slightly less public transport uses, but reduced impacts at the busy Bridge of Dee to Charleston section of the A92. Development at Stonehaven results in the highest transport related carbon emissions. All potential sites at Elsick, Schoolhill or Stonehaven are outwith the walking catchment of railway stations.

**Delivery**

The proposer of the Elsick site recognises the issues associated with early delivery of development and has agreed a detailed action programme to deliver the housing required as early as possible within the plan period. To date every milestone on that action programme has been met and there is no clear reason why the development will not be able to be delivered. As anticipated by paragraph 4.17 of the Aberdeen City and Shire Structure plan, we cannot expect all the new homes to be built within the plan period. Lead in times are likely to be similar for all development sites, but as a proposed site, a considerable level of engagement and assistance has been undertaken with key agencies. Issues that may impact on delivery of other sites may be unknown, as a similar level of engagement and exploratory work has not taken place elsewhere. Directing development to those locations where there is limited existing capacity is not in keeping with the vision of the Structure Plan to “act confidently and take courageous decisions”.

**Alternatives - Focus on Portlethen**

Portlethen is a major local centre, and has significant employment and service facilities. However, it has been the recipient of significant growth stemming from the previous structure plans, which have led to a disjointed and fragmented settlement of little character.

Incremental growth provides no solution to the problems associated with past growth of Portlethen, as identified in the production, Portlethen Capacity Study 2008. However, the conclusions of that report (section 10) ignore fundamental constraints provided by the inability to expand Portlethen Academy, and were not supported by the local community, who subsequently voiced their preference for a stand alone new town, rather than a distinct “add on” neighbourhood. Nevertheless, additional employment land has been allocated to recognise the town’s role as an established employment location.

**Alternatives - Focus on Stonehaven**

A number of proposals exist for strategic development on the south side of Stonehaven. These would have significant impacts on Mackie Academy, and would result in a significantly larger school than is currently the policy of the Education Authority, or is supported elsewhere. The value of the town as a tourist destination is recognised locally and consultation on the Main Issues Report identified very strong opposition to any proposals that could change that. Unlike other regional centres, such as Inverurie, it does not have the range or scale of facilities, employment opportunities, and services appropriate for the promotion of the area for growth. The provision of a large format food store is unlikely to change this position.

**Alternatives – Laurencekirk**

The structure plan requires allocations to be made within the Portlethen to Drumlithie Strategic Growth Area. Making these allocations within the Drumlithie to Laurencekirk strategic growth area would result in a Local Development Plan that was not in conformity with the Structure Plan.

**Conclusion**

Ultimately the development strategy in this corridor has been influenced by the strength of public opinion expressed through the Main Issues Report consultation on the value of a new settlement. All the alternatives now proposed were fully aired in the consultation, and the Councils chosen strategy was fully informed by that debate. Infrastructural constraints to the further growth of existing settlements and the opportunity to reduce development pressure on other greenfield land confirm this as an appropriate strategy that will provide sufficient land to meet the aspirations of the structure plan.

**Any further plan changes commended by the Planning Authority:**

No changes are commended.

**Reporter’s conclusions:**

1. Most of the concerns raised in Issue 39 are addressed elsewhere in the report. The merits of the proposal to concentrate development in the Portlethen-Stonehaven strategic growth area (SGA) at a new settlement at Elsick (rather than Banchory Leggart), and to restrict development at Portlethen and Stonehaven, are addressed in Issues 40, 41, 44 and 45. The main considerations are reiterated below.
2. The structure plan proposes a high level of growth in Aberdeenshire of over 23,000 houses in the period 2007-2023. Schedule 1 of the structure plan includes specific housing allowances for the SGA of 2,200 for the period 2007-2016, and 2,400 for 2017-2023.
3. The overall spatial strategy of the proposed LDP is dealt with in Issue 29. Within the Portlethen-Stonehaven SGA the council had to consider whether to disperse the housing over a number of sites, or to concentrate in one main site, or to adopt a combination of the two approaches.

**Elsick**

4. One of the objectives of the structure plan is to create sustainable mixed communities, where services and facilities for the community must be a part of the development, and new housing must be integrated with employment and commercial development. The structure plan does not propose a new settlement to address these issues, but it does not preclude that option.
5. The proposal to develop the first phases of a new settlement on a site of over 500 hectares at Elsick, west of Newtonhill is a key element of the Plan's spatial strategy, and forms an important part of the council's response to the strategy of the Aberdeen City and Shire Structure Plan.
6. Paragraph 5.7 of the structure plan recognises that there must be investment in existing and new infrastructure in the structure plan area, in order to make changes on the scale proposed. It notes that existing roads, sewers and schools will not be able to cope with the demands extra development will bring, and there is a need to invest in facilities and services for communities. Those needs should be considered before land is identified in local development plans.
7. Infrastructure constraints are particularly acute in the Portlethen-Stonehaven SGA. The main issues report advised that the scale of development in the SGA envisaged by the structure plan could not be accommodated in existing secondary schools, and that significant improvements were likely to be required to increase the capacity of the local road network to accommodate development (even assuming the construction of the Aberdeen Western Peripheral Route/Fastlink).
8. The preferred solution in the main issues report was the development of a new settlement in the growth corridor. The alternative of major urban expansion of existing towns was considered undesirable due to landscape, pipeline and transportation constraints. At the main issues report stage Banchory Leggart was preferred to Elsick as the location of the new settlement, due to its greater deliverability in the short term and lesser impact on the transportation system. However, the report acknowledged that Elsick was a very real alternative, which would offer greater benefit to the existing community of Newtonhill.
9. Consultation on the main issues report revealed a high degree of concern about the volume of development proposed in the SGA. There was some support for limiting development in Stonehaven (to avoid undue impact on its character and rural setting) and Portlethen (where there is real concern about the danger of coalescence with other settlements), but a strong measure of opposition to the Banchory Leggart proposal for a variety of reasons. There was a perception that it would essentially be an extension to Aberdeen, and would not be self sustaining.
10. There was considerable support for the alternative option of a new settlement at Elsick, which is outside the green belt, further from Aberdeen and hence seen as more likely to be self sustaining. The scale of the settlement, its potential to provide all (or at least the vast majority of) the growth in the corridor, the lack of significant landscape or other environmental constraints, and the opportunity to bring forward community benefits for Newtonhill were other arguments in favour.
11. The council's area committee decided to pursue the Elsick alternative in preference to the Banchory Leggart proposal. Elsick was seen as offering a greater vision for the future, and would prevent 'bolting on' development to existing settlements. These advantages were seen as outweighing Banchory Leggart's better deliverability and transportation connections.
12. In principle the decision to establish a new settlement at Elsick is consistent with the spatial strategy of the structure plan which plans for significant growth in a limited number of places, where there can be significant investment in schools, community facilities and transport infrastructure without affecting people's quality of life (paragraph 3.5). Paragraph 3.7 of the structure plan emphasises that development in the SGAs will bring about a significant need for improvements to the infrastructure, including new primary and secondary schools, improvements to roads and railways, and new water and waste water systems. All three SGAs are intended to focus on creating sustainable mixed communities with the services, facilities and infrastructure necessary for the 21<sup>st</sup> century.

13. The proposal to create a sustainable mixed community at Elsick, which would provide schools, community facilities, employment, improved connections to the A90 trunk road and enhanced public transport opportunities, is a rational response to the need for major investment in infrastructure which is highlighted in the structure plan strategy. The scale of the settlement gives it the critical mass to address infrastructure requirements and to create a sustainable community, in line with the structure plan strategy.

14. Concerns about the deliverability of the Elsick project, and its accessibility by sustainable modes of transport, are examined in Issue 41.

### **Banchory Leggart**

15. The Banchory Leggart alternative has significant drawbacks, which are discussed in Issue 45. Its location on the southerly edge of Aberdeen suggests that it would not operate as a self-contained settlement. A new settlement at Banchory Leggart would be likely to function effectively as a dormitory suburb of Aberdeen, whereas Elsick due to its larger scale and greater distance from the city has the potential to become a self sustaining new town.

16. The land to the south of the River Dee which includes the Banchory Leggart site is designated as green belt. The green belt in this area prevents the southwards sprawl of the city, and retains the separation between Aberdeen and the outlying settlements of Aberdeenshire, notably Portlethen. The separate identity of Portlethen would be threatened, particularly if Banchory Leggart was developed together with Schoolhill phase 2 (with a gap of only one field between the two development sites).

17. The promoters accept that Banchory Leggart is an important part of the landscape setting of Aberdeen, which features in views from the city, and affords significant views of the city. Any urban development of the scale proposed would be likely to erode the countryside character of this area, when viewed from the city and the A90, even assuming the incorporation of a regional country park.

18. The impact of the development on the River Dee Special Area of Conservation (SAC) is unknown at this stage. It is likely that an appropriate assessment would be required, to establish the potential effects on the designated interests of the SAC.

19. Whilst Banchory Leggart would be well served by bus routes, it is not well placed to take advantage of rail travel. Also, because of its proximity to Bridge of Dee, the development of a new settlement at Banchory Leggart would concentrate traffic in an already congested area.

### **Portlethen**

20. I agree with the assessment of Portlethen in the main issues report that it has been the victim of piecemeal development, whereby phases of development continue to be added to the edge of the settlement without consideration of a long term vision for the area.

21. Viewed from the A90 and elsewhere, Portlethen gives the impression of unchecked urban sprawl, and there are legitimate concerns that it could coalesce with surrounding towns and villages. I share the community council's view that the town has earned a respite from urban expansion, and that new housing development in the area should be channelled instead into the planned new settlement at Elsick during the Plan period.

### **Stonehaven**

22. As explained in Issues 29, 39 and 41, I support the council's approach to the distribution of development in the strategic growth area, including the decision to concentrate development at the proposed new settlement at Elsick. Stonehaven is subject to landscape and infrastructure constraints which limit the potential for development in the town during the Plan period.

23. The importance of Stonehaven's landscape setting was highlighted in responses to the main issues report, which raised general issues about the effect of development on the character and setting of the town and specific concerns about the impact of the development of particular sites.

There is a strong desire to prevent the town from spreading beyond the A90 bypass to the west of Stonehaven, and to avoid building in prominent locations north and south of the town. This is consistent with the concern to protect the character of the town, and its attractiveness to visitors and tourists.

24. The responses to the main issues report also drew attention to infrastructure constraints. Substantial growth in Stonehaven would require either a second academy or a very large academy, greater in size than any other secondary school in Aberdeenshire. There are also pipeline, landscape and infrastructure constraints, so options for development are quite limited.

25. For the reasons given in Issue 44 I have concluded that Stonehaven warrants a pause from major urban expansion during the plan period, in line with views expressed during consultation on the Plan. The alternative sites suggested for a superstore lie on the periphery of the town, and would not be suitable for major retail development in isolation. They would also be likely to harm the vitality and viability of the town centre.

**Overall conclusions**

26. I therefore support the Plan’s spatial strategy for the Portlethen-Stonehaven strategic growth area, which limits development in Portlethen and Stonehaven and directs major growth to the proposed new settlement at Elsick.

**Reporter’s recommendations:**

No modifications.

<b>Issue 40</b>	<b>Portlethen</b>	
<b>Development plan reference:</b>	Section 6 The Proposals Map (p23) Schedule 1 – Table 6, (p28) Schedule 2 – Table 6, (p32) Volume 3H Supplementary Guidance, Settlement Statements (p38-42)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Gamola Golf Ltd (117)                  William Lippe Architects Ltd on behalf of EIS Waste (417)                  Portlethen &amp; District Community Council (580, 1101, 1122)                  Knight Frank LLP on behalf of Bett Homes Ltd (918, 919)                  Dundas &amp; Wilson CS LLP on behalf of Stewart Milne Group (957, 959)                  Portlethen Golf Club (1312)                  Halliday Fraser Munro on behalf of Barratt East Scotland &amp; Drum Development Company (Stonehaven) Ltd (1494, 1495)                  Halliday Fraser Munro on behalf of Stuart McDonald (1528, 1537, 1541, 1551, 1552)                  Paull &amp; Williamsons LLP on behalf of Raemoir Properties Ltd (1634, 1639)                  Archial Planning on behalf of Stewart Milne Homes (1638)                  Ryden LLP on behalf of Cala Management Ltd (1863)                  Ryden LLP on behalf of A &amp; M Smith (1900, 1901)                  Graham Brown (2356, 2419)                  Graham &amp; Sibbald on behalf of James Manson, Garry Manson &amp; Sandra Brebner t/a Manson &amp; Partners (2616)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations in and around Portlethen.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site R1</b>  <b>580, 1122:</b> The town centre is an agglomeration of parts and functions and given that the present occupiers are established in this location, it is difficult to conceive what is meant by R1. Real enhancement of the town centre would be redevelopment of the meat factory.</p> <p><b>Site R2</b>  <b>580, 1122:</b> The respondent welcomes the allocation of site R2 for a park and ride.</p> <p><b>Site E2:</b>  <b>417:</b> The respondent objects to the allocation of E2. Waste facilities which can be further developed already exist within 1000m of this site.</p> <p><b>1494, 1495, 1528, 1541:</b> Site E2 is currently in industrial use and the allocation is merely a confirmation of this use. This allocation will not address the deficiency in marketability of immediately available employment land. The site is badly constrained by access onto the A90, which is unlikely to improve post-construction of the Aberdeen Western Peripheral Route.</p> <p><b>1900, 1901:</b> The respondent outlines their support for E2. The site occupies a strategic location and the site is easily accessible to the trunk road. Junction improvements can be carried out in the short term. The principle of development in the area has been established through consents. Site E2 has sufficient scale to mitigate any impact arising from inert landfill, and can accommodate a range of waste recycling uses. There is no impediment to the delivery of E2.</p> <p><b>1900:</b> Object to the failure to allocate the land to the south of Duffshill Road (the entire bid site</p>		



K111). The site has easy access to the trunk road, with the junction capable of upgrade. Following construction of the Aberdeen Western Peripheral Route, access will be significantly improved. The land to the south of E2 was accepted by members at the Area Committee Meeting of 27 Feb 2010. The principle of development on the area has been established through consented uses and maximum benefit should be derived from those established uses. Cleaner uses could be provided on this site to the south of Duffhill Road by providing a buffer between waste facilities to the north and the park and ride to the south. The structure plan sets specific targets to reduce the amount of biodegradable municipal waste being sent to landfill; and in order to meet the reduction targets, the Councils should work together to put in place residual waste management solutions. The Structure Plan attaches significant weight and addresses waste separately from employment land allocations, therefore such uses should be allocated over and above the Structure Plan employment land allocation. Site E2 satisfies a particular and specialist need, and therefore the land to the south should be identified for 'mainstream' employment uses.

**1900:** Should the spatial strategy revert to allocating Banchory Leggart, site E2 should be allocated in full (see Issue 39 Settlement Strategy Portlethen to Stonehaven).

### **Alternative Sites**

#### Mill of Balquharn

**117:** Site P5 includes two sites close to the roundabout which are currently scrub land and should be allocated for retail facilities.

**1101:** Object to the proposals for inclusion of sites adjacent to Mill of Balquharn which have only recently been lodged. These sites are within the greenbelt in the extant plan and it is not practical for a town centre on the west of the A90, away from any houses.

**1312:** The respondent raises concern about proposals submitted for an extension of the town centre boundary to include land at Balquharn. As the proposals stand they are unacceptable: they are immediately adjacent to the golf playing area. Normal principles require a 60m zone from the target line of a hole.

**1634, 1639:** Request land at Mains of Balquharn is included within the town centre boundary for uses appropriate to a town centre such as retail, health club or restaurant. The site's location would complement the existing business park. An assessment has shown that vehicular impact can be accommodated by the existing layout and that pedestrian access would be enhanced, along with new bus stops. The sites were ranked 'most favoured' in the Capacity Study.

#### Land to the north of Portlethen

**2616:** Land at sites K49 and K98 as identified in the Main Issues Report should be allocated. Consolidation of Portlethen should be the strategy and residential development can be accommodated most appropriately around the existing built form, within the defined boundaries of the A90 and the railway.

#### Hillside

**918, 919:** Site at Hillside (K49 in the Main Issues Report) should be allocated for 300 houses. The site provides a logical extension to Portlethen, improving the approach from the north. The site would resolve access issues with surrounding land uses. The site is immediately adjacent to existing residential area, well served by footpaths, public transport and road networks. The site has easy access to local facilities, bus stops and the rail station (within a 20 minute walk). The site is well contained within the landscape. The land is of little ecological value.

#### Schoolhill

**957:** Employment land allocated to Elsick should be shared with Schoolhill phase 2. Schoolhill is within closer proximity of Aberdeen, has close association with Portlethen and available infrastructure. It enjoys an implicitly stronger market profile than Elsick.

**959:** Schoolhill Phase 2 (site K125 in the Main Issues Report) should be allocated for a mixed use

development including 800 houses in phase 1 and 750 houses in phase 2. The site at Schoolhill should be included, as the grade separated junction at Findon has capacity; the site is the most accessible as it incorporates on-site employment and a new primary school; the site is served by an hourly bus and could be served by a 30 minute circular bus service.

**2356, 2419:** Land at Schoolhill should be allocated. The infrastructure is already in place. This site would be more carbon friendly than Elsick, a link to the AWPR would be readily available at Charleston.

Hillside Filling Station

**1528, 1541, 1552:** Request land at Hillside Filling Station be allocated. There has been no justification as to why this land has not been allocated. The site is brownfield land, and Scottish Planning Policy states there is a clear requirement to develop brownfield land. The site can attract a range of uses, is accessible and marketable, contributing to the structure plan requirements. The site meets the requirement of the structure plan to locate business land in a range of locations and offers a choice of employment land in the Strategic Growth Area. There is no upper limit to employment land allocations from the structure plan. There are a number of similar developments along the A90. It is not necessary for sites to have been included in the MIR for them to be allocated.

**1537, 1551:** It is requested 1 hectare of employment land is allocated at Hillside Filling Station.

Clashfarquhar, South Portlethen

**1638:** Land to the south of Portlethen at Clashfarquhar (K124 in the Main Issues Report) should be allocated for 150 houses. The south of Portlethen is in close proximity to services, facilities and public transport. The site is included in three of the four options for extension of Portlethen in the Portlethen Capacity Study. The development poses little threat to coalescence of settlements: Newtonhill is 1.2km away and this would be reduced to 1km through the development of the site. There is also a range of land uses and a strong visual barrier between the two settlements.

Cairnwell

**1863:** Land at Cairnwell (K90 in the Main Issues Report) should be allocated for a mixed use development of 2000 houses with associated uses. The release of land at Cairnwell is needed to enable the junction to enable Elsick. There is capacity at Portlethen Academy for the development (and the Council are obligated to ensure Portlethen Academy operates at capacity). Cairnwell was the chosen location in the Portlethen Capacity Study. The development would provide a grade separated junction.

**Modifications sought by those submitting representations:**

**417:** Object to the allocation of E2.

**580, 1122:** Request clarification of R1.

**580, 1122:** Support site R2.

**1494, 1495, 1528, 1541:** Site E2 is constrained.

**1900, 1901:** Support site E2.

**117:** Sites adjacent to the A90 within P5 should be allocated for retail uses.

**1634, 1639:** The town centre boundary should be extended to include two sites adjacent to Mill of Balquharn at Badentoy.

**1101:** Sites adjacent to Mill of Balquharn are not suitable to be part of the town centre.

**1312:** Proposals for development adjacent to Mill of Balquharn are unacceptable.

- 918, 919:** Land at Hillside should be allocated for 300 houses.
- 957:** Land at Schoolhill should be allocated for employment land (half of the Elsick allocation should be reallocated here).
- 959, 2356:** Land at Schoolhill should be allocated for a mixed use development with 1550 houses.
- 1528, 1551, 1552:** Request 1 hectare of employment land be allocated at Hillside Filling Station.
- 1638:** Land at Clashfarquhar should be allocated for 150 houses.
- 1863:** Land at Cairnwell should be allocated for a mixed use development of 2000 houses.
- 1900, 1901:** Site E2 should be extended to include land to the south totalling 34.4 hectares.
- 2616:** Land at K49 and K98 should be allocated.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Portlethen is located within the Portlethen to Stonehaven Strategic Growth Area. There was substantial developer interest in Portlethen in the Main Issues Report, with large scale proposals to the north and south of the town. The Main Issues Report supported a strategy for large scale development to the north of Portlethen, which, in association with Banchory Leggart would provide an Academy. However, following widespread community engagement and debate at the Main Issues Report and Proposed Plan stages, the strategy supported by the Council was to exclude large scale development to the north of Portlethen in favour of substantial development in a new settlement at Elsick. As such there are now no housing allocations proposed in Portlethen. New employment allocations are made.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the paper apart 'Issues and Actions Paper Volume 6 May 2010' (page114).

**Site R1**

The reservation of site R1 has been brought forward from the Aberdeenshire Local Plan. The site currently includes a supermarket and a number of large retail units. None of the present occupiers of the site express any desire to implement town centre improvements. However, Portlethen lacks a town centre or focal point and there are few alternative locations where urban enhancement could take place. The Council are therefore of the view that the site should be reserved for urban enhancement should the circumstances of the site change.

**Site R2**

The site for a park and ride is being progressed through the planning system, with a Proposal of Application Notice (POAN) submitted.

**Site E2**

A waste transfer business already operates from this site, and there are also waste recycling facilities at Gallowhill to the east of the A90. However, site E2 has been allocated in order to provide an area of search for future waste facilities and associated employment uses. The Structure Plan Sustainable Development Objective requires a reduction in the amount of waste sent to landfill, and requires that appropriate waste solutions are put in place (page 16).

There is a request from the landowner for a larger site. However, additional land is not required as 105 hectares of employment land has been allocated in the Strategic Growth Area from Huntly to Laurencekirk, meeting the Structure Plan requirement. There is also a request for the site to be

given a specialist allocation over and above the employment land allocation, but there is no such requirement in the Structure Plan and so this would not conform with the Structure Plan. Some respondents argue the access is unsuitable, but the site currently has sufficient at grade access to the A90 and there is no justification to remove the site on this basis. Upon completion of the AWPR an alternative access will link the site with the Findon interchange, improving access arrangements. The allocation or non allocation of Banchory Leggart has no bearing over the size of allocation at E2.

### **Alternative Sites**

The allocations within this corridor are both adequate and sufficient, and there is no need to allocate any further land for development.

Many of the issues raised in relation to Portlethen were addressed in the response to the consultation on the Main Issues Report, and were considered in 'Issues and Actions Volume 6 May 2010' (page 114).

#### Mill of Balquharn

Land at Mains of Balquharn is protected in the Portlethen Settlement Statement as part of the golf course. It is accepted that the land does not form part of the golf course. However, these sites were not put forward as part of the Main Issues Report and have not been subject to site assessment or public debate. There is also concern that allowing retail uses in this location would further disjoint the town centre. Concerns about impact on the golf course would be considered as part of the detailed planning stage.

#### Land to the north of Portlethen

Land at K49 and K98 to the north of Portlethen was fully debated at the Main Issues Report and Proposed Plan stages, and following widespread community engagement the Council's conclusion was to exclude the sites. There are responses to many of the issues raised within 'Issues and Actions Volume 6' (May 2010). Both sites would result in coalescence and impact on the setting of Portlethen. There is no capacity in Portlethen Primary School for the development; the school is forecast to be operating at 114% capacity in 2016.

#### Schoolhill

Land at Schoolhill (K125) was identified in the Main Issues Report as part of the preferred strategy for development. However, the strategy of the proposed plan for a new settlement results in no requirement to allocate further land within the Portlethen strategic growth area. The Portlethen Traffic Capacity Study (pages 7 and 31) has highlighted that the grade separated junction at Findon may require modification in order to cope with further development. With the scale of development proposed, an additional primary school would be required.

There is a request to reallocate employment land from Elsick to Schoolhill. Without additional housing development in this location, it is not desirable to allocate further employment land at Portlethen. 22 hectares of employment land have been allocated in Portlethen. There is still employment land with Badentoy Industrial Estate to satisfy any need in the immediate Portlethen area.

#### Hillside Filling Station

Land at Hillside Filling Station was not considered as part of the Main Issues Report and has not been subject to public consultation. The site was submitted as a new site in response to the Main Issues Report Consultation, and is considered in 'Issues and Actions Volume 6'. The site is brownfield development in any case and could be considered under the Rural Development policies. Regarding upper limits of employment land allocations in the strategic growth area, the Structure Plan does not state the allocation required is a 'minimum'. It is highly likely that development in this location would impact on the trunk road.

#### Clashfarquhar, South Portlethen

Land at Clashfarquhar (K124) to the south of Portlethen was fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement the Council's

conclusion was to exclude it. Issues and Actions Paper Volume 6 details why the site was not allocated. The primary reasons are that the site would contribute to coalescence with Newtonhill to the south and create a linear settlement form.

Cairnwell

Land at Cairnwell (K90) was fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement the Council's conclusion was to exclude it. Reasons against allocation of the site are outlined in Issues and Actions Volume 6. Initial work on the deliverability of the junction at Elsick has already been undertaken, and does not require the allocation of this site. It is accepted that a junction in this location could serve development at Cairnwell, but the strategy is for a new settlement at Elsick in order to prevent 'bolting on' development to existing settlements.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Portlethen are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

There are no changes commended.

**Reporter's conclusions:**

**General approach**

1. Portlethen is one of the main towns in the Portlethen to Stonehaven strategic growth area (SGA). Schedule 1 of the structure plan includes specific housing allowances for the Portlethen-Stonehaven strategic growth area (SGA): 2,200 for the period 2007-2016, and 2,400 for 2017-2023.
2. The Plan's overall spatial strategy, and the spatial strategy for the Portlethen-Stonehaven strategic growth area, are discussed under Issues 29 and 39. The proposal to develop a new settlement at Elsick, west of Newtonhill, is dealt with in Issue 41.
3. Within the SGA the council had to consider whether to disperse the housing over a number of sites, or to concentrate in one main site, or to adopt a combination of the two approaches.
4. The main issues report noted that Portlethen was developed in the 1970s to meet the demand for housing in Aberdeen. It is described in the report as effectively a suburban development, which requires a civic centre and focal point.
5. A mixed use proposal of 1,550 houses at site K125 (Schoolhill), north of Portlethen, was preferred in the main issues report, in conjunction with a new settlement nearby at Banchory Leggart. The proposal at site K125 attracted considerable support from respondents, but others expressed general concerns about the potential impact of development around Portlethen on the landscape and on the approach to the city, and coalescence of existing communities.
6. The council's area committee supported the Elsick proposal, instead of 'bolting on' development to existing settlements, and decided not to propose any further expansion to Portlethen during the Plan period. Portlethen & District Community Council welcomes the recognition that there should not be significant further development around Portlethen itself, and that a second academy in the town would not be appropriate.
7. In principle I support the council's approach to the distribution of development in the strategic growth area, and agree with the assessment of Portlethen in main issues report: *"It has arguably been the victim of piecemeal development, whereby phases of development continue to be added to the edge of the settlement without consideration of a long term vision for the area."*

8. Viewed from the A90 and elsewhere, Portlethen gives the impression of unchecked urban sprawl, and there are legitimate concerns that it could coalesce with surrounding towns and villages. I share the community council's view that the town has earned a respite from urban expansion, and that new housing development in the area should be channelled instead into the planned new settlement at Elsick during the Plan period.

**Town centre and park & ride reservations**

9. There is no argument that Portlethen would benefit from the establishment of a town centre, which would give the town a focus and strengthen its identity. Area R1 is currently a retail park of little character. Its reservation for town centre uses and urban enhancement recognises the potential for improving the environment and retail attractiveness of area R1 as soon as the operators are prepared to engage in the project.

10. Proposals are well advanced for the park and ride proposal west of the A90 at the Findon interchange, and the reservation of site R2 for that purpose is welcomed by the community council.

**Area of search for waste facilities**

11. Site E2 on the north side of the Duffshill Road already contains a waste management and recycling business. Its proposed designation as area of search for waste facilities and associated employment uses acknowledges the existing use, and recognises the potential of the site to make a contribution to the structure plan's objective to reduce the amount of waste sent to landfill.

12. The site is located outwith the settlement, and on the opposite side of the A90 trunk road. The existing at-grade junction with the A90 is far from ideal, but the proposed link to the Findon interchange would resolve any access difficulties as soon as the Aberdeen Western Peripheral Route is in place.

13. There is little justification to extend the allocation south of the Duffshill Road, having regard to the scale of employment land allocations elsewhere in the SGA, including an additional 15.5 hectares at Portlethen, 11.5 hectares at Newtonhill, and 11.5 hectares at Elsick. Nor is there any need to give the E2 site a specialist designation, beyond its employment allocation.

**Alternative sites**

Mill of Balquharn

14. The land at Mill of Balquharn forms part of a substantial area of land between the Badentoy Industrial Estate and the A90 which is to be protected to conserve the golf course. Though the site is not within the golf course, it is part of an important buffer of unbuilt land separating Portlethen from the outlying industrial estate. In any case, it would not be appropriate to develop new town centre uses on the opposite side of the A90 from the existing retail park, and divorced from Portlethen by the Badentoy interchange.

Land north of Portlethen

15. Site K49 at Hillside is well contained in the landscape, lying in a corridor of under-used land between the A90 and the railway line. As such it could be seen as a logical expansion to the town. However, its development for housing would extend the town substantially northwards to Moss-side of Findon, and would erode the gap between Portlethen and Marywell to the north. The suggested development of K49 in conjunction with site K98 would further increase the risk of coalescence, which is an issue of concern to the local community.

Schoolhill

16. Schoolhill Phase 2 (site K125) was a preferred site in the main issues report, in conjunction with a new settlement at Banchory Leggart. It has a number of advantages, including its ready accessibility from the A90 via an existing grade-separated interchange at Findon and good public transport links. It would be of a sufficient scale to provide a substantial area of employment land, and services such as a new primary school. The master plan has been commended by the council.

17. However, the construction of an additional 1,550 houses as a second phase of the Schoolhill



development would compound past patterns of development which the local development plan strategy is seeking to avoid. The site comprises an extensive, level area of 'plateau' to the west of the A90. Its development for housing and other uses would extend the built up area approximately 1km northwards and 0.75km westwards from its current limits. In this largely featureless landscape, the development would appear as more unchecked urban sprawl. So close to the city boundary the green belt in this area is crucial to preserve the separate identity of towns and villages.

Hillside Filling Station

18. This site beside the A90 has been vacant for several years. In principle, the redevelopment of the former petrol filling station would appear to be consistent with policies which promote the re-use of brownfield land and support economic development. However, the 1 hectare site promoted in this representation is much larger than the former petrol filling station, and given its direct frontage to the A90 dual carriageway it is unclear whether a safe access could be provided to the satisfaction of Transport Scotland. There is no shortage of employment sites in the strategic growth area, and therefore there is no need to allocate this further site when its suitability is unresolved.

Clashfarquhar, Portlethen

19. These 2 fields (site K124) adjoin a recent housing estate on the south side of the town. There is no physical constraint which would prevent their development for housing. However, the development is opposed by the community council which is concerned about the outward spread of Portlethen, and it would narrow the gap between Portlethen and Newtonhill.

Cairnwell

20. The proposal for a mixed use development of 2000 houses on site K90 at Cairnwell provoked over 100 objections at the main issues report stage. It would represent a major urban expansion onto an extensive area of rising ground to the west of the A90. The potential benefits of sharing a new grade separated junction with the Elsick development, and creating a new town centre through relocating the golf course, do not override the need to check the westward spread of Portlethen.

21. In my discussion of Issue 41 I have supported the council's decision to concentrate development in the SGA within a new sustainable settlement at Elsick. On that basis there is no need to promote a major urban expansion nearby at Cairnwell or Schoolhill.

**Reporter's recommendations:**

No modifications.

<b>Issue 41</b>	<b>Elsick</b>	
<b>Development plan reference:</b>	Section 4, The Spatial Strategy (p6 & 7) Section 6, The Proposals Map (p23) Volume 3H Supplementary Guidance, Settlement Statement, (p10-11)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Malcolm Marr on behalf of W I and M Marr (77) Edward Ewan (87) Brian Saunders (174) Phillip &amp; Fiona Clark (517) Portlethen &amp; District Community Council (580, 1122) Barton Willmore on behalf of Stewart Milne Homes (946, 1268) Dundas &amp; Wilson CS LLP on behalf of Stewart Milne Group (957, 959) Robert &amp; Olive Rennie (1079) Turley Associates on behalf of The Stonehaven South Consortium (1081, 1386) J G Jameson (1087) PPCA Ltd on behalf of Banchory &amp; Leggart Estate &amp; Edinmore (1377, 1378, 1379, 1380, 1381) Bancon Developments (1417, 1419, 1432, 1456, 1457) Halliday Fraser Munro on behalf of Barratt East Scotland &amp; Drum Development Company (Stonehaven) Ltd (1490, 1491, 1494, 1495) David Summers (1553, 1556) Caroline Graham (1555, 1558) Archial Planning on behalf of Stewart Milne Homes (1638)</p>	<p>Archial Planning on behalf of Carnegie Base Services (1654) Paull &amp; Williamsons LLP on behalf of Elsick Development Company Ltd (1665, 1666, 1667, 1670, 1671, 1684, 1686, 1820) Ryden LLP on behalf of Cala Management Ltd (Cala) (1863) Scottish Environment Protection Agency (1979) Michael Birch (2054) Maclay Murray &amp; Spens LLP on behalf of Forbes Homes Limited Mr &amp; Mrs Jack &amp; Anne Campbell on behalf of Kirkton Development (2097) Newtonhill, Muchalls &amp; Cammachmore Community Council (2131) Scottish Government (2142) R David Leishman (2221) Malcolm Ritchie (2236) Dr Edward Morel (2242) Graham Brown (2274, 2356) Anne Geldart (2281) Michael Morgan (2291, 2721) Neil Paterson (2292) Michaela Novak (2293) Adam Adimi (2294) Daisy Paterson (2295) RoadSense (2309, 2646)</p>	
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at Elsick – M1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>General Approach</b> Respondents <b>959, 1379</b> comment on the strategic basis for the allocation at Elsick and largely reflect the comments raised in relation to the spatial strategy (see Issue 39 Spatial strategy Portlethen to Stonehaven). <b>959, 1379</b> comment that it is a risk to allocate the majority of housing to a single site where there is no certainty of delivery.</p> <p><b>580, 1122, 1417, 1432, 1456, 1684, 1686, 2054, 2062, 2131, 2236, 2242, 2291, 2721:</b> Support the principle of a new settlement at Elsick. Respondents <b>580, 1122, 1417, 2054, 2236, 2242</b> comment that this approach provides an opportunity to develop a sustainable community which is carefully designed, includes suitable facilities and offers scope for future development. Whilst respondents <b>1417, 1419, 1432, 1456</b> welcome the approach they do express some concern about delivery.</p> <p>The proposal will deliver a new academy and up to four primary schools to provide centres for the</p>		

new community and the focus for further leisure facilities. The intention is to develop a town centre and smaller village centres (**1684, 1686**).

### **Delivery/Infrastructure/Timescales**

Respondents **946, 959, 1081, 1386, 1087, 1268, 1377, 1638, 1654, 1863, 2274, 2292, 2294, 2295** express concern about the ability of this proposal to deliver the scale of development proposed in the first phase of the plan. Comments are raised about the availability of existing infrastructure to support a development of this scale and the lead-in times associated with the provision of infrastructure. **1379, 2062** comment that significant upfront funding will also be required.

Respondents **1665, 1686** comment that the level of allocation proposed is required to support investment in the infrastructure and that these improvements are required wherever development occurs in the corridor.

In particular **959, 1081, 1378, 1386, 1419, 1432, 1456, 1457, 1863** suggest that there are likely to be significant lead in times associated with the major infrastructure requirements, which will have an impact on deliverability and in meeting timescales.

**1081, 1386, 1456, 1457:** The lead in time, following adoption of the plan, will include timescales for planning applications, relevant construction and other consents, and infrastructure investment. A site start for residential elements may be as late as 2014 (**1081, 1386**). A site start may be the latter half of 2014 (**1456, 1457**).

**1417:** The masterplan is just being instigated and there is no developer involvement, and therefore the timescales are not achievable. **1863** also comments that there is no house builder involvement in the site and a single house builder would be incapable to achieving the level of necessary completions to meet the Structure Plan requirements.

**1419:** It is critically important that the planning and delivery of infrastructure is carried out carefully to ensure its long term success. This militates against early delivery.

Respondents **1081, 1379, 1386, 1456, 1863** doubt the ability of the market to deliver completion rates to meet the plan timescales. **1081** and **1386** suggest that the allocation relies on unrealistic assumptions. **1379:** suggests that at Elsick there would be a more limited number of developers building at a slower rate, as the market is untested.

**1684, 1686** comment that the timescales are achievable. Discussions have taken place with the Council and statutory consultees over the infrastructure requirements for the first phase of development, and work is moving forward to ensure prompt delivery of the proposal on adoption of the Local Development Plan. Extensive work has been undertaken and additional information is available in the reports from Scottish Water and transport reports. A planning charrette involving the community, businesses and statutory consultees has been embarked upon.

### **Road Infrastructure**

**959:** The potential to upgrade the Newtonhill Interchange is restricted by existing and committed development.

**1684, 1686, 1820:** the SIAS study suggests that interim development serviced by access onto the Newtonhill interchange will result in no more than minor increases in journey times along the A90. The Fairhurst route corridor study also identifies potential benefits associated with junction rationalisation through improvements to existing deficiencies.

**959:** Suggests that a new grade separated junction at Bourtreebush is unlikely to be delivered much before 2018, but that development beyond 500 houses will be dependent upon it. Comment is made that land for the proposed new grade separated junction is outwith the developer's control (**1555, 1556**) and is only deliverable with the allocation of land at Cairnwell (**1863**). The junction could take over 3 years to design, obtain consents and construct (**1490, 1491**).

**580, 1122:** The northern Bruntland Road/Bourtreebush junction should be a four way grade separated junction and should be provided in advance of the development.

**2142:** The Scottish Government comment that they are unable to make a fully informed decision on the Elsick allocation until the ongoing transport appraisal is reviewed and agreed. This includes confirmation on the potential of a new junction on the Aberdeen Western Peripheral Route Fastlink trunk road and deliverability of the upgraded A90 trunk road junction at Newtonhill and Bourtreebush.

#### **Aberdeen Western Peripheral Route Fastlink**

**1684, 1686:** The MVA study concludes that a new junction onto the Fastlink as part of the access strategy will reduce congestion at Bridge of Dee by 10% with a more considerable reduction between Elsick and Findon.

**1378, 1379, 1490, 1491, 2221, 2281, 2292, 2294, 2295, 2309, 2356:** Give the view that the Aberdeen Western Peripheral Route is necessary to deliver this proposal. **1490** and **1491** suggest that it requires to be constructed within the first phase of the Local Development Plan.

**1378, 1490, 1491, 2309:** comment that delivery of the Aberdeen Western Peripheral Route is outwith the control of the developer. **2309** further comments that on this basis it is premature to include this proposal within the plan given the outstanding legal challenge.

**1081, 1380, 1381, 1386, 1490, 1491:** The proposal to introduce a new junction on the Fastlink is contrary to policy on new accesses to trunk roads. On a similar basis **1378** comments that there can be no guarantee that Transport Scotland would permit a new junction to the Fastlink.

On a separate note **1087** suggests that as a Fastlink, there should be no new junctions.

**1555, 1556:** The proposal to link to the Fastlink will result in rat-running through the site.

**2221, 2292, 2294, 2295:** Without access onto the Fastlink and the Aberdeen Western Peripheral Route the development should not go ahead.

#### **Other road transport issues**

Respondent **1379** outlines that development should not be approved until Transport Scotland withdraw their concern. There are major practical and policy considerations which require to be resolved and until resolved there is no certainty over the level of development.

Respondents **1378, 1379, 1380** suggest that the Elsick proposal is unlikely to encourage sustainable modes of travel. Transport parameters in the Structure Plan and Local Development Plan which emphasise the need to ensure that a greater choice of modes of transport is attained in locating new development, appear to have been largely ignored (**1380**). By virtue of its distance from Aberdeen City, commuters will require to travel further creating a larger CO2 footprint.

**1378, 2054:** There are issues with the proposed public transport provision for Elsick. The proposal should be served by public transport at the outset. However, the action programme does not set out how this can be achieved. Substantial and sustained investment would be required and it is unlikely that a highly frequent service could be provided (**1379**).

**2274, 2292, 2294, 2295:** Express concern that there is little information on the impact of traffic on the A90 particularly at the Bridge of Dee. Respondent **1381** comments that development would impact on the A90 northbound approaches to the Charleston junction.

Contrary to these points respondents **1684, 1686, 1820** comment that creating a sustainable new community with an integrated mix of land uses will substantially reduce the proportion of people needing to travel outwith the community.

**1380:** Consideration should also be given to functional linkages with the surrounding areas as well as internal linkages for foot and cycle traffic. **1490, 1491** suggest that these links are currently very poor and would rely on the upgrading of transport infrastructure in the area which does not have Transport Scotland support.

Comment is made that diversions of existing bus routes are likely to be required, adding time to services and diluting the attractiveness for existing users (**1380, 1490, 1491**). Respondent **1381** comments that it is unlikely that a frequent (i.e.10 minute service) could be provided.

### **Rail Infrastructure**

Respondents **1379, 1380, 1490, 1491, 1555, 1556, 2295** comment that options for Newtonhill Station in relation to the Elsick proposal are not feasible.

**1081, 1386:** Comment that access to the rail network is limited and current proposals focus around the reinstatement of Newtonhill Station or improved services to Portlethen.

**1081, 1386, 1378, 1490, 1491:** Transport Scotland do not support the provision of new rail facilities at Newtonhill.

**1379:** Rail does not offer a suitable alternative as there is little capacity on the existing services and little hope of the current situation being improved due to Government policy on the opening of new stations, lack of rolling stock and impact of additional rolling stock on the functioning of the line.

**580, 1122:** Welcome encouragement of links to Portlethen station and use of it. However, the access to the station and car park may require to be reviewed for this approach.

**2309:** Would be more likely to support the proposal if it could assist with the reintroduction of a station. However, this is a remote prospect.

**1087:** Do not support any proposal for a new station between Stonehaven and Aberdeen.

**1490, 1491:** The timescale for delivering a new station is also very long and could take between 5 and 10 years.

### **Education**

**1379** suggests that the new secondary at Elsick would be undesirable. It will only be able to access limited capacity at Portlethen and there is no other nearby secondary provision with capacity to assist in the early stages. Consideration would require to be given to other strategies. They also outline that work on the new academy would require to be underway now due to the lead in times involved.

### **Employment**

**957, 1378, 1379, 1555, 1556, 2274, 2292, 2294, 2295:** There has been little interest in the existing employment allocations in this location. Respondent **957** suggest that Elsick is likely to be overshadowed by Portlethen, as an established location, when it comes to attracting new employment opportunities. They also comment that due to the level of reliance that has been placed on Elsick for employment growth, if it fails to deliver, it could have implications for the economic growth of the wider area. It is an isolated and untested commercial location (**1379**).

**1494, 1495:** The employment allocations will not contribute to the marketable or immediately available land supply in the short/medium term.

**1666, 1667, 1670, 1671:** Express support for the identification of employment land, but suggest that this should be re-arranged to take account of the access arrangements for Elsick and to help create a sense of arrival for both the business park and Elsick.

Respondent **1820** comments that Elsick will offer substantial employment opportunities.

**Environmental Issues**

**1555, 1556, 1087:** The land has a number of environmental attributes and should not be developed.

Concern raised in regard to environmental impact of increased water extraction, increased water run-off etc. (**1555, 1556**). Respondent **1079** in particular is concerned about the impact of increased water run-off to the burn upstream on the bridge at Cammachmore.

**2274, 2292, 2294, 2295:** The proposal will result in the loss of countryside.

**1555, 1556:** The negative impact of sea haar has been overlooked.

**1555, 1556:** Concern about the loss of wildlife habitats.

**Other**

**1979:** The Scottish Environment Protection Agency comment that part of the site is at medium to high risk of flooding, and objects to the site unless additional text is added to the Plan or Supplementary Guidance highlighting the flood risk, as required by Scottish Planning Policy.

**2054:** Expresses concern that the development of a new town at Elsick will have an adverse impact on Portlethen.

**174:** Concern about the impact on historical and landscape features in the area around Berryhill House.

**77 and 87:** Welcome the inclusion of their land in the proposed allocation.

Respondents **1553, 1555, 1556, 1558, 2097, 2274, 2292, 2294, 2295, 2356** express concern about the potential impact of the proposal on the existing community at Cammachmore. **2097, 2274, 2292, 2294, 2295, 2356** comment that there should be a landscape/wildlife corridor provided between the communities to ensure that identity is retained.

**1087, 1555, 1556:** Communities and community spirit need time to evolve.

A number of other points of objection are raised by respondents:

- The Elsick proposal does not meet the criteria in Planning Policy Guidance 3 or criteria in the Scottish Sustainable Communities Initiative (**1555, 1556**);
- It will become a dormitory settlement (**1555, 1556, 2281**);
- There is little protection for the Causey Mounth Road (**2274, 2292, 2294, 2295**);
- Will result in the loss of amenity and have an adverse impact on recreational use and tourism (**1555, 1556**);
- Will not result in an overall reduction in energy consumption (**1555, 1556**);
- Development to the south of Aberdeen should be near the hub of the Aberdeen Western Peripheral Route. However, Councillors appear to have gone against this advice (**517**).

**Modifications sought by those submitting representations:**

**957:** Re-allocate some of the employment land from Elsick to Schoolhill, Portlethen.

**959:** Re-allocate housing from Elsick to Schoolhill, Portlethen.

**1081, 1386:** Allocation of 1,000 houses should be made for Stonehaven South.

**1378:** Banchory Leggart is a better site to accommodate housing and business use required by the Structure Plan in conjunction with land at Schoolhill, Portlethen.

**1381:** Remove Elsick from the Proposed Local Development Plan. This should be substituted by Banchory and Leggart and Portlethen North.



**1419:** The bulk of development for Elsick should be considered for the second phase of the plan and beyond.

**1432:** The Elsick proposal should be delayed until the necessary infrastructure and services can be put in place and that development in Stonehaven be included in the short term.

**1456, 1457:** Development at Stonehaven and potentially Newtonhill in the short term is necessary to all the preparations and infrastructure delivery to enable a new town at Elsick to be feasibly delivered.

**1555, 1556:** Removal of M1 Elsick and inclusion of Banchory Leggart and Schoolhill, Portlethen.

**1666, 1667, 1670, 1671:** The employment land allocations for Elsick require to be amended to increase the strategic reserve employment land from 5.5ha to 11ha to redress any loss at Newtonhill.

**1666, 1680:** Amendment of Table 6 within Schedule 2 to increase the strategic reserve land at Elsick M1 to 11 hectares.

**1684, 1686:** The proposals map needs to be altered to include land for junction improvements and related road networks or policy or supplementary guidance needs to allow for this infrastructure to be constructed to avoid subsequent planning application being considered as contrary to the terms of the development plan.

**1979:** Delete site M1 unless the following wording is included in the plan or supplementary guidance text for Elsick "Part of this site lies within SEPA's indicative 1 in 200 year flood risk area, or is known to flood from other sources. A detailed flood risk assessment and will be required to accompany any future development proposals for this site and a buffer strip will be required adjacent to existing watercourse."

**2274, 2292, 2294, 2295:** Removal of M1, Elsick.

### Summary of responses (including reasons) by planning authority:

#### Overview and General Approach

Elsick is identified as a suitable location for a new settlement in line with the strategy for the Portlethen to Stonehaven Strategic Growth Area (as set out in Issue 39). The allocation is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan.

The Main Issues Report set out two options for the delivery of a new settlement in this Strategic Growth Area. The merits of the two options were finely balanced, and in response to feedback on the Main Issues Report the Elsick proposal was identified as the preferred option for a new settlement for inclusion in the Proposed Plan. This was based on the strength of public opinion expressed through the Main Issues Report, infrastructure constraints to the further growth of existing settlements and the opportunity to deliver a vision for a quality place and environment through integrated and well related facilities (see Issues and Actions Volume 6 Kincardine and Mearns p 46).

This approach fits with the key principles as set out in Paragraph 78 of Scottish Planning Policy, and is in line with the Structure Plan objective of creating sustainable mixed communities (Paragraphs 4.29 and 4.30).

The principles of sustainable development are embodied in a number of factors. The planning of a new settlement provides an opportunity to promote a sustainable settlement pattern that plans for facilities and infrastructure at the outset and considers its connectivity both internally and regionally.

**Deliverability/Infrastructure/Timescales**

A detailed action programme has been agreed for the delivery of the site. To date all key milestones have been met. Along with the implementation of the Local Development Plan, Aberdeenshire Council and infrastructure providers have been working with the proposers of sites in the plan to ensure prompt delivery.

A significant amount of work has been undertaken in relation to the delivery of this proposal to date. Whilst there is a risk to the developer associated with this approach it demonstrates the clear commitment to the delivery of this site. The scale of the proposal provides the critical mass to commit to the investment in the infrastructure. It also allows for the long term planning to ensure that infrastructure is provided at the correct time and overall planning of facilities/phasing.

Comments made about the significant upfront cost of infrastructure and viability of this site are inherent across the Local Development Plan area, particularly in the current market. As a landowner proposal there is not the same requirement for a quick return on investment, and they have confirmed that the proposal remains viable based on the known infrastructure requirements. The comments raised regarding developer involvement are unfounded: there was never any suggestion that only one builder would deliver the whole site and advanced negotiations are taking place with a range of national and local housebuilders. The masterplan will consider the detailed phasing of the site and the proposer has confirmed that this will consider the marketing of serviced land to several developers in line with a design code.

The Issues and Actions Volume 6 May 2010 (page 45) outlines concerns about deliverability of this proposal. However this was based on information available at that time. Considerable work has been undertaken since this publication, and Aberdeenshire Council are confident that those earlier concerns have now been addressed.

The Local Development Plan considers the period to 2023 and requires to be consistent with the Structure Plan. It would appear extremely short sighted to solely respond to current market conditions. There is a significant level of infrastructure investment required across the plan area and particularly within this Strategic Growth Area, regardless of location. As outlined above early design and assessment work has been undertaken on this site and issues that may impact on the delivery of other unallocated sites may be unknown elsewhere.

**Transport Infrastructure, Including Road and Rail and Aberdeen Western Peripheral Route Fastlink**

Transportation appraisal and modelling work has been undertaken to consider the proposed access strategy. This has been accepted by Aberdeenshire Council's Transportation Team. Transport Scotland has also confirmed that they accept the principle of the proposed strategic access strategy (Letter from Transport Scotland dated 11 March 2011). Whilst they have some outstanding concerns relating to the nature, scale and location of proposed development phasing and associated transport infrastructure that will be required to be in place to support phasing (Letter from Transport Scotland dated 11 March 2011), these factors are more appropriately considered at the masterplan/design stage.

The principle of servicing the initial phases of development from an upgraded Newtonhill junction is acceptable. The proposed upgrades include some junction rationalisation which will have net benefit to the network. Aspects such as the detailed design can be considered at the application stage. There are no restrictions regarding committed development as these have been considered part of this proposal.

It is acknowledged that there will be a lead in time for the delivery of the Bourtreebush grade separated junction. The proposer has advised that initial work on the delivery of this element of infrastructure has already been undertaken to ensure that identified timescales are met. Concerns raised in relation to the ownership of land are unfounded. There are instances across Aberdeenshire where this is the case. In any case it is unreasonable to expect any agreement, on any site to be concluded until confirmation of an allocation in an Adopted Local Development Plan.

The connection to the Aberdeen Western Peripheral Route Fastlink is at this time a proposal. Due to the proximity of the site to the Fastlink there are clear benefits of considering a connection to this in the long term. It is, however, not a pre-requisite for development. The transport assessment work that has been undertaken assesses the proposal with both the Fastlink connection and without it. This has demonstrated that this connection is not required to deliver this proposal but would have benefits in terms of the impact on the A90 corridor north of Elsick.

Transport Scotland accepts the principle of the proposed access strategy based around the provision of 3 junctions. Results of the MVA Consultancy Aberdeen Sub Area Model 4 Elsick appraisal report (September 2010) and North East Scotland Transport Partnership Cumulative Transport Appraisal of Aberdeen City and Aberdeenshire Local Development Plans (July 2010) provide evidence of the strategic benefits of such a link delivering net benefit to the trunk road network approaching the Charleston Junction and Bridge of Dee.

The Aberdeen Western Peripheral Route remains a committed project and any change to this status is likely to impact on the Structure Plan spatial strategy as a whole, thus having a knock on impact to the Local Development Plan. Nevertheless as outlined above the proposed has been shown not to be reliant on a connection to the Fastlink.

The nature of developing a new settlement provides an opportunity to integrate land uses (reducing the need to travel) and public transport provision at the outset, in line with the principle of promoting more sustainable settlement patterns. The indicative masterplan considers both the internal and regional connections of the site.

As is the requirement for all development proposals, full consideration will require to be given to the integration of public transport into the design at the outset. The indicative masterplan (14 January 2011) shows that this has been fully considered through the consideration of walking first, followed by links to cycle routes and public transport options including express bus services to Aberdeen, fast links to Portlethen Station and park and ride hubs. The diversion of existing services is but one option.

The provision of a new rail station at Newtonhill is not a formal part of this proposal and is not a pre-requisite for development of this site. The indicative masterplan (14 January 2011) that has been prepared does, however, consider the possible long term options that may be available should an opportunity arise in the future for the potential use of rail travel.

The transport infrastructure requirements of this proposal are appropriate and sufficient and ensure that the proposal is deliverable. Many of the comments received refer to specific details of the proposals which are more appropriately considered at the detailed design stage. In the meantime the initial assessment work has demonstrated the proposal is deliverable.

### **Education**

The lead-in times for education provision are recognised by the developer and have been discussed with officers from Aberdeenshire Council. In light of these the development team are fully committed to preparing designs for the schools in advance of local plan adoption. Whilst there is a risk to the developer associated with this approach, it further demonstrates the commitment to the delivery of this site. There are options for the phased opening of schools and Aberdeenshire Council have recent experience of this approach through the delivery of Meldrum Academy.

Aberdeenshire Council's Education Service has advised that Elsick presents the best solution in terms of secondary education provision in this strategic growth area.

### **Employment**

Allocations have also been made at existing established employment locations within this Strategic Growth Area, such as Portlethen.

The nature of the Elsick proposal is that it can provide a range of employment opportunities.

Furthermore the integration of employment land as part of the wider mixed use proposal fully fits with the objectives for sustainable development as set out in Scottish Planning Policy (paras 35-40), and the potential to create employment hubs will ensure that they are integrated with public transport provision.

The non-development of land at Newtonhill is not related to a lack of demand, but rather to other factors such as difficulty with access. These will be resolved as part of this proposal, to allow this existing land to be opened up for early delivery of employment land. The land also has direct access onto the A90 which provides a further benefit to business.

As outlined in the Issues and Actions Volume 6 May 2010 (page 45), if in the long term a direct link to the Aberdeen Western Peripheral Route Fastlink can be achieved then this could provide an additional factor to support business locating here.

### **Environmental Issues**

Comments raised in relation to the landscape, impact on recreational use, natural heritage, local climate, water run-off and recreational use were considered as part of the Issues and Actions Volume 6, May 2010 (page 45) and were not identified as issues which would impact on the principle of development of the site.

### **Other**

Regarding potential flood risk on site, text has been added to the supplementary guidance to clarify that a flood risk assessment will be required, to satisfy the Scottish Environment Protection Agency's concerns.

There are few brownfield opportunities in this Strategic Growth Area and certainly none to accommodate the scale of development proposed. It is therefore inevitable that there will be some loss of greenfield land and change to the character of the area.

The importance of the Causeymouth Road and potential impact on Cammachmore was fully considered as part of the assessment process and will be highlighted as a key factor in the development of the masterplan for the site.

Historical landscape features will be retained wherever possible, but this is an issue for the masterplan stage.

The proposal is unlikely to have an adverse impact on Portlethen. Portlethen and District Community Council support this proposal. Elsick will be a stand-alone community and is likely in the long term to deliver overall net benefits to Portlethen through the provision of regional facilities.

It is agreed with respondents that all development should be designed on sustainable principles and where possible utilise low carbon materials and technologies. All new development will be required to meet carbon reduction targets.

The scale of development provides an opportunity to design to sustainable principles and will ensure that Elsick becomes a community in its own right as shown in the indicative masterplan (14 January 2011). As outlined above the proposal will include a range of employment opportunities encouraging people to live and work within the settlement.

The Scottish Sustainable Communities Initiative was launched to encourage the creation of places, designed and built to last, where a high quality of life can be achieved. Although not a statutory document, the aims and policies within the Local Development Plan, and Structure Plan vision, seek to ensure that all proposals fit with the key criteria as set out in this initiative.

### **Conclusion**

None of the modifications sought are supported. The land allocation at Elsick is appropriate and sufficient, and meets the aims of the local development plan and spatial strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

Changes have been made to the Supplementary Guidance Settlement Statement to identify the need for a Flood Risk Assessment.

**Reporter's conclusions:**

**The proposal**

1. This issue was the subject of a hearing session on 11 October 2011. The intention to develop the first phases of a new settlement on a site of over 500 hectares at Elsick, west of Newtonhill, is the most significant single proposal in the proposed Aberdeenshire Local Development Plan. It is a key element of the Plan's spatial strategy, and forms an important part of the council's response to the strategy of the Aberdeen City and Shire Structure Plan.

2. Table 6 of Schedule 1 to the Plan allocates 1,845 houses to Elsick during the period 2007-2016, and 2,200 houses during 2017-2023. Table 6 of Schedule 2 identifies 11.5 hectares at Elsick as employment land (including 5 hectares suitable for high quality or company headquarters) for the period 2007-2023. A further 5.5 hectares is shown as strategic reserve for 2024-2030.

3. The scale of ambition is huge. The promoters of the development, Elsick Development Company (EDC), envisage that the new town (to be known as 'Chapelton of Elsick') could grow to around 8000 houses in the longer term. It has the potential to become the largest town in the Aberdeenshire Council area.

**Policy context**

4. The stimulus for the proposal lies in the structure plan, which proposes a high level of growth in Aberdeenshire of over 23,000 houses in the period 2007-2023. Schedule 1 of the structure plan includes specific housing allowances for the Portlethen-Stonehaven strategic growth area (SGA): 2,200 for the period 2007-2016, and 2,400 for 2017-2023.

5. The overall spatial strategy of the proposed LDP, and the spatial strategy for the Portlethen-Stonehaven SGA, are dealt with under Issues 29 and 39 respectively. Within the SGA the council had to consider whether to disperse the housing over a number of sites, or to concentrate in one main site, or to adopt a combination of the two approaches.

6. One of the objectives of the structure plan is to create sustainable mixed communities, where services and facilities for the community must be a part of the development, and new housing must be integrated with employment and commercial development.

7. The structure plan does not propose a new settlement to address these issues, but it does not preclude that option.

8. Paragraph 85 of Scottish Planning Policy indicates that a new settlement may be the answer:

*"Meeting housing land requirements by extending existing settlements can reduce servicing costs and help to sustain local schools, shops and services. A new settlement may be appropriate if it is justified by the scale and nature of the housing land requirement, and:*

- *there are physical, environmental or infrastructure constraints to the further growth of existing settlements,*
- *it is part of a strategy for promoting rural development and regeneration,*
- *it could assist in reducing development pressure on other greenfield land,*
- *it can be readily serviced by public transport,*
- *it will not have a significant adverse effect on any natural or built heritage interest safeguarded by a national or international designation, and*



- *it will not result in other significant environmental disbenefits, for example promoting development in areas of high flood risk.*

*Where a planning authority considers a new settlement to be a necessary part of its settlement strategy, the development plan should specify its scale and location. Supplementary guidance can address more detailed issues such as design and delivery.”*

9. Paragraph 5.7 of the structure plan recognises that there must be investment in existing and new infrastructure in the structure plan area, in order to make changes on the scale proposed. It notes that existing roads, sewers and schools will not be able to cope with the demands extra development will bring, and there is a need to invest in facilities and services for communities. Those needs should be considered before land is identified in local development plans.

### **Main issues report**

10. Infrastructure constraints are particularly acute in the Portlethen-Stonehaven SGA. The main issues report advised that the scale of development in the SGA envisaged by the structure plan could not be accommodated in existing secondary schools, and that significant improvements were likely to be required to increase the capacity of the local road network to accommodate development, even assuming the construction of the Aberdeen Western Peripheral Route (AWPR)/Fastlink.

11. The preferred solution in the main issues report was the development of a new settlement in the growth corridor. The alternative of major urban expansion of existing towns was considered undesirable due to landscape, pipeline and transportation constraints. At the main issues report stage Banchory Leggart was preferred to Elsick as the location of the new settlement, due to its greater deliverability in the short term and lesser impact on the transportation system. However, the report acknowledged that Elsick was a very real alternative, which would offer greater benefit to the existing community of Newtonhill.

12. Consultation on the main issues report revealed a high degree of concern about the volume of development proposed in the SGA. There was some support for limiting development in Stonehaven (to avoid undue impact on its character and rural setting) and Portlethen (where there is real concern about the danger of coalescence with other settlements), but a strong measure of opposition to the Banchory Leggart proposal for a variety of reasons. There was a perception that it would essentially be an extension to Aberdeen, and would not be self sustaining.

13. There was considerable support for the alternative option of a new settlement at Elsick, which is outside the green belt, further from Aberdeen and hence seen as more likely to be self sustaining. The scale of the settlement, its potential to provide all (or at least the vast majority of) the growth in the corridor, the lack of significant landscape or other environmental constraints, and the opportunity to bring forward community benefits for Newtonhill were other arguments in favour.

14. The council's area committee decided to pursue the Elsick alternative in preference to the Banchory Leggart proposal. Elsick was seen as offering a greater vision for the future, and would prevent 'bolting on' development to existing settlements. These advantages were seen as outweighing Banchory Leggart's better deliverability and transportation connections.

### **General approach**

15. In principle the decision to establish a new settlement at Elsick is consistent with the spatial strategy of the structure plan which plans for significant growth in a limited number of places, where there can be significant investment in schools, community facilities and transport infrastructure without affecting people's quality of life (paragraph 3.5). Paragraph 3.7 of the structure plan emphasises that development in the SGAs will bring about a significant need for improvements to the infrastructure, including new primary and secondary schools, improvements to roads and railways, and new water and waste water systems. All three SGAs are intended to focus on creating sustainable mixed communities with the services, facilities and infrastructure necessary for the 21<sup>st</sup> century.



16. The proposal to create a sustainable mixed community at Elsick, which would provide schools, community facilities, employment, improved connections to the A90 trunk road and enhanced public transport opportunities, is a rational response to the need for major investment in infrastructure which is highlighted in the structure plan strategy. The scale of the settlement gives it the critical mass to address infrastructure requirements and to create a sustainable community, in line with the structure plan strategy.

17. Concerns about the deliverability of the project, and its accessibility by sustainable modes of transport, are examined below.

**Major infrastructure**

18. Manifestly, the timely development of a new settlement of this scale on a virgin site will present major challenges. At Elsick the lead-in times for new and improved junctions with the A90 trunk road, and a possible junction with Fastlink, need to be considered. There are also questions about the need for, and phasing of, a myriad of further infrastructure items, including primary and secondary schools, water supply, sewerage, and other utilities. These requirements have an influence on the timing, and potentially the viability, of the project.

19. However, substantial progress has already been made in assessing the infrastructure requirements of the new settlement proposal. An application for planning permission in principle for the settlement was lodged in September 2011. A detailed application for the first phase of 802 houses (phase 1A) was submitted at the same time.

20. The infrastructure delivery report which accompanied the applications details the transport, energy, telecommunications, water and waste water management, surface water drainage, education, community infrastructure, and green infrastructure requirements of the project. The delivery schedule at Appendix 1 of the report lists the infrastructure and services required, together with an indicative phasing programme.

**Road requirements**

21. A transport assessment (TA) was lodged in support of the planning applications. Transport Scotland highlighted a number of shortcomings in the technical material supplied. Parties making representations on the Elsick proposal are particularly critical of the trip rates used in the assessment, which they consider greatly underplay the impact on the road network.

22. As yet the travel characteristics of development have not been agreed. The TA will need to be amended following discussion with Transport Scotland and the council as roads authority, and the amended TA will inform the council's decisions as planning authority. However, for the purposes of the examination of the local development plan, it is necessary to consider whether the proposal is acceptable in principle, and deliverable over a reasonable timescale.

23. Transport Scotland has confirmed that the access strategy is acceptable in principle for the development of 4,045 houses plus associated development. Transport Scotland expects all such works to be designed, funded, procured and constructed by the developer. The access strategy involves the following works associated with the A90: improvements to the existing Newtonhill grade separated junction (i.e. new roundabout, relocating existing bus stops, and extended merge lanes); closure of the central reservation opposite Bruntland Road; improvements to the Badentoy interchange; and ultimately, provision of a new grade separated junction to replace the existing at-grade junction at Bourtreebush.

24. The junction improvements have been considered as potential projects for upfront funding by the council's Future Infrastructure Requirements for Services (FIRS) Group.

25. Transport Scotland accepts a phased approach to development. Specifically it has accepted that a scale of development comparable to phase 1A could be served from Newtonhill junction, which should be upgraded before any of the development is occupied. The process for stopping up right turning manoeuvres into Bruntland Road (and presumably the related improvements to the

Badentoy junction) will need to start at the same time as the upgrading of the Newtonhill junction.

26. The developer's sustainable infrastructure delivery report suggests that the new grade separated roundabout at Bourtreebush will not be required until Phase 2A of the development (2,154 houses). However, until the TA has been agreed with Transport Scotland and the council it is not possible to determine whether it will be required earlier (or later) than that.

27. Most of the works would be carried out on EDC land. The developer is confident of reaching agreement with the owner of land required to build the grade separated junction and link road at Bourtreebush, but there is a possibility that compulsory purchase powers would need to be used. It might also be necessary to promote road closure orders to close a number of accesses in the vicinity.

**Relationship with proposed AWPR/Fastlink**

28. The scale of growth envisaged in the strategic growth areas depends on the construction of the Aberdeen Western Peripheral Route (including Fastlink). Notwithstanding the appeal to the Inner House of the Court of Session, the Scottish Ministers and both councils remain committed to the project. The main arterial routes into and through Aberdeen, including the A90, are congested and constrained at particular locations.

29. Transport Scotland advises that the proposed levels of development in the Aberdeen City and Aberdeenshire Local Development Plans will result in further detriment to the operation of the network without AWPR. Specifically, the existing A90 is expected to have insufficient capacity to accommodate the 4,045 houses and other uses proposed at Elsick. Transport Scotland recognises that a measure of development in Aberdeenshire will have to precede the AWPR/Fastlink, in order to deliver the local development plan. The implications of that development will require to be managed on the strategic growth corridors.

30. Transport Scotland has confirmed that a new junction onto Fastlink is acceptable in principle, but has not yet determined whether it is required to support the Elsick development. Detailed consideration of the TA will determine whether the AWPR will release sufficient capacity on the A90 to accommodate the level of traffic generated by the full Elsick allocation.

31. For the purposes of this examination, I conclude in summary that:

- the development of a new settlement of 4,045 houses and employment uses at Elsick is ultimately reliant on the implementation of the AWPR/Fastlink; but
- it is likely that the early phases of the new settlement will have to be constructed before the AWPR/Fastlink; and
- a junction onto Fastlink would make the new settlement more accessible, and would minimise the impact of the Elsick development on the A90; but
- it will be a matter for Transport Scotland (having considered the revised TA) to decide whether such a connection is essential, and if so, when it is required.

32. Those making representations to the Elsick allocation point out that any connection to Fastlink is likely to require a line order amendment, the procedures for which could take years to complete.

**Other infrastructure requirements**

33. The new settlement proposal includes the phased delivery of 3 primary schools and 1 secondary school. The sustainable infrastructure report proposes that the trigger for the new secondary school would be the occupation of 1,044 houses at Elsick. However, the council's latest school roll predictions indicate that there is capacity at Portlethen Academy for only around 450 houses from the Elsick development, which suggests that the new secondary school may be required earlier in the process.

34. The council is considering options such as modular design and elongation of phases to address the issue. There is recent experience elsewhere in Aberdeenshire with the phased opening of schools. The developer is taking a lead in progressing school design.

35. There are relatively few infrastructure constraints which would need to be overcome before any of the houses on the site could be occupied: a 6.5km water main; a gas main connection; a connection to Portlethen South Pumping Station; and a temporary CHP gas boiler. A new or upgraded electricity substation would be triggered by the 50<sup>th</sup> occupation. A new waste water pumping station and on-site waste water treatment plant would be programmed in Phase 1B (803<sup>rd</sup> occupation). An existing water pumping station and reservoir would need to be upgraded to build more than 2000 units at Elsick.

36. Scottish Environment Protection Agency (SEPA) has reviewed the flood risk assessment and drainage assessment prepared in support of the proposal. SEPA is satisfied that the development proposed in the masterplan could proceed in compliance with the flood risk policies of Scottish Planning Policy. However, SEPA is not prepared to remove its objection to the local development plan unless the need for a detailed flood risk assessment for each phase is highlighted in the settlement statement.

### **Sustainable transport**

37. Elsick lies within the Portlethen-Stonehaven strategic growth area. The structure plan identified three strategic growth areas, centred on Aberdeen and the main public transport routes, which aim to make housing, employment and services highly accessible by public transport. The structure plan noted that bus services within the Huntly to Laurencekirk growth corridor are already good, though further improvements would be necessary to make these services an even more attractive choice.

38. The masterplan for the new settlement is based on the principles of new urbanism. The aim is to establish mixed use communities with a balance of homes and jobs, and to create walkable neighbourhoods. As already said, the settlement would have the critical mass to provide the services and infrastructure to make it largely self-sustaining. The provision of 11.5 hectares of employment land (and strategic reserve of a further 5.5 hectares) could generate 8,000 jobs, which is a very high ratio in a settlement of around 10,000 people. By providing employment, schools, shops and community facilities within the planned settlement, the need to travel would be minimised. The layout of the site around walkable neighbourhoods, which follows the guidance in page 12 of the Scottish Government's policy statement 'Designing Streets', would encourage non-motorised travel.

39. It is to be expected that many residents of the new settlement would require to commute to Aberdeen or elsewhere, particularly in the early years when the new employment base was being established at Elsick. In that respect, the location of the development on a greenfield site to the west of the A90 makes Elsick less well placed to take advantage of rail travel than, say, Portlethen or Stonehaven which have railway stations. In the longer term that shortcoming would be addressed if the station could be re-opened at Newtonhill (though lack of capacity on the main line makes that option unlikely at present). Meanwhile there is scope to provide fast links from the new settlement to Portlethen Station and a possible park and ride facility at the Newtonhill interchange.

40. As already stated, Elsick lies on the edge of the major public transport corridor defined by the A90 and the nearby east coast main railway line. It is proposed to extend Stagecoach Bluebird's bus service 8 between Aberdeen and Portlethen to a new terminus at Cairnhill neighbourhood after 802 houses are occupied. Express bus services to Aberdeen could be readily extended into Elsick to serve the new settlement, and there is potential to provide a 10 minute frequency service to the city (with links to Badentoy and Portlethen railway station). A 30 minute journey time to the city centre is envisaged.

41. The proposed layout of the settlement would ensure good linkages with wider walking and cycling networks, including National Cycle Route 1 which runs through the site.

42. Inevitably, in the early phases of the establishment of the new settlement residents would need to travel to Portlethen, Newtonhill or Aberdeen for many facilities (and employment). However, as schools, shops, community facilities and employment came on stream the need to commute and to travel to jobs and services would greatly diminish. In the longer term Elsick, due to its scale, layout, design, and range of employment and social opportunities, would be well placed to promote

sustainable travel patterns, as envisaged in the structure plan and national planning policies.

**Deliverability**

43. The main questions which arise from the council’s proposal to develop a new settlement at Elsick are:

- whether it is capable of delivery within the time periods envisaged in the local development plan; and
- if not, what are the implications for the housing strategy of the local development plan and the structure plan?

44. In its favour the Elsick proposal is well advanced, and the promoters of the project have prepared a masterplan for the whole development, and a detailed scheme for the first phase. Planning applications were submitted in September 2011, accompanied by an environmental impact assessment, a transport assessment, and a sustainable infrastructure delivery statement. The action programme has been agreed, and the council and infrastructure providers are working together to ensure prompt delivery.

45. The council intends to present the planning applications for the Elsick development to the relevant committee for decision as soon as the Plan is adopted. However, in a proposal of this scale and complexity it is likely to take some months to complete negotiations with statutory undertakers, and to conclude any associated legal agreements (including obligations under section 75 of the Town and Country Planning (Scotland) Act 1997).

46. At present work on the transport assessment is still ongoing, and Transport Scotland are not yet in a position to make definitive comments on the proposal. Critically, the phasing of key infrastructure works needs to be agreed with the relevant bodies. It is not known whether and when a connection to Fastlink is required, and when the new grade separated junction would be required on the A90. The court challenge to the AWPR adds a further uncertainty.

47. For these reasons I would expect that any planning permission would be granted in the latter part of 2012 at earliest, and that work would not start on site before 2013, with first occupation in 2014.

48. It is difficult to predict build rates at Elsick as there is no recent precedent for a new settlement in this part of Scotland. However I consider that EDC’s anticipated build rate of 300 units per year is very ambitious, even assuming multiple developers working at the same time. Experience elsewhere in Scotland suggests that completions on the development are unlikely to exceed 200 houses per year, in which case Elsick would produce a maximum of 600 units by the end of 2016, and a total of 2000 by 2023.

49. That would be well short of the expectations of Table 6 of Schedule 1 to the Plan that 1845 units could be built between 2007-2016 and another 2200 between 2017-2023.

**Implications for housing strategy**

50. An obvious response would be to identify other, more immediately available, sites in the strategic growth area to remedy the shortfall in the short term. However, that would divert the market demand to other sites, and thereby threaten the viability and further delay the implementation of the Elsick proposal. I have already concluded that the proposed new settlement at Elsick is a reasonable response to the need to create critical mass if the chronic infrastructure constraints in the area are to be overcome. The alternative of major expansions to Portlethen and Stonehaven would compound the problems of urban sprawl and overloaded infrastructure, which local communities wish to avoid and the structure plan and local development plan seek to address.

51. The slower rate of development at Elsick would create a significant numerical shortfall (potentially 1,245 houses) in the strategic growth area in the first plan period to 2016. However, there is already a number of committed and effective housing sites in the Draft Housing Land Audit 2011 (including EH sites) and other sites allocated in the LDP, with a total capacity of around 1000

houses, which would help to cater for demand in the SGA in the short term until the new settlement comes on stream.

52. In any event, we have already concluded that the potential shortfall within the Portlethen to Stonehaven strategic growth area could be absorbed by the generous housing supply committed and allocated within the wider Aberdeen Housing Market Area (see the discussion under Issues 12 and 25).

**Other issues**

53. The allocation of 11.5 hectares of employment land (and strategic reserve of a further 5.5 hectares) at Elsick is an essential integral element of the proposed sustainable community. It would provide jobs for those living in the new settlement, and create a new employment focus in the growth corridor. The employment site would have good access to the trunk road network, and the associated public transport routes. In particular, it would be a suitable site for a company headquarters.

54. Given its favourable location and attractive setting, I would not expect the Elsick employment hub to be overshadowed by Portlethen. However, the substantial allocations at Newtonhill and Portlethen would provide ample choice for potential investors.

55. The development of a new settlement of over 4,000 houses is bound to have environmental effects. However, because the site is largely within a natural bowl it would only have a limited landscape and visual impact. There are no landscape or nature conservation designations which would prevent the development. Sensitive layout and design would minimise any impact on the nearby hamlet of Cammachmore, and on individual properties in the vicinity. Any planning permission for the development would need to contain measures to protect historic buildings such as Berryhill House, and other heritage features such as the Causey Mounth close to West Cammachmore. It would also require to take account of existing recreational interests in the area.

56. The sustainable infrastructure delivery report confirms that around 40% of the settlement would be devoted to open space, including a proposed country park at its east end close to Newtonhill and Cammachmore.

57. Both Portlethen & District Community Council (PDCC) and Newtonhill, Muchalls and Cammachmore Community Council consider that the development at Elsick is the most appropriate way to provide most of the housing in the strategic growth area. In particular, PDCC welcomes the approach of the developers in creating a self-contained settlement. The new settlement would ease the pressure on local services and provide community facilities of benefit to both towns.

**Overall conclusions**

58. Part of the spatial strategy of the approved Aberdeen City and Shire Structure Plan is to bring about significant improvements in infrastructure and provide for sustainable mixed communities by directing the main focus for development to strategic growth areas. This has been endorsed by the proposed Aberdeenshire Local Development Plan and implemented through proposed allocations in both strategic growth areas and local growth and diversification areas.

59. The development of a new settlement at either Banchory Leggart or Elsick was the main solution proposed in the main issues report to meet the housing and employment allowance for the Portlethen to Stonehaven strategic growth area. Although the preferred option was Banchory Leggart, the planning authority decided to allocate the Elsick option following consultation on the main issues report.

60. The Elsick proposal would create a sustainable mixed community of a scale sufficient to meet its own infrastructure needs and provide opportunities for employment, shopping and community facilities for a wider area.

61. In relation to paragraph 85 of Scottish Planning Policy, I consider that a new settlement is



justified in the SGA by the scale and nature of the housing land requirement, and that:

- there are physical, environmental or infrastructure constraints to the further growth of existing settlements in the area,
- it could assist in reducing development pressure on other greenfield land,
- it can be readily serviced by public transport,
- it would not have a significant adverse effect on any natural or built heritage interest safeguarded by a national or international designation, and
- it would not result in other significant environmental disbenefits, for example promoting development in areas of high flood risk.

62. There is a definite commitment and willingness of the landowner to the development of the Elsick site, with planning permissions pending determination and investment in pre-application consultation, including a charrette exercise.

63. The mixed use allocation at Elsick proposes 1,845 houses in the first period (2007 to 2016) and 2,200 in the second (2017 to 2023). However, it is apparent that the full allocation would not be delivered within the timescales envisaged, due to infrastructure constraints, long lead in times, and current build rates.

64. Ideally the shortfall should be met within the strategic growth area. However, having assessed the alternatives I have concluded there are no other suitable sites which could be identified to fill the gap without either harming the potential of the Elsick proposal to deliver or threatening the character and appearance of existing settlements which have traditionally accepted high levels of growth. Any major expansions to Portlethen and Stonehaven would lead to urban sprawl and would place further pressure on overloaded infrastructure.

65. There is also a substantial amount of committed and effective housing land available in the Portlethen to Stonehaven strategic growth area, amounting to some 1,000 houses which could help to meet demand in the short term.

66. In any event, the potential shortfall within the Portlethen to Stonehaven strategic growth area could be absorbed by the generous housing supply committed and allocated within the wider Aberdeen Housing Market Area.

67. I therefore support the Plan’s proposal for a new sustainable settlement at Elsick, and do not propose to modify the Plan in response to representations under Issue 41. Despite the uncertainties over the phasing of the Elsick development I do not intend to alter the totals in Table 6 of Schedule 1 to the Plan. As explained above, the actual number of houses built at Elsick in each phase of the Plan will depend on a number of variables, and cannot be predicted with confidence at this stage. Meanwhile, it is important that the Plan commits to the 4,045 houses currently proposed, in order that investment in the project (including vital infrastructure) can be secured, and houses can be built at the earliest date.

68. If there is a serious delay in the delivery of the Elsick project it would be open to the council to reappraise the position in its early review of the local development plan.

**Reporter’s recommendations:**

No modifications.



<b>Issue 42</b>	<b>Marywell</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p23) Schedule 1, Table 6, (p28) Document 3H Supplementary Guidance, Settlement Statements (p 31-32)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ryden LLP on behalf of Barratt East Scotland (368)                  Portlethen &amp; District Community Council (580, 1122)                  Bancon Developments Ltd on behalf of DLD Associates (1704)                  Checkbar/Marywell Residents (2278)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations in Marywell.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site EH1</b>  <b>368:</b> Although EH1 is welcomed, the respondent objects to the limit of 120 houses and requests that the site is allocated for 125 houses. The allocation can only be determined through detailed consideration of design and infrastructure work. The site has been acquired based on the extant local plan.</p> <p><b>580, 1122:</b> The respondent outlines concerns about the increase in allocation on EH1 from 25 houses to 120 houses. This would result in overcrowding.</p> <p><b>2278:</b> The concentration of housing in site EH1 is excessive: 120 houses would cause considerable problems with traffic. Previous houses have been turned down in the area due to the location of three old landfill sites.</p> <p><b>Alternative Site</b>  <b>1704:</b> The respondent objects to the non-allocation of a site to the south of Marywell. The site is surrounded by developed land or land proposed for development. There is an established demand in this location for facilities. The site can be readily serviced. The site is not constrained by Health and Safety Executive (HSE) restrictions: the explosive uses are no longer in use. There is no requirement to safeguard the land for future road improvements. The alternative for the site to development is for the site to become derelict.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>368:</b> The allocation on site EH1 should be increased to 125 units.</p> <p><b>580, 1122, 2278:</b> 120 houses on site EH1 is excessive and the allocation should be reduced.</p> <p><b>1704:</b> Site to the south of Marywell should be allocated for commercial uses.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>                  Marywell is located within the Portlethen to Stonehaven strategic growth area. There is a requirement to allocate 4600 houses in this corridor to 2023. However, Marywell was not identified</p>		

within the settlement strategy as an option for large scale growth. The settlement of Marywell consists of a residential caravan park, and a small number of scattered dwelling houses. The settlement lacks services and facilities. The planning objective of the settlement is to provide employment land.

There are no new housing or employment allocations in the settlement, but site A and fh1 are carried forward from the Aberdeenshire Local Plan at an increased density. The employment land is also carried forward from the Aberdeenshire Local Plan.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. Further information on the sites is contained in 'Issues and Actions Volume 6 May 2010' (page 91), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

For information, site BUS1 at Marywell is discussed under issue 11 Greenbelt boundaries.

**Site EH1**

The allocation of 120 houses on the site is to reflect the existing status of the site in the strategic growth area and the resultant requirement from the Structure Plan for sites to have 30 houses per hectare (Structure Plan, page 22). There is also a requirement for strategic landscaping within the site, and open space. An application for 115 houses (APP/2009/2401) has recently been delegated for approval by the Area Committee, this has considered transportation and contamination issues in detail.

**Alternative Site**

The site to the south of Marywell was identified as constrained in the Main Issues Report (site K158), as it was within a hazardous zone designation. It is acknowledged that the hazardous use is no longer in operation and the designation could be changed. However, at the current time the designation remains in place and could be renewed.

The site was fully debated at the Main Issues Report consultation stages and following widespread community engagement the Council's conclusion was to exclude it. It is undesirable to allocate land adjacent to the grade separated junction in case of the need for future upgrades. The Portlethen Traffic Capacity Study has highlighted that with substantial development at Schoolhill (to the north of Portlethen), the design of Findon junction would have to be revisited to avoid traffic queuing onto the A90 (pages 7 and 31). The site is visually prominent. The risk of dereliction of the site through neglect is not sufficient reason for the allocation of land. There are also already substantial areas of employment land allocated adjacent to the site at BUS1, Marywell and BUS2, Portlethen. Therefore there is no need for employment land in this location.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Marywell are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Alternative site**

1. Site K158 is a prominent site in an elevated position adjacent to the A90 interchange at Findon. There is an office building in the north east corner nearest the caravan park, but closer to the roundabout the site sits above the road on a high embankment. Although the use which gave rise to

the hazardous zone designation has ceased, it could be replaced by a similar activity so it is not safe to assume that this constraint has been overcome.

2. The settlement statement for Marywell proposes that a corridor of land on the east side of the A90 at this point is protected as a landscape buffer, which further limits the amount of developable land at the site. In addition, it is possible that the Findon junction may need to be remodelled in the future to cater for development in the area, which might encroach on land at K158.

3. An extensive area of land at Marywell, including the adjoining office site, is safeguarded for business purposes in the settlement statement. There is therefore no shortage of employment land in the vicinity which would require the allocation of a further site affected by the constraints outlined above.

**Site EH1**

4. Site EH1 was allocated for housing (around 55 houses) in the extant Aberdeenshire Local Plan. It has been carried forward in supplementary guidance, but at a higher density to produce up to 120 houses. Any increase in the number of houses permitted would be treated as windfall. The site is not an allocation in the local development plan, and the representations relating to supplementary guidance are not a matter for this examination.

**Reporter's recommendations:**

No modifications.

<b>Issue 43</b>	<b>Newtonhill</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (p23) Schedule 1, Table 6 (p28) Volume 3H Supplementary Guidance, Settlement Statements (p33-35)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Stephen James (22)                  Marlene Ross (61)                  Ryden LLP on behalf of Barratt East Scotland (369)                  Derrick Goodall (252)                  Margaret Sangster (526)                  Portlethen &amp; District Community Council (580, 1122)                  Halliday Fraser Munro on behalf of Murray Dick (1412, 1418)                  Bancon Developments (1419, 1432, 1456)                  Paull &amp; Williamsons LLP on behalf of Elsick Development Company Ltd (1667, 1670, 1671, 1686)                  Ryden LLP on behalf of R M Kinghorn (1909, 1910)                  Michael Morgan on behalf of Newtonhill, Muchalls &amp; Cammachmore Community Council (2131, 2291, 2721)                  Newtonhill, Muchalls &amp; Cammachmore Community Council (2336, 2399)                  Emac Planning LLP (2705)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations in and around Newtonhill – H1, E1 & SR1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b>  <b>22, 61, 525, 526, 2131, 2291, 2721:</b> These respondents object to site H1.</p> <p><b>22:</b> This is a lovely open area which existing homes look onto and enjoy and the respondent does not wish to see any plan which changes views and environment near the present houses.</p> <p><b>61:</b> The respondents' home is slightly elevated above the field which would not allow any privacy. More thought should be given to the local residents.</p> <p><b>2131, 2291, 2721:</b> No further development is required in Newtonhill. The intention of Elsick is to avoid piecemeal development in settlements. H1 should be deleted (and the allocation added to Elsick).</p> <p><b>1412, 1418:</b> Support H1 but would request that the north eastern section of H1 is considered the suitable starting point. Development immediately south of the housing at Cliff View represents the logical place to commence development for what is effectively 'infill development', creating a defensible boundary to Newtonhill.</p> <p><b>2705:</b> Welcome the allocation of H1 but request the site is extended and the allocation increased to 150 houses.</p> <p><b>Site E1</b>  <b>580, 1122:</b> Site E1 runs counter to the idea of green envelopes to settlements. The site should be greenbelt.</p> <p><b>1667, 1670, 1671, 1686:</b> Propose E1 is extended to include the strategic reserve employment land (19 hectares).</p>		

**SR1**

**580, 1122:** Site SR1 runs counter to the idea of green envelopes to settlements. The site should be greenbelt.

**1667, 1670, 1671, 1686:** Site SR1 should be incorporated into site E1 in order to ensure there is no loss of employment land (it is suggested that site BUS is deleted and the allocation added to E1). The loss of strategic reserve land in Newtonhill should be reallocated to Strategic Reserve Land in Elsick (increase of 5.5ha).

**1909, 1910:** Site SR1 should be extended northwards to encompass the entire area directly adjacent to the A90.

**2336, 2399:** Do not object to SR1, but would object to the proposal to extend SR1 to the north. This is a slope highly visible from the north and is a significant local view. The area should be greenbelt.

**Site EH1**

**369:** The respondent welcomes the allocation of EH1 but objects to the number of units allocated. The site should be allocated for 60 houses to reflect the current planning application. The housing numbers in the extant local plan were indicative as the design capacity can only be considered in detail at the development management stage.

**2131, 2291, 2721:** Site EH1 should be deleted and the allocation added to Elsick.

**Alternative Sites**

Land to the north of Newtonhill

**1419, 1432, 1456:** There is potential for the quick delivery of short term growth to the north of Newtonhill. Land will have limited visual impact, can deliver a grade separated junction and improve connectivity from Newtonhill to the A90, and also could provide access to Elsick. Allocating housing land at Newtonhill north will absorb some of the required housing allocation in line with the structure plan.

Land to the west of Newtonhill

**1909, 1910:** Site K119 as identified in the Main Issues Report should be allocated for residential development of around 10-15 houses. The site is in close proximity to the A90 and the settlement boundary for Newtonhill already extends west of the A90. The site has safe pedestrian access to Newtonhill. The site would help sustain Newtonhill Primary School. The site could be accessed directly from the A90 or alternatively could develop an access connecting to the existing grade separated junction. Given the limitations in the area of greenbelt, coastal zone and coalescence issues, this site is the most appropriate area for expansion of Newtonhill.

**Modifications sought by those submitting representations:**

**22, 61, 525, 526, 2131, 2291:** Request site H1 is removed.

**1412, 1418:** Support H1 but request land to the south of Cliff View is the starting point for development.

**2705:** The capacity of site H1 should be increased to 150 houses.

**580, 1122:** Sites E1 and SR1 should be greenbelt.

**1667, 1670, 1671, 1686:** Propose that site SR1 is incorporated into E1, with the strategic reserve employment land reallocated to Elsick.

**1909, 1910:** Site SR1 should be extended to the north.

**1419, 1432, 1456:** Request consideration of allocating land to the north of Newtonhill.

**1909, 1910:** Site K119 should be allocated for 10-15 houses.

**369:** The allocation for site EH1 should be increased to 60 houses.

**2131, 2291, 2721:** Site EH1 should be deleted.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Newtonhill is a town of approximately 3000 people located in the Portlethen to Stonehaven Strategic Growth Area. The planning objectives for the settlement are to sustain existing services, provide employment land, and to provide a choice of housing within the Strategic Growth Area. The primary school has significant capacity and a falling school roll, and development has been allocated to support this in line with paragraph 80 of Scottish Planning Policy. There are access issues to the south of the settlement, and the allocation of site H1 will be required to resolve these prior to development.

There is representation suggesting that there should be no development in Newtonhill and that all development should be directed to Elsick. However, as mentioned above Newtonhill Primary is operating under capacity, the school is operating at 73% falling to 68% in 2016. There is also capacity in Portlethen Academy.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. Further information on the sites is contained in 'Issues and Actions Volume 6 May 2010' (page 102), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

**Site H1**

The site was identified as a constrained site in the Main Issues Report (K100). The site was initially constrained by local nature designation: SESA/SINS (Sites of Environmentally Sensitive Areas and Sites of Interest to Natural Science). However, this designation has been reviewed and the site is no longer included in the SESA/SINS boundary. Allocation of the site will relieve an existing problem by creating two accesses to serve the development to the south of the settlement. There is an Aberdeenshire Council standard that no more than 100 houses can be served off one access. Currently Cairnhill Road and Park Place each serve more than 100 units and so a pre-requisite of development in H1 is that development will provide a link joining the two roads.

Individuals are not specifically entitled to their private view being safeguarded. However, the layout and design of the site will be subject to community engagement, as a masterplan is required for the site. Regarding the visual impact of development at H1, it is acknowledged development of the site will alter the character of the southern side of the settlement. However, the landscape is undulating and can accommodate development, and there is already consent for development further south than is proposed in H1 (site fh1 in the Aberdeenshire Local Plan).

The developer of the site requests the site is extended and the allocation increased to 150 units. This increase is not supported by Aberdeenshire Council. There is no requirement to identify a further 80 houses in the Portlethen to Stonehaven Strategic Growth Area. The community have not been consulted about such a level of development, and in any case, the settlement of Newtonhill has expanded significantly in recent times and should not be subject to such a level of growth.

**Site E1/SR1**

There is already an employment allocation to the west of Newtonhill (BUS1). Employment land is proposed in this location to take advantage of proximity to the A90. Allocations E1 and SR1 are needed to increase employment land provision in Newtonhill but they will also serve Elsick. This site is not greenbelt as it has been identified as required to meet the settlement strategy, and there remains sufficient greenbelt to provide protection for Elsick and Newtonhill.



The employment land requirements in the strategic growth area have been met and there is no requirement to extend E1 or SR1.

**Site EH1**

Site EH1 was allocated in the Aberdeenshire Local Plan for 35 houses. The site has been constrained for some time by access. However, a solution has been identified and the site has been granted consent by the Area Committee for 60 houses, subject to a Section 75 Agreement.

**Alternative Sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites. Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in ‘Issues and Actions Volume 6 May 2010’ (page 102).

Land to the north of Newtonhill

Land to the north of Newtonhill (K47, K123) was considered in the Main Issues Report as an alternative site. The site was fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement the Council's conclusion was to exclude it. The site is not well connected to the existing settlement and it is segregated by the Burn of Elsick. Regarding provision of a grade separated junction, it may not be appropriate in this location, as it would contravene standards which prevent grade separated junctions being too close to each other. There is no requirement to allocate any further land for housing, the Structure Plan requirements having been met (see Issue 25 New Housing Land Allocations).

Land to the west of Newtonhill

Land to the west of Newtonhill (K119) was considered as an alternative site in the Main Issues Report. Following widespread community engagement and debate, the Council did not include the site. There are road safety issues with access onto the A90. It is accepted there is an underpass which connects the site to Newtonhill on foot, but the site remains largely segregated from the settlement by the A90 trunk road. Greenbelt is not a limitation, as development can be allocated within the greenbelt to meet the settlement strategy. The coastal zone likewise does not constrain development to the north and south of Newtonhill. The site is not required, as alternative allocations are both sufficient and appropriate. In addition, small scale allocations are not of a strategic nature and would not meet the structure plan requirement to allocate significant growth which can result in significant investment.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Newtonhill are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No further changes are commended.

**Reporter’s conclusions:**

**General**

1. Newtonhill is a significant town in the Aberdeen housing market area. It lies within the Portlethen to Stonehaven strategic growth area (SGA), where the structure plan envisages major growth during the lifetime of the local development plan. However, the local development plan’s spatial strategy proposes to concentrate development within strategic growth areas in certain locations and on a scale that would allow the provision of major infrastructure improvements.

2. The overall spatial strategy for the Portlethen-Stonehaven SGA is addressed in Issue 39. Within the SGA the Plan proposes the construction of the first phases of a settlement at Elsick (4045 houses in total), west of Newtonhill, and an additional 390 houses at Stonehaven. Only limited

development is proposed In Newtonhill.

3. Newtonhill has had to absorb a substantial volume of development in recent years, and the community council and many local residents are opposed to the piecemeal expansion of the town. However, there is justification for a modest level of new housing to support the primary school (which has a falling school roll) and other local services. There is also a case for the provision of additional employment land, which would reduce commuting into Aberdeen.

**Site H1**

4. Site H1, which lies to the west of the east coast main railway line, is no longer constrained by any environmental designation. Its development for housing would represent a logical rounding off of the town on its south side, bearing in mind the commitment to residential development on the EH1 site to the west. The allocation offers the opportunity of providing a through route between Cairnhill Drive and Park Place, to the benefit of both developments which currently have a single means of access. Although the properties overlooking the site would lose their open outlook, the masterplanning of the site could ensure that there is no undue impact on residential amenity.

5. For the reasons given above it would be undesirable and unnecessary to expand the allocation at H1 to 150 houses. Moreover, a development of that scale would erode the gap between Newtonhill and Muchalls to the south, which is to be protected as green belt.

**Sites E1 and SR1**

6. These allocations are located immediately to the north of the BUS1 site which is an inherited commitment from the adopted local plan. These employment sites adjoin the grade separated junction at Newtonhill, and lie on the opposite (west) side of the A90 from the town. As such they are well placed to attract potential employers. A corridor of green belt would separate the employment sites from the eastern edge of the nearby Elswick development.

7. Although substantial allocations of employment land totalling 17 hectares are proposed within the Elswick development to the west, there is still merit in providing employment opportunities in Newtonhill in order to reduce commuting and foster a sustainable community.

**Site EH1**

8. This is not a proposal of the local development plan, and is therefore not part of this examination. The number of houses to be permitted in a housing site allocated in the adopted local plan is a matter for the development management process.

**Alternative sites**

9. The development of sites K47 and K123 would amount to a significant northwards expansion of Newtonhill. That scale of development would threaten the separate identity of the hamlet of Cammachmore to the north, which would become absorbed into Newtonhill, and would reduce the gap between Newtonhill and Portlethen (to be safeguarded as green belt). The introduction of a further grade separated junction at this point, so close to the existing Newtonhill interchange, would be of limited value.

10. The development of site K119 at Newtonhill Farm would introduce housing onto rising ground on the west side of the A90, contrary to the established pattern of development in the town. There is a pedestrian underpass at this point, but it would not be desirable to take vehicular access direct from the trunk road, and any new access from the grade separated junction would be lengthy and circuitous.

**Reporter’s recommendations:**

No modifications.

<b>Issue 44</b>	<b>Stonehaven</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (p23) Schedule 1, Table 6, (p28) Schedule 2, Table 6 (p32 & 33) Document 3H, Supplementary Guidance, Settlement Statements (p48-54)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Polymer Holdings Ltd (44)                  Knight Frank LLP on behalf of Mr Annat (231, 232)                  DPP LLP on behalf of Shell (UK) Ltd (427, 430)                  George Swapp (490)                  Barton Willmore on behalf of Stewart Milne Homes (946, 953, 956, 1069, 1072, 1268)                  Turley Associates on behalf of The Stonehaven South Consortium (1081, 1386, 2129, 2130)                  Halliday Fraser Munro on behalf of Deveron Homes Ltd (1368, 1369, 2159)                  Bancon Developments (1417, 1419, 1432, 1442, 1456, 1458, 1459, 1460, 1468)                  Halliday Fraser Munro on behalf of Barratt East Scotland &amp; Drum Development Company (Stonehaven) Ltd (1485, 1489, 1492, 1493, 1494, 1495, 1498, 1499, 1500)                  Town and Country Planning Agent on behalf of Labinski Ltd (1536, 1538, 1539)                  Montagu Evans LLP on behalf of The Sluie Estate Trust/David &amp; Richard Strang Steel (1953)                  Scottish Environment Protection Agency (1979)                  Dr Keith Stewart (2182, 2725)                  Dawn Milroy (2231)                  Malcolm Ritchie (2236, 2237)                  Dr Edward Morel (2242)                  Susan Grimes (2273)                  Michael Innes (2300)                  Dr Peter Rowbotham                  Murray Architects on behalf of The Kincardineshire Investment Company Ltd (2710)                  Steven Blackburn (2751)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations in and around Stonehaven – H1, H2, H3, H4, E1, E2 & CC1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b>  <u>Flood Risk</u>  <b>2231:</b> Site H1 is inappropriate: it is too close to a watercourse, the site is already collapsing the same way as the Braes, and the flood plain will be lost to the access road. Land to the rear of Riverside Drive is severely collapsing and any adjustments to the flow of the river may adversely affect it.  <b>1979:</b> Scottish Environment Protection Agency notes the requirement for a Flood Risk Assessment and therefore do not object to the allocation of the site.</p> <p><u>Support for the site</u>  <b>2182:</b> Site H1 is fully justified.</p> <p><b>2237:</b> The respondent supports the allocation of site H1, subject to a flood risk assessment. The respondent would support an extension of the site up to the protected P4 area.</p>		

**Sites H2 and H3: Ury House**

Support for the site

**2182:** The respondent suggests allocations H2 and H3 are fully justified as enabling developments for Ury House.

Deliverability

**427, 430, 946, 956, 1072, 1268, 1432, 1456, 1458:** These respondents object to sites H2 and H3. One respondent adds that the sites are unsustainable, insufficient and constrained (**946, 1268**).

**956, 1072, 1081, 1386, 1419, 1458, 2129, 2130:** Sites H2 and H3 are not deliverable; the developer has gone into administration, and the business case is out of date. One respondent also adds that due to technicalities a new developer cannot be found (**1458**). There is said to be an agricultural tenancy on the site where the tenant has exercised their right to buy which further constrains development on the site (**956, 1072**).

**427, 430, 956, 1072, 1081, 1386, 2129, 2130:** A number of respondents have suggested that there are significant transportation constraints to overcome prior to the development of these sites. Some respondents also suggest the sites will have limited choice of transport options (**1081, 1386, 2129, 2130**).

Contribution to Housing Requirements

**956, 1072, 1081, 1386, 2129, 2130:** It is suggested the site would provide little affordable housing provision.

**956, 1072, 1081, 1386, 2129, 2130:** A number of respondents suggest that the development should come forward as enabling development under policy 10. One further respondent questions whether the enabling development has been appropriately considered and whether such a great number of houses are required (**1458**).

**427, 430, 956, 1072:** Sites H2 and H3 are not effective as they await the resolution of a planning agreement.

**956, 1072:** The development has planning permission, sites H2 and H3 therefore form part of the established supply.

**1432, 1456, 1458:** Sites H2 and H3 constitute enabling development and windfall sites and are not part of the new housing supply. These sites should not be included as new housing allocations.

Flood Risk

**427, 430:** Sites H2 and H3 are partially within a 1 in 200 year flood risk area.

**1979:** Scottish Environment Protection Agency object to site H2, as parts of it are at medium to high risk of flooding, unless additional text is added to the Plan or Supplementary Guidance highlighting the flood risk.

Landscape and Environment

**427, 430, 956, 1072, 1081, 1386, 1458, 2129, 2130:** Development of sites H2 and H3 would impact on the landscape setting. The A90 currently acts as a defensible western boundary and the site would be physically separated from the town. Two of these respondents suggest that the allocation of sites H2 and H3 would result in over-development (**427, 430**).

**427, 430:** The respondent, Shell UK, highlights that as sites H2 and H3 are located within the inner pipeline consultation zone, the scale of the proposed development would be in breach of PADHI guidelines.

**956, 1072:** Sites H2 and H3 are poorly located in relation to services and public transport. The site will not contribute towards sustainability objectives.

**Site H4**

General Support or Objection

**231, 232:** The respondent (duplicate response) supports the site, but requests that 30 houses are moved in to phase 1.

**1459, 2273, 2301, 2751:** These respondents request site H4 is removed from the plan.

**2182, 2725:** Without the development brief in place it is impossible to judge the proposed development and its impact.

Deliverability

**231, 232:** There are no constraints to the delivery of the site. The site can be delivered without large infrastructure costs. Two local primaries within the catchment of site H4 have capacity and allocation of the site will maintain school rolls.

**1419, 2751:** The site is constrained by pipelines.

**2273, 2301, 2751:** There are limited services for infrastructure outwith the A90, including no mains sewage. One respondent also suggests that the site has no mains water (**2751**).

Landscape Setting

**231, 232:** The site will be well contained by the loop road and the A90.

**1081, 1386, 1432, 1456, 1459, 2129, 2130:** The development would be unrelated to Stonehaven as it is segregated by the A90, and would set a precedent for development beyond the A90. One respondent is concerned that development west of the A90 is not an appropriate strategy given the relatively isolated nature of this area (**1081, 1386, 2129, 2130**).

**1419, 1432, 1456, 1459:** These respondents suggest that site H4 will have considerable landscape and visual impact. A landscape and visual impact assessment has been carried out demonstrating the harmful visual impact (**1459**).

**2182, 2725:** In the previous plan inquiry Kirkton of Fetteresso was included within the Stonehaven boundary to protect the small village from development. The reporter was clear that there should be no coalescence between Fetteresso and Stonehaven.

**2182, 2725:** Site H4 should be removed due to the fact it is over development for the small village of Fetteresso.

**2273:** The development would set a precedent for sprawl in the countryside.

**2751:** The site is on a steep hillside and will overlook other properties.

Conservation Areas

**2182, 2273, 2301, 2725, 2751:** A number of respondents raise concern about the impact of development in this location on the proposed conservation Area at Kirkton of Fetteresso. One respondent suggests that Kirkton of Fetteresso and its setting should be protected (**2182**).

Affordable Housing

**231, 232:** The site should be identified in the first phase in order to meet the urgent need for low cost housing.

**1081, 1386, 2129, 2130:** The allocation of this site would not result in a significant increase in choice in the housing market area. In addition, there would be little contribution to affordable housing from the development of site H4.

Impact on Neighbours

**2182, 2725:** The development would result in considerable loss of privacy to Broomhill Croft.

**2751:** The site boundary includes Broomhill Croft without the owner's consent.

Transport

**231:** The site would enable sustainable modes of transport into Stonehaven town centre without the need for major new road infrastructure.

**1081, 1386, 2129, 2130:** Access to H4 would potentially require rationalisation of the existing infrastructure, and its junction with the A90 is substandard.

**2182, 2273, 2301, 2725:** These respondents raise concern regarding the access to the site. The configuration of the loop-road causes problems: the corner is blind and there is a large number of traffic accidents at the Kirkton of Fetteresso junction. It is unlikely on the grounds of road safety that the development could go ahead.

**1459:** Transportation concerns have already been raised at an appeal for a supermarket: the A90 is a barrier and traffic movements through Spurryhillock are not suitable.

**Site E2**

Deliverability

**490, 1494, 1495:** BUS 2 has had permission for a 12 hectare business park since 1999 and the need for further business land at E2 is questioned.

**1953:** Site E2 cannot be considered 'marketable land'.

Landscape Setting

**490:** Development at E2 could have an adverse impact on landscape setting of Dunnottar Woods.

Accessibility

**1494, 1495, 1953:** Site E2 is isolated and 'stand alone'. The site is inaccessible from the town. This is an unsustainable location.

**1494, 1495:** Accessibility can never be improved as the distributor road would only come half way down the A957. One further respondent also notes that it is surprising that there has been no requirement for the provision of a spine road with this development (**1953**).

Flood Risk

**1979:** Scottish Environment Protection Agency raises no significant flooding concerns for the site.

**Site R3**

Deliverability

**1536, 1539:** Site R3 is larger than was agreed between the council and the landowner in a planning gain package agreed upon grant of permission for a food store. The area of land previously agreed was sufficient to meet the long-term requirement for cemetery expansion. The land is not available. Deliverability has not been demonstrated.

**2300:** The requirement for the cemetery extension is smaller than that shown.

**Site CC1**

Deliverability

**44:** The occupiers of part of the site state they have no plans to relocate. Planning permission for an extension to the premises has recently been applied for and concern is raised that designating the site as retail will prejudice the business use. The wording in the plan should be modified to make it clear that existing businesses can continue to operate.



**953, 1069, 1432, 1456, 1460, 1492, 1953:** There are significant ownership issues with the site, and significant relocation costs. Also, one of the landowners is unwilling to move.

**946, 953, 1069, 1268, 1460, 1492, 1493, 1538, 1539, 1953:** These respondents all comment that site CC1 is not suitable, the site is said to be unviable and inadequate. There is an established need for a large supermarket. This proposal will have no impact on sub-regional shopping patterns and will do nothing to prevent expenditure leakage from Stonehaven. One respondent adds that site CC1 fails the sequential test as it does not provide a food store of the appropriate scale or function required for the economic health of the town (**1538**).

**1443, 1468, 1492, 1493, 1499, 1500:** The site is undeliverable as it is too small, it would be difficult to develop, and it would be unattractive to retailers.

**1492, 1493:** There is no frontage to the site reducing its marketability.

**1538, 1539:** Site CC1 is an occupied site and deliverability is questionable.

#### Infrastructure

**946, 953, 1069, 1268, 1432, 1456, 1460:** These respondents highlight that there are significant transportation issues with site CC1 which constrain the site.

**1443, 1468, 1492, 1493:** Site CC1 will create serious traffic congestion.

**1492, 1493:** Significant junction enhancement would be required for the development of site CC1 requiring purchase of land outwith the control of the allocated site. In addition, traffic generated from a store in this location would put significant pressure on the junctions of Kirkton Road and the railway arch.

**1492, 1493, 1499, 1500:** These respondents suggest that the site should be allocated for a park and ride, see alternative sites below.

**1953:** The respondent suggests that through discussions with Aberdeenshire Council Roads Department, it is clear that they have concerns with this site.

#### Reservation of CC1 for a Park and Ride

**1492, 1493, 1499, 1500:** Site CC1 should be allocated as R5 and reserved for a park and ride associated with Stonehaven Railway Station. The current park and ride is overcapacity. The waste transfer site connects to the platform.

#### Other Issues

**946, 1268:** The development of this site would result in loss of employment land.

**1460:** There is no requirement to allocate a retail site.

**2236:** The respondent supports site CC1 subject to the developer being responsible for widening the railway bridge.

#### **Alternative Sites**

##### Mains of Ury

**1953:** Land at Field 3, Mains of Ury (plan attached) would provide a high profile employment location, visible from the A90. The site would provide a choice of business locations. The site is adjacent to residential development at Ury House. The land is accessible by many modes of transport.

**1953:** Field 52, Mains of Ury (plan attached) should be located for a food store. The site has been granted a Certificate of Appropriate Alternative Development (CAAD) for a supermarket. The site

would prevent leakages and result in shorter journeys.

**1953:** Land at Field 1, Mains of Ury (plan attached) should be allocated for a hotel. Stonehaven lacks a large quality hotel and this site provides a highly visible location which would attract national hotel operators.

Mains of Cowie

**946, 956, 1072, 1268:** The respondent requests that land at Mains of Cowie (identified in the Main Issues Report as K122) is allocated for the development of 340 houses.

**946, 1268:** Land at Mains of Cowie is free from constraints. The site has strong defensible boundaries. There are sufficient existing services and infrastructure adjacent to the site.

**946, 953, 956, 1069, 1072, 1268:** There is an opportunity to provide a supermarket on this site. The site would lie within 800 metres of the town centre which would be 'edge of centre' as defined in Scottish Planning Policy.

Loop Road Site

**1538, 1539:** The Loop Road Site (identified in the Main Issues Report as K99) should be allocated for a superstore. The site is sequentially superior to any other site of a size capable of delivering a superstore. The site is immediately deliverable. The site would provide quantitative and qualitative choice in food retail. A store on this site would claw back retail leakage. Access can be achieved to the site without the need to pass through the town centre. The site is also close to H4. The site would deliver (by means of planning gain) land for the expansion of Fetteresso Cemetery.

Mill of Forest

**1485, 1489, 1498:** Site at Mill of Forest (identified in the Main Issues Report as K89) should be allocated for a mixed use development including 1500 houses, a primary school, and a supermarket, as it meets the structure plan requirements and complies with the policy framework.

**1489, 1492, 1493, 1498:** The site offers the best opportunity for supporting sustainable travel patterns and taking advantage of available capacity on road networks. The site at Mill of Forest offers the best junction access onto the A90. Transport Scotland favour development south of Stonehaven. The site is not dependent on the AWPR. A new link road over the A90 would connect the site with Stonehaven. The site has a clear public transport advantage in its accessibility to Stonehaven Railway Station. The site represents a sustainable urban expansion of Stonehaven. The masterplan reflects the sustainable travel mode hierarchy.

The roll at Mackie Academy is declining and with the build rate, there is capacity at the academy. The Capacity Study identifies the site as the preferred direction of growth.

**1489, 1492, 1493, 1498:** The site would offer a supermarket which would be accessible from all parts of Stonehaven. The Mill of Forest retail proposal is fully integrated with the neighbourhood centre and is part of a sustainable settlement pattern. A new link into the settlement will be provided. The supermarket will claw back expenditure leakage.

**1494, 1495:** A gateway business park should be allocated at Mill of Forest. There is recognition of the need for additional employment land in Stonehaven. The site has excellent accessibility served by the junction onto the A90 and would have a new bridge over the A90 which would link the site with the rest of Stonehaven.

**2242:** Support the non-allocation of Toucks. Development in this location would seriously increase the risk of flooding and would ruin a beautiful amenity.

Fetteresso

**2710:** Site K5 should be allocated for housing land. The site is not at flood risk. The previous justification for not including the site as it is 'at the bottom of a railway embankment' is subjective.

Stonehaven South

**1417:** Stonehaven is capable of absorbing growth and delivering growth quickly. The Stonehaven south proposal demonstrates how the site could aid the delivery of a new town.

**1081, 1386, 2129, 2130:** Land at Stonehaven south is well placed to meet the shortcomings in housing allocations. It would allow immediate release of housing along with employment land and land for a new primary school.

**1081, 1386, 2129, 2130:** There are three options for delivery of housing at Stonehaven South (plans attached):

- 1) 230 units are allocated to the south of R2 and the spine road is constructed.
- 2) 430 units are allocated. This option would require reallocation of site R4 but would deliver land for much needed sports pitches. The spine road would be provided.
- 3) 1000 units are allocated given the uncertainty of completions at Elsick. The full allocation for Stonehaven south best reflects sound masterplanning principles and would ensure the structure plan's targets are met. Site E2 would be reallocated to the south of the A92. A spine road would be provided.

**1419:** A site at Stonehaven South can accommodate housing and commercial land thereby offering a sustainable mixed community.

**1432, 1456, 1458, 1459:** Development at Stonehaven South should be included as an allocation for a mixed use area of up to 1000 houses. The site will be deliverable quickly, and efficiently. The site is adjacent to the preferred location for a new primary school, and the business park. The allocation of land will facilitate the primary school. One respondent also adds that the site is less visually intrusive than the alternative H4; is within an established boundary (the A90; is not constrained by pipeline corridors; and has greater connectivity through public transport links (**1459**).

BUS2

**1443, 1468:** Mearns Business Park (BUS 2) should be identified as a Commercial Centre. Site E2 can then be reserved for other business uses without impacting on the supply and demand of business and industrial land.

**1460:** If a site is required for retail, the site at East Newtonleys should be identified. An application has been recommended for approval on the site.

Braehead, Stonehaven South

**1368, 1369, 2159:** The respondent requests that land at Braehead is allocated for residential development. The site forms a natural extension to Stonehaven. The site is not protected and is not a designed landscape. The site is free from development constraints. The site is within easy access of the town. There is no reasoning as to why the site has not been included.

Recreational Areas

**2237:** The respondent would support retail development on the north side of the existing recreation grounds, where the static caravans, are provided leisure facilities are upgraded elsewhere. The respondent would also support a retail facility on P6, if the developer made available suitable upgraded leisure facilities.

Gas Works Site

**2237:** The respondent would support residential development on the gas works site, subject to the site being cleaned.

**Modifications sought by those submitting representations:**

**2231:** Request site H1 is removed from the plan.

**1979:** Delete site H2 unless the following wording is included in the supplementary guidance text for Stonehaven “Part of this site lies within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and an appropriate buffer strip will be required adjacent to the existing watercourse.”

**427, 430, 946, 956, 1072, 1081, 1268, 1386, 1419, 1432, 1456, 1458, 2129, 2130:** Request sites H2 and H3 are removed from the plan.

**231, 232:** Support the allocation of site H4 but request that 30 houses are moved into the first phase.

**1081, 1386, 1419, 1432, 1456, 1459, 2129, 2130, 2182, 2273, 2301, 2725, 2751:** Request that site H4 is removed from the plan.

**490, 1494, 1495, 1953:** Request site E2 is removed from the plan.

**1536, 1539:** Site R3 should be removed, deliverability of the site has not been demonstrated.

**44, 946, 953, 1069, 1268, 1432, 1443, 1456, 1460, 1468, 1492, 1493, 1499, 1500, 1538, 1539, 1953:** Request site CC1 is removed from the plan.

**1953:** Land at Field 1, Mains of Ury should be allocated for a hotel.

**1953:** Land at Field 3, Mains of Ury should be allocated for employment land.

**1953:** Land at Field 52, Mains of Ury should be allocated for a foodstore.

**946, 953, 956, 1069, 1072, 1268:** Land at Mains of Cowie (K122) should be allocated for 340 houses and a supermarket.

**1538, 1539:** Land at the Loop Road Site (K99) should be allocated for a superstore.

**1485, 1489, 1492, 1493, 1494, 1495, 1498:** Land at Mill of Forest (K89) should be allocated for a mixed use development including 1000 houses.

**2710:** Land at K5 should be allocated for 5 houses.

**1081, 1386, 2129, 2130:** Land at Stonehaven South (K101) should be allocated, there are three growth options of 230 houses, 430 houses, or 1000 houses.

**1417, 1419, 1458, 1459:** Land at Stonehaven South (K101) can deliver a mixed use community.

**1432, 1456:** Land at Stonehaven South (K101) should be allocated for a mixed area with up to 1000 units.

**1443, 1460, 1468:** Land at East Newtonleys should be allocated as an ‘other commercial centre’ for a retail site.

**1368, 1369, 2159:** Land at Braehead (K78) should be allocated for residential development.

**1492, 1493, 1499, 1500:** Land at the Council Depot (CC1) should be allocated R5 and reserved for a park and ride associated with Stonehaven Railway Station.

**2237:** Retail development on either the north side of the existing recreation grounds or on P6 would be supported subject to the provision of alternative or upgraded leisure facilities.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Stonehaven is within the Portlethen to Stonehaven Strategic Growth Area, and is therefore an option for large scale growth. There is a requirement to allocate 4600 houses in this corridor to 2023. The strategy adopted in this corridor is for a new settlement, to limit the impact of this scale of development on existing settlements.

Stonehaven is the largest town in Kincardine and Mearns. The planning objectives for the settlement are to enhance the town's role as a sub-regional service centre, provide employment opportunity and provide affordable housing. There is substantial developer interest in the settlement.

Stonehaven has a special landscape setting sitting in a bowl. The town has already expanded west and as far as the A90 bypass, and public opinion is that it has effectively reached its natural saturation point, and that large scale development should not take place west of the A90. Much of the land to the west is constrained by pipeline consultation zones. Within Stonehaven, the Academy is near capacity, although the roll is expected to fall to 93% by 2016. There is a feeling from members of the local community that more development in the town is not suitable. Therefore only small scale growth is proposed in the town.

The Aberdeenshire Review of Retail Requirements carried out in 2008 (page 91) identified that Stonehaven is deficient of a large supermarket. The review identifies provision of a large supermarket located outwith the town centre would have an adverse impact on the town centre (page 120). However, Stonehaven town centre has particular characteristics related to its role as a tourist town which lead the Council to conclude that a modest supermarket would be appropriate. In any case, there have been difficulties in identifying a suitable site for a large supermarket close to the town centre. The conclusion of the Council was to optimise the walking catchment and allocate a small scale retail use at Spurryhillock.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan (see issue 39). Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in 'Issues and Actions Volume 6 May 2010' (page 129).

**Site H1**

This site has been the subject of a planning application (APP/2007/4949), which has been awaiting the outcome of the Local Development Plan prior to being determined. The site sits within the A90 trunk road, but is segregated from the settlement by the Carron Water. The site sits on a plateau above the Carron Water, but despite the river and the variance in levels, the site remains well related to the town. Comments in support of the site are noted.

Flood Risk

There is one respondent who raises concern about the proximity of the site to the Cheyne Burn/Carron Water and the possible flood risk on the site. SEPA have commented that although they identify part of the site at flood risk, they do not object to the site as there is a requirement for a flood risk assessment. The masterplanning of the site will ensure the flood risk and buffer zones are considered, and will result in a layout which mitigates any impact. There is a requirement for 40% open space within the development and so there is more than enough capacity within the site to accommodate development outwith the area at flood risk.

**Sites H2 and H3 (Ury House)**

Sites H2 and H3 are located to the north of the A90, around the Ury Valley and Ury House. A planning application for 230 houses to enable the redevelopment of Ury House (APP/2007/2015) has been recommended for delegated approval by the Area Committee. The site awaits a Section 75 agreement and so planning consent has not yet been granted.

Deliverability

Many respondents highlight that sites H2 and H3, associated with the restoration of Ury House are constrained and are not deliverable. The developers' agent advised in February 2010 that the site is deliverable (see 'Ury House Deliverability statement').

Contribution to Housing Requirements

While ownership constraints could delay development, this doesn't alter suitability of the site for development.

Affordable housing provision on the site will be required, but will be part of a negotiation. It is acknowledged that the level of affordable housing is likely to be reduced by the enabling nature of the development.

The development could come forward under the enabling development policy, but development should be plan led and therefore sites have been allocated where possible to provide certainty. This is a common approach throughout the plan. As this site has already been considered as a planning application, the business case has been considered by the Council and it has already been accepted that the level of housing is required to enable the restoration of Ury House.

Regarding whether the site is part of the effective or established supply: the sites are not yet consented as agreement of the Section 75 is outstanding, therefore the sites are not part of the established housing supply. The site cannot be classed as a windfall due to the fact consent has not been granted, and therefore the sites can be included as new allocations.

Flood Risk

Regarding potential flood risk on site H2, text will be added to the Supplementary Guidance to state that a Flood Risk Assessment will be required which will satisfy the Scottish Environment Protection Agency's concerns. The Cowie Water runs through the site, but the site is of sufficient size to accommodate development, and leave areas of flood risk as open space.

Landscape and Environment

Sites H2 and H3 are to the west of the A90, but the sites are relatively well contained within the landscape. There is scope for planting within the sites. Both sites are respectively more than big enough to accommodate the development proposed, and will not be over developed. The sites are connected to the town via the Slug Road, although it is acknowledged public transport options should be required to extend to the sites.

In relation to Shell UK's representation suggesting that sites H2 and H3 would breach the Health and Safety Executives 'Planning advice for developments near hazardous installations' (PADHI) guidelines, only site H2 is within the pipeline consultation zones. In addition, Shell UK did not object to the proposed development at the time of the planning application.

**Site H4**

This site was considered as an alternative site in the Main Issues Report. The site was allocated following consideration of all the sites within Stonehaven, and with greater weight placed on the perceived community benefit in terms of supporting smaller scale development and less landscape impact. The site lies within the 'loop road', a northbound junction onto the A90. The site sits on a relatively steep south east facing slope.

General Support or Objection

Sufficient land allocations to meet phase 1 of the structure plan housing allocations within the Portlethen to Stonehaven Strategic Growth Area have already been made elsewhere. There is therefore no requirement to bring the site forward earlier. If there is not a sufficient land supply at some point in the future, early release could be considered under SG Housing 2: 'Housing land allocations'.



Deliverability

Statements about deliverability of the site are noted. Re-zoning of primary school catchments may be required, but there is capacity within the primary schools in Stonehaven. There are no pipeline constraints on the site. There is capacity within both water and waste water treatment works.

Landscape Setting

Considerable objection has been received in relation to site H4. The impact on Kirkton of Fetteresso is noted. However, the masterplanning of the site could mitigate any impact.

Development beyond the A90 is required in Stonehaven due to the potential landscape impacts that would result from development to the north and south of the settlement. Development west of the settlement has less landscape impact. The site is segregated from Stonehaven by the A90, but it is adjacent to a link over the A90 (Broomhill Road).

Kirkton of Fetteresso is close enough to Stonehaven that it can be considered within the boundary.

Conservation Areas

Presently Kirkton of Fetteresso does not have conservation area status and so this cannot be considered as an issue. However, there is a conservation area review underway which is expected to be completed by May 2011. A conservation area boundary would be unlikely to cover this site, and in any case designation of a conservation area would not necessarily prevent development, although it may require development of a higher design standard.

Affordable Housing

Affordable housing will be provided on all sites within Stonehaven and as such there is no need to bring forward this site in order to provide affordable housing. Not only sites in Stonehaven will contribute to affordable housing, and allocations elsewhere (Elsick) will bring forward additional affordable housing in the first phase. Regarding the level of affordable housing provided by the site, it would make a contribution in scale to its size and should not be disregarded due to its small size.

Impact on Neighbours

The masterplan for the site would ensure that appropriate screening is provided around Broomhill Croft.

Transport

Access details would be considered at the masterplanning and detailed planning stage. The Roads Authority have provided comments in relation to the site and advise that there could be possible visibility issues; there could be road gradient difficulties within parts of the site; and a safe route to school would be required. In relation to public transport, there is a bus stop on the loop road adjacent to the site.

**Site E2**

There is a requirement by the structure plan to allocate employment land in a range of locations within the strategic growth area. As one of the largest towns within the strategic growth area, Stonehaven requires an employment allocation. The previous local plan allocated employment land at East Newtonleys, (BUS2). A planning application was granted consent on site BUS2 for a business and industrial park, and work has begun in the form of the access road. Part of the reason the land has not yet come forward relates to the need to provide water services to the site, which can be resolved through critical mass of development. Site E2 is also the subject of a planning application for a supermarket (APP/2005/0259), which has not yet been determined.

Deliverability

Comments that BUS2 has been allocated for some time and not yet developed are noted, but increasing the amount of employment land will increase the potential to overcome any constraints.

Landscape Setting

The site is separated from Dunnottar Woodland by the A957, and landscaping would ensure no

impact on the woodland.

Accessibility

The site has good connectivity onto the A92, and public transport connects the site to the centre of Stonehaven (services 101 and 102 go past the site and stop at Braehead Crescent which is within about 0.5km of the site).

**Site R3**

This site has been identified by the Council's Property Service as the optimal location for a cemetery. The reservation is not a proposal and the extent of the boundary reflects the need to reserve land for the long term future. As this is not a development proposal, deliverability of the site does not need to be demonstrated.

It is noted that there have been previous discussions in relation to planning application (APP/2004/1231), but this application was refused.

**Site CC1**

The designation CC1 identifies an opportunity for a small retail facility for which a need has been identified in the Review of Retail Requirements October 2008 (page 120). There are no sites available in the town centre, and the site represents the next best site sequentially since it has a large walking catchment and is adjacent to the railway station.

Deliverability

The uplift in land value as a result of the retail opportunity on the site could present the landowners with an opportunity to relocate. There are alternative employment areas allocated at Stonehaven providing them with alternative opportunities. A retail use on the site would also allow car parking for the adjacent railway station, which is currently greatly in need of additional parking. This location is not an ideal location for industrial use.

Infrastructure

It is acknowledged that the road infrastructure does constrain the size of supermarket that can be accommodated on the site. The site is allocated subject to a traffic impact assessment. The Transportation Manager has advised that there is likely to be capacity for a smaller retail unit of approximately 1000 square meters.

Reservation of CC1 for a Park and Ride

There is a request for the site to be allocated as R5 for a park and ride. This would generate no value for the landowner, but sufficient parking would be provided by a supermarket to meet this need.

Other Issues

Regarding the requirement to allocate a retail site, it is accepted that this is not a requirement from the structure plan, but it promotes plan led development to meet an identified need for retail provision in the settlement.

**Alternative Sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites. Most of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in 'Issues and Actions Volume 6 May 2010' (page 129).

Mains of Ury Field 3

The site was fully debated at the Main Issues Report, albeit as part of the wider bid K154, and Proposed Plan stages and following widespread community engagement the Council's conclusion was to exclude it. Employment land has been identified at two locations within Stonehaven and these are both appropriate and sufficient. Therefore there is no need to allocate further employment land at this site.

Mains of Ury Field 52

The site was considered as an alternative site (K150) in the Main Issues Report, but following widespread public engagement, the site was not included in the plan. A site for a supermarket has been identified within the settlement, which is sequentially superior to this site. There is no need to allocate a further supermarket site, and in any case this site is required for the construction of the AWPR. A Certificate of Appropriate Alternative Development was approved for a supermarket on this site (APP/2009/0133), but a subsequent appeal by Transport Scotland has been upheld (P/AAC/110/2).

Mains of Ury Field 1

The site was considered as an alternative in the Main Issues Report, albeit as part of the wider bid K154. We do not propose the allocation of sites for tourist uses. Proposals can be dealt with under the general policies of the plan if they meet the relevant criteria. Under any circumstances, the site is some distance from the settlement.

Mains of Cowie

The site was included in the Main Issues Report (K122) as a preferred site for 200 houses. The site was not recommended for allocation in the Proposed Plan due to issues raised in responses received to the Main Issues Report. The site has a significant landscape impact, as it sits on a plateau to the north of the town. Sites to the west of the settlement have been allocated in order to minimise the landscape impact of development. There is no requirement to allocate further land in Stonehaven, as the housing allowances in the Portlethen to Stonehaven corridor have been met.

Loop Road

The site was fully debated at the Main Issues Report (as site K74) and Proposed Plan stages and following widespread community engagement the Council's conclusion was to exclude it. A site for a supermarket has been identified within the settlement, which is sequentially superior to this site. There is no need to allocate a further supermarket site and this site was dismissed at a previous planning appeal. Claims that the site can be accessed without bringing traffic through the town centre are disputed. Although the site can be accessed from the A90 north bound, the alternative access requires traffic to use Broomhill Road.

Mill of Forest

This site was considered as an alternative site in the Main Issues Report (K89), and it is recognised that the site is capable of being developed. However, following widespread community engagement the Council's conclusion was not to promote this site for development. Consultation on the Proposed Plan did not raise any new issues not considered in the Main Issues Report (see Issues and Actions Volume 6 pages 134, 135, and 143).

Development is at odds with the strategy for the town: to allocate small scale development. It was perceived that the community did not want to see expansion on such a scale and so a new neighbourhood extension to the town, particularly where segregated by the A90, was not supported. It is recognised that as the site lies to the west of the settlement there is less impact on the landscape setting of the town, albeit there would be local landscape impacts. There is no requirement to allocate further land in Stonehaven, as the housing allowances in the Portlethen to Stonehaven corridor have been met.

Fetteresso

The site was identified in the Main Issues Report (K5) as a constrained site due to flood risk, although it is acknowledged that only half the site is within flood risk, as identified by the Scottish Environment Protection Agency Flood Maps. Issues were considered in 'Issues and Actions Volume 6' (page 140), which also highlight concerns about the impact on Kirkton of Fetteresso. There are alternative sites allocated for housing which are both appropriate and sufficient and so this site is not required.

Stonehaven South

The site (K101) was considered as an alternative site in the Main Issues Report. Like many of the

sites in Stonehaven, the landscape impact of development in this location is an issue. Land north and south of the settlement impacts on the landscape bowl in which Stonehaven is set. The bid for development on the site consisting of 71 hectares, and 1000 units indicates the scale of the developer's ambition for the site. They now put forward three options for varying scales of development, in order to comply with the scale of development promoted by the Council. Although these various scales have not been specifically considered, land at Stonehaven South has not been supported due to the potential for impact on the landscape.

**BUS 2**

Site BUS 2 has consent for business and industrial land, but the consent has not yet been fully implemented. Although officers recommended approval of a supermarket on the site (APP/2005/0259) the Committee refused the supermarket, and it is currently the subject of an appeal ([PPA-110-2059](#)). A site has been allocated for a supermarket within the settlement, which is sequentially preferable and is sufficient to meet the identified retail needs for Stonehaven.

**Braehead**

The site was considered as an alternative site (K78) in the Main Issues Report. This site sits to the north of the town on a plateau (but south of the proposal at Stonehaven South). The site has not been included due to the potential for adverse landscape impacts which would result from development. The site is adjacent to a housing development which was granted at appeal. There is no requirement to allocate further land in Stonehaven, as the housing allowances in the Portlethen to Stonehaven corridor have been met.

**Recreation Ground**

As previously stated, a site for a retail facility is allocated at Spurryhillock. There is no requirement for a further retail site. It is accepted that the recreation park is accessible for the town centre, but it would not be desirable to relocate the caravan park and other leisure facilities away from their current position.

**Gas Works Site**

The gas works site can be considered as infill development if it meets the relevant criteria. This would be classed as windfall development.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations already made in Stonehaven are appropriate and sufficient to meet the needs of the settlement strategy and the strategy for the town which is to allocate small scale growth. There are many alternative sites promoted for a supermarket, but the opportunity identified at CC1 represents the best site sequentially.

**Any further plan changes commended by the planning authority:**

There are no changes commended to the Plan.

Changes have been made to the Settlement Statement for Stonehaven to identify the need for a Flood Risk Assessment prior to the development of sites H2 and H3.

**Reporter's conclusions:**

**General approach**

1. Stonehaven is the largest town in the Portlethen to Stonehaven strategic growth area (SGA). Schedule 1 of the structure plan includes specific housing allowances for the Portlethen-Stonehaven strategic growth area (SGA): 2,200 for the period 2007-2016, and 2,400 for 2017-2023. The Plan's overall spatial strategy, and the spatial strategy for the Portlethen-Stonehaven strategic growth area, are discussed under Issues 29 and 39. The proposal to develop a new settlement at Elsick, west of Newtonhill, is dealt with in Issue 41.

2. The Plan proposes only a modest level of housing growth in Stonehaven. Sites are allocated for a total of 390 houses during the period to 2023 (210 in the period 2017-2016).
3. Within the SGA the council had to consider whether to disperse the housing over a number of sites, or to concentrate in one main site, or to adopt a combination of the two approaches. The council's area committee supported the Elsick proposal, instead of 'bolting on' development to existing settlements, and decided to propose only limited expansion to Stonehaven during the Plan period.
4. As explained in Issues 29, 39 and 41, I support the council's approach to the distribution of development in the strategic growth area, including the decision to concentrate development at the proposed new settlement at Elsick. Stonehaven is subject to landscape and infrastructure constraints which limit the potential for development in the town during the Plan period.
5. The special setting of the town is well described in the Main Issues Report (MIR): "*Stonehaven..is a large settlement set within the crescent of Stonehaven Bay, between the rocky outcrops of Downie Point and Garron Point. To the south are steep cliffs, to the north and west is undulating agricultural land. The settlement is set in a bowl between hills sloping east down to the sea, with the Carron Water and the Cowie Water flowing through the settlement. The settlement would have originated around Stonehaven Harbour dating from the 16C, and developed into a resort town.*"
6. The importance of Stonehaven's landscape setting was highlighted in responses to the main issues report (MIR), which raised general issues about the effect of development on the character and setting of the town and specific concerns about the impact of the development of particular sites. There is a strong desire to prevent Stonehaven from spreading beyond the A90 bypass which marks the western edge of development, and to avoid building in prominent locations north and south of the town. This is consistent with the concern to protect the character of the town, and its attractiveness to visitors and tourists.
7. The responses to the MIR also drew attention to infrastructure constraints. The MIR noted that substantial growth in Stonehaven would require either a second academy or a very large academy, greater in size than any other secondary school in Aberdeenshire. The report advised that both of those outcomes should be avoided. The MIR stated that there are also pipeline, landscape and infrastructure constraints, so options for development are quite limited. However, development was seen as necessary to meet the need for affordable housing and to enable the committed restoration of Ury House to proceed.

### **Proposed allocations**

#### Site H1

8. This site at Mill of Forest Road is now effectively committed for housing development. In June 2011 the council decided to grant planning permission in principle for the erection of 109 houses on an area of 8.9 hectares at Carron Den, subject to a satisfactory agreement on developer contributions and affordable housing provision. The Scottish Environment Protection Agency (SEPA) did not object to the proposal on flooding grounds subject to a compensatory storage scheme. The site, which lies between the existing limit of development and the A90, is well related to the town, and the proposal represents a logical consolidation of the built up area in this location.

#### Sites H2 and H3

9. These sites to the north of Stonehaven are allocated for housing (205 houses and 25 houses respectively) to enable the restoration of the B-listed Ury House. I note that planning permission for both developments was granted subject to conditions on 6 December 2011. Therefore the principle of housing development on the sites is no longer in question. The concerns about deliverability are noted. However, the recent conclusion of a section 75 agreement suggests that the proposals are active. It is clearly in the public interest that this important historic building is saved, and that the local development plan reflects the commitment to enabling that to happen.

Site H4

10. This site north of Broomhill Croft, Fetteresso is allocated for 50 houses. Although it is located to the west of the A90, site H4 lies within an 'island' formed by the loop road which connects Broomhill Road to the northbound carriageway of the trunk road. To the north of H4, and also within the loop road, are the town's cemetery and an area to be reserved for its extension (site R3 – discussed below).

11. Because of its contained position, development on site H4 would not be seen as encroachment into the countryside, and would not set a precedent for the westwards expansion to the town at this point. There is concern that the development of H4 would absorb the outlying hamlet of Kirkton of Fetteresso into Stonehaven. However, it might be argued that this has already occurred with the development of the Kirkton Garden Centre between the hamlet and the A90. The hamlet does not have conservation area status.

12. The development of this steep slope will present some challenges, but sensitive layout and design should keep any landscape and visual impact to an acceptable minimum. Providing a suitable access arrangement is found there are no other constraints which would prevent the early development of H4. There is adequate school capacity, and no water or waste water constraints on the site. There is therefore no reason why 30 of the 50 units should not be released in phase 1 of the Plan, as requested. It is capable of making a small but useful contribution to housing supply (including affordable housing) in the short term before the larger sites in the SGA come into effect.

Site E2

13. This site is in an elevated and relatively isolated position to the south of Stonehaven, but it adjoins the committed BUS2 site at East Newtonleys, where a start has been made to implement the planning permission for a business and industrial park. The proposed allocation of 7 hectares of land at site E2 would provide employment opportunities on a marketable site on the A92 close to the grade separated Glasslaw junction with the A90. Although the site is on the edge of Stonehaven, there is a bus service to the town centre. As an extension to the 12 hectare BUS2 site, the new allocation would help to spread the cost of servicing the employment land, including water supply, and thereby assist its early delivery to the benefit of the town.

14. The proposal would not affect Dunnottar Woods, or their amenity and recreation value. The woods are a valued resource in the area, but they lie on falling ground on the opposite side of the A957, and would be unaffected by the allocation. Landscape planting could create a buffer along the boundary of the site nearest the woods.

Site R3

15. The council has identified this site at Fetteresso as suitable for an extension to the existing cemetery. At this stage there is no detailed proposal, but it is appropriate to reserve the land for that purpose, to ensure that the long term needs of the town are not prejudiced. As a proposed reservation (rather than an allocation) the current availability of the land is not a relevant consideration.

Site CC1

16. The proposed allocation of land at Spurryhillock for small scale retail use is discussed below in paragraphs 50-55.

**Alternative sites**

17. The context for the consideration of alternative sites in Stonehaven is given in paragraphs 1-7 above, and in my conclusions on Issues 29, 39 and 41. Under Issue 41 (Elsick) I acknowledge a potential shortfall in housing allocations in the SGA in the first plan period and explain why I do not propose to identify other large sites in Portlethen and Stonehaven. Doing so would threaten the viability and further delay the implementation of the Elsieck proposal.

18. The alternative of major expansions to Portlethen and Stonehaven would compound the problems of urban sprawl and overloaded infrastructure, which local communities wish to avoid and



the structure plan and local development plan seek to address. Moreover the alternative sites suggested for development in Stonehaven have a number of shortcomings, which are discussed below. (The retail proposals are addressed in a separate section in paragraphs 37-81 below.)

Mains of Ury (Fields 1, 3)

19. Field 1 at Mains of Ury lies outwith the limits of Stonehaven, and is prominently located adjacent to the junction with the A90 northbound. If there was a specific proposal by a hotel operator to develop the site it could be assessed against the relevant policies of the plan, including Policy 1: Business development, and the related supplementary guidance. However, it would be inappropriate to allocate the site for tourist development in the absence of a particular scheme.

20. Field 3 at New Mains of Ury is an extensive field to the north of the same junction, which is affected by the Aberdeen Western Peripheral Route (AWPR). In the light of my findings above on the allocated employment site at E2, there is no requirement for additional employment land in Stonehaven. In any case, Field 3 is in a somewhat remote location on the opposite side of the A90 trunk road from the town, and forms part an area of attractive rolling countryside north of Stonehaven. For these reasons I do not regard it as a suitable location for the development of an employment site.

Mains of Cowie (K122)

21. This was a preferred site in the draft capacity study for Stonehaven, scoring highest in the goal achievement matrix. Though on the north east edge of the town, it is relatively close to the town centre. The site was proposed for the development of 200 houses in the MIR in order to deliver a very high proportion of affordable housing.

22. However, following community engagement on the MIR the council accepted that development at Mains of Cowie might affect the setting of Stonehaven, particularly in views across the bay from the south. The committee concluded that development was not desirable in this location due to the topography of the land and the landscape setting. I agree with the council's assessment that the development of this elevated site would have a significant landscape impact, due to its prominent position on the raised beach to the north of the town.

23. The promoters of this site propose that the land should be allocated for 340 houses and a supermarket (discussed below). In support of their bid they have produced a concept masterplan (and masterplan report), a landscape and visual appraisal and a transport appraisal. They suggest that the north-east edge of the town is the most logical direction for the future growth of Stonehaven, and argue that roads and the railway give the site strong, defensible boundaries.

24. I recognise that the site has relatively few constraints, and is well placed to encourage sustainable travel patterns. However, the site is elevated and open, with little vegetation, and even with landscape planting the development would be conspicuous in local views and in long-distance views from the south.

Mill of Forest (K89)

25. The promoters of the Mill of Forest site propose a mixed use development in 2 phases, comprising 1500 houses, primary school, employment land, superstore (discussed below) and community facilities. They draw support from the Stonehaven capacity study which noted the absence of constraints and the good fit in the landscape, and the traffic capacity study which indicated that the development could be accommodated on the road network. They state that the masterplanned urban expansion at Mill of Forest would have no impact on the important scenic coastline, and only limited and manageable impact on the setting of the town. The proposal has been the subject of an extensive consultation and design process.

26. There is a current application for planning permission in principle for the proposed development at Mill of Forest. The application was accompanied by a raft of supporting material, including a transport assessment, a landscape and visual assessment, a retail study and a design and access statement.

27. The development would use the Glasslaw junction, the least congested main junction on the A90 between Aberdeen and Stonehaven. A new bridge over the A90 would connect the site to Mill of Forest Road. The promoters of the site advise that the development is not dependent on the AWPR, but would gain maximum benefit from Fastlink. As a mixed development it would reduce the need to travel outwith Stonehaven, thereby reducing carbon emissions. The site is well located to take advantage of public transport (rail and bus), and to encourage walking and cycling. The proposed business park would offer the prospect of widening Stonehaven's role as mainly a dormitory town.

28. However, responses to the MIR raised a number of concerns about the proposal. The scale of the development (including 1,500 houses) would potentially place pressure on infrastructure, including Mackie Academy which is at capacity. Although the school roll at the Academy is forecast to decline to 93% to 2016, the capacity of the secondary school still presents a constraint to major urban expansion. There is also the fear that a development of this magnitude would erode Stonehaven's community feel and adversely affect the character of the town. The development would increase the population of the town by almost 30%, which runs counter to the settlement strategy and the thrust of responses to the MIR.

29. There is also resistance to a major urban expansion to the west of the A90. Although less prominent in the landscape than sites north and south of the town, the site is still highly visible on approaches to the town from the south and north. The development would have a significant visual impact when viewed from the western edge of Stonehaven and sections of the A90. The proposal would expand the town well beyond its current limits. Even with the proposed bridge link, the new community would be separated from the town by the dual carriageway and would be less well integrated than the proposal at Mill of Cowie.

Kirktown of Fetteresso (K5)

30. Although it now appears that this site is not constrained by flood risk, it has a poor access via a country lane, and the development would be likely to detract from the rural character of Kirktown of Fetteresso.

Stonehaven South (K101)

31. The promoters of land at Stonehaven South offer a range of housing development options – 280 units, 430 units or 1,000 units – on a site at East Newtonleys, between Braehead and the A92. The Plan allocates land at site E2 for employment purposes, and the adjoining site BUS2 is carried over from the previous local plan. Site R2 at Braehead is reserved for a replacement Dunnottar Primary School. The development options at Stonehaven South would retain or relocate those allocations, and would provide for a spine road from Braehead to the A92.

32. Like the Mains of Cowie and Mill of Forest schemes, the Stonehaven South proposals are the product of a substantial consultation and masterplanning process, including a landscape and visual appraisal.

33. Development in this location within the A90 would have some advantages. It would have convenient access to the A90 via the Glasslaw junction, and it would knit together the separate development areas at Braehead and East Newtonleys, thus helping to integrate the proposed enclave of employment uses into the town. There are no significant constraints to the development at Stonehaven South, which would help to bring forward the new primary school.

34. However, the Stonehaven South proposal involves the development of up to 1000 houses on a site of 71 hectares in an elevated position to the south of the town. For a development of that scale in this location landscape impact is a major issue. The site is not within the designated area of landscape significance, which includes the coastal zone to the east. However, the development would be seen over a wide area and could potentially harm the character and amenity of the area. I also consider that the relative isolation and physical separation of the site from the town indicate that Stonehaven South is not an appropriate location for the scale of development proposed.

**Braehead (K78)**

35. Site K78 lies immediately to the north of site K101 discussed above, and adjoins the existing housing estate at Braehead Crescent (which was granted on appeal). The site is technically capable of development, though the land falls very sharply to the west (to the A957) and to Bervie Braes (to the north east). In its favour the site is close to the town centre, but it is in an elevated position close to the war memorial and coastal zone, and development on the land is likely to be conspicuous in long range views.

**Gas works site**

36. There is no need to allocate this site for housing, as any proposal for redevelopment in the urban area could be assessed against relevant policies of the Plan and supplementary guidance.

**Retail proposals**

**Retail context**

37. This section of the report is informed by the evidence presented at a hearing session on 13-14 October 2011, which was held to discuss the proposed retail site (CC1) at Spurryhillock and alternative retail proposals in Stonehaven.

38. Paragraph 56 of Scottish Planning Policy advises that “the development plan should enable gaps and deficiencies in provision of shopping, leisure and other services to be remedied by identifying appropriate locations for new development and regeneration.”

39. It has been recognised for some time that there is a significant deficiency in retail provision in Stonehaven. This concerns both the quantity and quality of provision. There is strong public support for a supermarket in the town. There is currently only one, small supermarket in the town, the Co-op, and a small Farmfoods freezer store. The council’s retail study in 2004 estimated that the town centre turnover was less than £4 million out of a total available convenience expenditure of over £40 million.

40. The Aberdeenshire Review of Retail Requirements 2008 identified a market potential to support an additional large supermarket/small superstore in the range 3,500-5,500 square metres gross floor area. However, the review expected that a development in the middle of this range would have a high adverse impact on the town centre, predicting a 33% loss of convenience turnover from the town centre, and a 65% loss from Somerfield (now Co-op).

41. The council accepts that the deficiencies which were identified in 2008 still apply today. A retail impact assessment for the council in 2011 concluded that there is a very high level of leakage from the Stonehaven catchment area to Portlethen and Garthdee (Aberdeen) – 67% of convenience expenditure and 80% of comparison expenditure. The loss of spending in the town is a real issue of concern, as is the increase in vehicle miles and related carbon emissions.

42. The 2008 review acknowledged the difficulty in identifying a site for a superstore, but suggested that there was potential to provide a superstore as part of an extended urban area.

43. Paragraph 63 of SPP states that out of centre locations should only be considered for retail development when:

- all town centre, edge of town centre and other commercial options have been assessed and discounted as unsuitable or unavailable;
- development of the scale proposed is appropriate; and
- there will be no significant adverse effect on the vitality and viability of existing centres (see Issue 7).

44. No suitable sites have been identified within or adjoining the town centre. All of the sites currently under consideration for a supermarket are out of centre, including the council’s proposal at site CC1. Some of the sites lie outwith the current limits of the town.

45. The retail review in 2008 indicated that the health of Stonehaven town centre was above

average and improving. A health check of the town centre in 2011 found Stonehaven to have a number of strengths (including very low vacancies, a strong independent sector and a wide range of non-retail services within or close to the town centre). However, some weaknesses were identified (long term decline in the number of retail goods units, limited range of national multiples, lack of traffic calming, and limited pedestrian links within the town centre and between the town centre and the Co-op supermarket).

46. Having established that there is a substantial deficiency in retail floorspace in the town, equivalent to a large supermarket, it is necessary to consider the potential impact of proposals to remedy that deficiency.

47. The council's retail impact assessment concluded that the proposed development of a superstore of 4200 square metres gross floor area in an out of centre location at East Newtonleys would have a significant adverse impact which would undermine the vitality and viability of the town centre. I agree with the Reporters in the recent appeal who found that the impact on the town centre's convenience sector is likely to be nearer 27-30% than the 11% expected by the appellant's consultants (paragraph 20 of the decision notice for appeal PPA-110-2059).

48. The Co-op supermarket lies outwith, though almost adjacent to, the town centre as shown on the plan forming part of the settlement statement for Stonehaven. I agree with the council that it functions as part of the town centre, and that any proposal which has an adverse effect on the Co-op store would harm the town centre. Overall, the evidence indicates that an out of centre superstore would have a significant adverse impact on Stonehaven town centre.

49. Next I consider the merits of the allocated site at Spurryhillock, and the alternative proposals put forward in representations.

#### Site CC1 – Spurryhillock

50. The council's chosen site lies on the west side of the town, at the near edge of the Spurryhillock Industrial Estate. This location at Kirkton Road is out of centre in terms of the sequential test, but the site is close to the railway station and the store would be well placed to serve the large residential district on the west side of Stonehaven. It would be accessible by a choice of transport modes, including a substantial walking catchment, regular bus services and nearby rail services.

51. However, the site has a number of limitations. It has an area of less than 1.8 hectares, and has limited visibility from the road network. The council envisages a small supermarket of around 1750 square metres gross floor area, which would be comparable to the existing Co-op store. This is consistent with the council's aim to minimise the impact on the town centre. The findings of the health check in 2011 suggest the town centre should be able to withstand the expected impact of 12-15% on convenience spending. However, I would expect a significant effect on the Co-op store, with which it would be in direct competition.

52. A supermarket of that size would make only a small contribution to stemming the leakage of spending from the catchment area. The proposal would introduce potential choice and competition in a town with a single small supermarket, but would not address the scale of the quantitative deficiency in Stonehaven.

53. In order to develop the CC1 site the existing council depot and the business occupying the west end of the site would need to be relocated. Alternative sites are available elsewhere in the town. The road access and footway from Kirkton Road would need to be improved, and traffic signals might be required at the junction. There is a potential for congestion on Kirkton Road and Broomhill Road. Further measures might be required to manage traffic flows and improve pedestrian facilities under the railway bridge at the junction of Kirkton Road with Arduthie Road, though the scope for improvements is limited.

54. Overall, whilst there are undoubtedly constraints on the development of site CC1, I consider that it is a suitable location for a small supermarket which would offer choice and competition to the

existing Co-op, and could take advantage of its accessibility on foot and by public transport. It would not make up the longstanding deficiency in retail provision in Stonehaven, but it would make a worthwhile contribution in the short term. The long term answer is likely to be the identification of a suitable site for a superstore in the future when the town is ready to absorb a planned urban expansion.

55. The suggestion that the CC1 site be allocated for a park and ride facility is noted. However, I have already concluded that the site is suitable for a small supermarket, and I consider that the urgent requirement for more retail provision in the town should prevail.

Mains of Ury (K150)

56. The promoters of this site propose a large foodstore (3,500-5,000 square metres) at Field 52, Glenury. This field is contained between the A90 and the railway, in an out of centre location at the northern edge of the town. The eastern part of the site, together with a strip along the north boundary are shown as safeguarded for the AWPR in the settlement statement for Stonehaven.

57. Despite the current legal challenge the AWPR/Fastlink remains a committed Scottish Government project, and therefore it would not be appropriate for the Plan to allocate affected land for another purpose.

58. An appeal against the issue of a certificate of appropriate alternative development for retail (class 1) on Field 52 was allowed in October 2010. The Reporter concluded that Field 52 does not relate well to the urban form of the town and cannot be regarded, physically or visually, as an integral part of the town. Its location, separated from Stonehaven by the railway line, and its elevated position well above much of the town, weighed against granting permission for retail use.

59. The site is not well positioned to encourage travel by public transport or to serve a walking catchment, though there is a housing estate on the opposite side of the railway line. Access to the A90 is to the northbound lane, and the route for southbound traffic is long and circuitous, requiring vehicles to pass through the town centre.

60. I therefore conclude the site at Mains of Ury is unsuitable for the development of a large foodstore.

Mains of Cowie (K122)

61. The promoter of the site suggests that Mains of Cowie would be a good location to provide a supermarket (with associated car parking) at the south west end of the site. The store would be around 800 metres from the town centre; closer than the CC1 site at Spurryhillock. However, the Mains of Cowie site is in an elevated location, and the steep gradient would be likely to deter many customers from combining trips to the supermarket with visits to the town centre. The site should hence be regarded as an out of centre, rather than edge of centre location.

62. The site is on the edge of the town, and the supermarket would have a limited walking catchment. Pending the construction of the AWPR the site would be well connected to the A90 northbound, but traffic would have to negotiate the town centre and the southern part of the town to reach the A90 southbound.

63. A large supermarket building on the Mains of Cowie site is likely to be very conspicuous viewed from neighbouring roads and from vantage points on the south side of Stonehaven. As such it would have a significant impact on the setting of the town. Major earthworks are likely to be required to form an access to the site.

64. Despite its favourable scoring in the capacity study, for the above reasons I do not consider that Mains of Cowie is an appropriate location for a large supermarket.

Loop Road site, Fetteresso (K99)

65. The promoters of the Loop Road site suggest that a food superstore in that location would be



best placed to claw back the leakage of retail spending from Stonehaven. It would certainly have good access to the A90 northbound, but not in the southbound direction which would entail a lengthy journey through residential and industrial parts of the town. It is an out of centre site to the west of the dual carriageway, and is isolated from the main residential areas of the town. The site is also prominent in views from the A90 trunk road.

66. A foodstore in that location would have a very limited walking catchment (even with the proposed allocations with a total of 160 houses at sites H4 and H1), and would not encourage sustainable modes of travel. Access for walkers and cyclists would be via the bridge over the A90.

67. An appeal in 2007 following the refusal of planning permission for a store of 4180 square metres gross floor area at the site was dismissed on the grounds of retail impact and accessibility constraints, although that proposal included a pedestrian bridge across the dual carriageway. The reporter also concluded that the proposal would have an unacceptable impact on the town centre.

68. The offer to reserve an area of land for a future cemetery extension does not overcome the above unresolved objections to the proposed superstore at the Loop Road site.

#### Mill of Forest (K89)

69. The merits of the mixed use proposal at Mill of Forest have already been discussed above. The promoters argue that it is also the best sequential location for a superstore site in Stonehaven. They point out it can be conveniently accessed by the local road network, and would result in lower carbon emissions. A superstore at Mill of Forest would provide the opportunity to claw back the 90% leakage of expenditure to Portlethen and Garthdee. The current planning application includes a superstore of 5500 square metres gross floor area.

70. A new bridge over the A90 would link the development to the town. The site would be well served by bus services, and the railway station is accessible from the site (around 20 minutes walk from the centre of the Mill of Forest site).

71. Nonetheless, the Mill of Forest site is in an out of centre location on the opposite side of the A90 from Stonehaven. The superstore proposal is part of a large urban expansion scheme which is not to form part of the Aberdeenshire Local Development Plan. Without the associated development of 1500 houses, the superstore would be an isolated development with a relatively limited walking catchment, especially bearing in mind the constraints imposed by the A90 trunk road and the nearby railway line. The proposal would require the provision of a new bridge over the A90 and a distributor road before the development could be occupied.

72. The superstore would appear as an isolated and relatively prominent development when viewed from the A90, including the Glasslaw junction, and would be seen from the town looking south west.

73. Overall, I conclude that the land at Mill of Forest should not be brought forward as a mixed use urban expansion at this time, and that it would be inappropriate to allocate an area within the site for the development of a standalone superstore.

#### Stonehaven South/ East Newtonleys (BUS2)

74. It is suggested that the Mearns Business Park (site BUS2) at East Newtonleys be identified as a potential commercial centre and business park. The site is already within the settlement envelope, and the adjoining site E2 is allocated for other employment uses. The promoters of the site contend that it is the best available to stop expenditure leakage and unnecessary car journeys to Portlethen and Bridge of Dee.

75. The proposed supermarket at East Newtonleys is put forward as part of a wider proposal for urban expansion at Stonehaven South already discussed above. A supermarket with a gross floor area of 4200 square metres (2500 square metres net) is envisaged.

76. BUS2 is an out of centre site, with poor accessibility by sustainable modes of transport. The



walking/cycling route alongside the A957 is steep and tortuous, and any alternative route would still need to address the difference in contours. I conclude that the site should not be allocated for retail purposes in isolation from the wider Stonehaven South development. In the absence of the wider development it would have minimal walking catchment, with the nearest development being at Braehead Crescent to the north. The BUS2 site is in a prominent location, detached from the town, and any supermarket there would be likely to attract an overwhelmingly car borne clientele.

77. The recent appeal decision concluded that a standalone foodstore at East Newtonleys would have a significant impact on the vitality and viability of the town centre.

78. The alternative arrangement now suggested, which would place the supermarket and other community facilities on land at site R2 immediately to the south of the housing estate at Braehead Crescent, would have few advantages over the proposal for a supermarket at East Newtonleys. The supermarket would remain relatively remote and inaccessible from the main part of the town, and would not be well placed to encourage sustainable travel patterns.

79. In conclusion I agree with the reporters in the East Newtonleys appeal that the opportunity to address the retail deficiencies in the area would not justify the harm to the town centre which would result.

Recreational areas (P6)

80. Although Baird Park is close to the town centre, it would not be appropriate to designate part of a public park for the development of a supermarket. The park and the adjoining playing fields are appropriately protected from development in the settlement statement for Stonehaven.

Conclusions on retail proposals

81. I note the strong desire on the part of many members of the community, including Stonehaven & District Community Council, to secure a large supermarket to improve shopping facilities in the town. However, the community council also supports the Plan's limits on new housing development in the area. I have concluded that Stonehaven warrants a respite from major urban expansion during the plan period, in line with views expressed during consultation on the Plan. The alternative sites suggested for a superstore lie on the periphery of the town, and would not be suitable for major retail development in isolation. They would also be likely to harm the vitality and viability of the town centre. I have therefore concluded that the more modest proposal for a small supermarket on site CC1 at Spurryhillock should be pursued at this stage.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

The phasing in Table 6 of Schedule 1 to the Plan should be amended as follows:

Stonehaven Site H4: 2007 to 2016 – 30 units; 2017 to 2023 – 20 units

<b>Issue 45</b>	<b>Other Sites: Portlethen to Stonehaven Strategic Growth Area</b>	
<b>Development plan reference:</b>	Section 4, The Spatial Strategy (p6 & 7) Section 6, The Proposals Map, (p23) Schedule 1, Table 6 (p28) Schedule 2, Table 6, (p32) Schedule 3, Table 2 (p35 - 41) Schedule 4, (p43)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
PPCA Ltd on behalf of Banchory & Leggart Estate & Edinmore (1377, 1379, 1381) Caroline Graham (1555) David Summers (1556) Graham Brown (2274) Anne Geldart (2281) Neil Paterson (2292) Michaela Novak (2293) Adam Adimi (2294) Daisy Paterson (2295) R Bush (2736, 2737)		
<b>Provision of the development plan to which the issue relates:</b>	Other settlements in the Portlethen to Stonehaven Strategic Growth Area.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Alternative Sites</b>  <u>Banchory Leggart</u></p> <p><b>1377:</b> The respondent objects to the failure to allocate land at Banchory Leggart (K121). The site should be allocated for up to 3000 houses and 35 hectares of employment land. The site is better suited than the alternatives to accommodate housing and business land. The site offers sustainable travel patterns through an extension of First Bus services, which is in line with the structure plan objective on page 23. The site includes a 35 hectare business park, which will attract higher quality business and is suitable for company headquarters, unlike Elsick.</p> <p><b>1379:</b> Banchory Leggart is a fully mixed use development, the proposal includes a 35 hectare business park which will deliver 6000 full time jobs. The business park would front onto the AWPR and be in a high profile location. A country park is also proposed. Banchory Leggart is in an inherently sustainable location: the site is only 3 minutes from the city centre, and a 10 minute frequency bus service can service the site from day one. The site would be linked to Garthdee by a footbridge. Banchory Leggart offers better distribution of education infrastructure than Elsick. The development could coordinate with development at Portlethen north to provide capital for a secondary school. There is also the opportunity to address cross boundary issues. The site meets structure plan objectives; 'sustainable development and climate change', 'accessibility, 'sustainable mixed communities'.</p> <p><b>1381:</b> Banchory Leggart is well situated in relation to the existing transport network. A series of existing paths and roads can be retained and/or upgraded. A footbridge over the Dee is being considered. The site is within 2km of an existing retail area. The site will be planned so that distances are shorter on foot. Public transport penetration and priority can be brought to the site from day one. First bus would serve the site by extending service 17 which has a 10 minute peak time frequency. There would also be provision of a park and ride facility. Rail is not viable, and so a high order bus provision is proposed. The site is well located for major and minor road links: the A90</p>		

can facilitate site connections. As a mixed use site, travel will be contained within the settlement. The Aberdeen Western Peripheral Route is not a pre-requisite for development at Banchory Leggart.

**1377, 2274, 2292, 2294, 2295:** Banchory Leggart does not need the Aberdeen Western Peripheral Route to be in place for development to occur, unlike the alternative at Elsick.

**1555, 1556, 2274, 2292, 2294, 2295, 2281, 2293:** Land at Banchory Leggart (K121) should be allocated instead of Elsick. The site requires less infrastructure (**2274, 2292, 2294, 2295, 2293**). The site can be served by a high frequency bus service, and the development would have a lower carbon footprint than Elsick.

**2736, 2737:** Site K121 is unsuitable for development. The land forms part of the landscape setting of the city of Aberdeen. The site provides recreational opportunities. The site is an exposed steep north facing site. The site cannot be readily accessed and does not lend itself to public transport.

**Modifications sought by those submitting representations:**

**1377:** Land at Banchory Leggart (K121) should be allocated for up to 3000 houses, a 35 hectare business park, a country park and associated infrastructure.

**1379, 1381, 1555, 1556, 2274, 2292, 2294, 2295, 2281, 2293:** Land at Banchory Leggart (K121) should be allocated.

**2736, 2737:** Site K121 is unsuitable for development.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The strategy for the Portlethen to Stonehaven strategic growth area is for a new settlement at Elsick (see issues 39 and 41). The allocations made within this corridor are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. No alternative sites are required.

**Alternative Sites**

Banchory Leggart

The strategy for the corridor is to develop a new settlement (see issue 39). There are two possible locations for a new settlement within the corridor, at Banchory Leggart (K121) in association with development at Portlethen north (K125); and at Elsick (K142). These sites were fully debated in the consideration of responses to the Main Issues Report. On balance there is little in terms of planning grounds between the two options. Both are very similar when assessed against the criteria of paragraph 77 of Scottish Planning Policy, and are comparable in terms of infrastructure provision, deliverability, accessibility and the other elements of paragraph 80. In the Main Issues Report, Banchory Leggart (site K121) was preferred primarily due to a slight accessibility benefit. This was largely due to the provision of a 10 minute frequency bus service, and potential to mitigate transport issues at the Bridge of Dee bottleneck. Following publication of the Main Issues Report, a transport study was commissioned to study the A90 corridor, which highlighted that there were marginal benefits between the options for the corridor (see 'A90 South Comparative Appraisal of Major Sites'). For the avoidance of doubt, both Elsick or Banchory Leggart can proceed without access to the Aberdeen Western Peripheral Route, but it is beneficial for both sites to gain access to the western peripheral route (or Fastlink in Elsick's case).

In terms of education: both sites would need to provide an Academy. There is no significant educational advantage offered by Banchory Leggart. It could be argued an Academy at Banchory Leggart is more deliverable, as allocations at Portlethen North would also feed into it. However, the town of Portlethen would then feed into two Academies, a strategy not favoured by the Education Authority.

Concerns regarding possible recreational, landscape and access impact are noted. It is acknowledged that the site holds an important landscape setting. However, it is also recognised that the masterplanning and design of the site would be able to mitigate these impacts.

Both Banchory Leggart and Elsick were considered as alternatives throughout the plan process. Following widespread community engagement the Council took a view which placed greater weight on the perceived community benefit. The Council's conclusion was to exclude the site at Banchory Leggart in favour of Elsick (see 'Issues and Actions Volume 6 May 2010' pages 11 and 45).

**Conclusion**

The development strategy and land allocations within the Portlethen to Stonehaven strategic growth area are already appropriate and sufficient to meet the needs of the settlement strategy. None of the modifications sought are supported.

**Any further plan changes commended by the planning authority:**

No further changes are commended.

**Reporter's conclusions:**

**Background**

1. The Banchory & Leggart Estate lies at the north end of the Portlethen to Stonehaven strategic growth area (SGA), close to the boundary with the City of Aberdeen.
2. The Estate covers an area of over 600 hectares between the River Dee to the north, the A90 to the east, and the proposed Aberdeen Western Peripheral Route (AWPR) to the south. The promoters propose the development of a new settlement at Banchory Leggart, comprising up to 3000 houses (including affordable homes), 35 hectares of employment land, a village centre, a secondary school, 3 primary schools, a park and ride facility, and a 360 hectare regional country park.
3. Schedule 1 of the structure plan includes specific housing allowances for the Portlethen-Stonehaven strategic growth area (SGA): 2,200 for the period 2007-2016, and 2,400 for 2017-2023. Within the SGA the council had to consider whether to disperse the housing over a number of sites, or to concentrate in one main site, or to adopt a combination of the two approaches.
4. The Plan's overall spatial strategy, and the spatial strategy for the Portlethen-Stonehaven SGA, are discussed under Issues 29 and 39. The proposal to develop a new settlement at Elsick, west of Newtonhill, is dealt with in Issue 41. Representations to the Plan relating to Portlethen (including the Schoolhill site) are discussed in Issue 40.
5. One of the objectives of the structure plan is to create sustainable mixed communities, where services and facilities for the community must be a part of the development, and new housing must be integrated with employment and commercial development. The structure plan does not propose a new settlement to address these issues, but it does not preclude that option. Paragraph 85 of Scottish Planning Policy indicates that a new settlement may be the answer in certain circumstances.
6. The preferred solution in the main issues report was the development of a new settlement in the SGA. The alternative of major urban expansion of existing towns was considered undesirable due to landscape, pipeline and transportation constraints.
7. In the main issues report Banchory Leggart was preferred to Elsick as the location of the new settlement, due to its greater deliverability in the short term and lesser impact on the transportation system. However, the report acknowledged that Elsick was a very real alternative, which would offer greater benefit to the existing community of Newtonhill.

8. Consultation on the main issues report revealed a high degree of concern about the volume of development proposed in the SGA. There was some support for limiting development in Stonehaven and Portlethen, but a strong measure of opposition to the Banchory Leggart proposal for a variety of reasons. There was a perception that it would essentially be an extension to Aberdeen, and would not be self sustaining.

9. There was considerable support for the alternative option of a new settlement at Elsick, which is outside the green belt, further from Aberdeen and hence seen as more likely to be self sustaining. The scale of the settlement, its potential to provide all the growth in the corridor, the lack of significant landscape or other environmental constraints, and the opportunity to bring forward community benefits for Newtonhill were other arguments in favour.

10. The council's area committee decided to pursue the Elsick alternative in preference to the Banchory Leggart proposal. Elsick was seen as offering a greater vision for the future, and would prevent 'bolting on' development to existing settlements. These advantages were seen as outweighing Banchory Leggart's better deliverability and transportation connections.

### **Assessment**

11. The council acknowledged that Banchory Leggart was a suitable site for a new settlement in the Portlethen-Stonehaven SGA (in conjunction with an urban expansion at Schoolhill), but instead opted to back the alternative proposal at Elsick.

12. The Banchory Leggart option has a number of positive features, especially:

- a substantial employment site (35 hectares), in a prominent location next to the AWPR with potential to attract offices, including company HQs;
- a sustainable location close to Aberdeen, with good bus services, and easy pedestrian and cycle access, where travel distances could be minimised;
- a mixed use development, which would reduce travel outwith the settlement;
- proximity to the A90 at Charleston junction and Bridge of Dee;
- the opportunity of combining with the Schoolhill phase 2 development to provide a new secondary school;
- the provision of an extensive country park on the edge of the city.

13. However, it also has significant drawbacks. Its location on the southerly edge of Aberdeen suggests that it would not operate as a self-contained settlement. It is likely that residents would visit the nearby Garthdee retail park, and would travel into Aberdeen for many of their services and community facilities. A new settlement at Banchory Leggart would effectively function as a dormitory suburb of Aberdeen, whereas Elsick due to its larger scale and greater distance from the city has the potential to become a self sustaining new town.

14. The land to the south of the River Dee which includes the Banchory Leggart site is designated as green belt. The green belt in this area prevents the southwards sprawl of the city, and retains the separation between Aberdeen and the outlying settlements of Aberdeenshire, notably Portlethen. Even if the northerly part of the Banchory Leggart site were reserved as a country park, there is a real danger of coalescence with Portlethen, which is spreading northwards towards the AWPR. The separate identity of Portlethen would be threatened, particularly if Banchory Leggart was developed together with Schoolhill phase 2 (with a gap of only one field between the two development sites).

15. The promoters accept that Banchory Leggart is an important part of the landscape setting of Aberdeen, which features in views from the city, and affords significant views of the city. Any urban development of the scale proposed would be likely to erode the countryside character of this area, when viewed from the city and the A90, even assuming the incorporation of a regional country park. The proposed country park would be an asset to the area, but the Estate is currently used for informal recreation. There is already an extensive network of footpaths on the Estate, and a car park at Tollohill Wood, so the recreational benefit would be limited.

16. The impact of the development on the River Dee Special Area of Conservation is unknown at

this stage. It is likely that an appropriate assessment would be required, to establish the potential effects on the designated interests of the SAC.

17. Whilst Banchory Leggart would be well served by bus routes from day one, it is not well placed to take advantage of rail travel. Also, because of its proximity to Bridge of Dee, the development of a new settlement at Banchory Leggart would concentrate traffic in an already congested area. There is a high risk of delays to this area of the network, and queuing back into the development.

**Overall conclusion**

18. Overall, I conclude that Banchory Leggart is not the optimum location for a new settlement in the Portlethen-Stonehaven strategic growth area, and I support the council's selection of the alternative site at Elsick.

**Reporter's recommendations:**

No modifications.



<b>Issue 46</b>	<b>Spatial Strategy: South of Drumlithie to Laurencekirk Strategic Growth Area</b>	
<b>Development plan reference:</b>	Section 4, The Spatial Strategy (p6 & 7) Section 6, The Proposals Map (p23) Schedule 1, Table 6 (p28) Schedule 2, Table 6 (p32) Schedule 3, Table 2 (p35 - 41) Schedule 4 (p43)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Bancon Developments (1419) Archial Planning on behalf of Mr & Mrs MacKenzie (1613) Paull & Williamsons LLP on behalf of Scotia Homes Limited (1685, 1693) Ian Downie (1689) Paull & Williamsons LLP on behalf of Scotia Homes Ltd (1773, 1777)		
<b>Provision of the development plan to which the issue relates:</b>	Distribution of development between settlements in the Drumlithie to Laurencekirk Strategic Growth Area.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Support for the Strategy</b>                  Respondents <b>1419, 1685, 1693</b> support the proposed strategy which focuses the majority of growth in Laurencekirk. <b>1419</b> further comments that it is a logical approach utilising excellent rail and road linkages and benefiting the existing community through the delivery of a new secondary school. <b>1685, 1693</b> suggest that this is the only viable option.</p> <p><b>Deliverability of the Strategy</b>  <b>1685, 1693, 1773, 1777:</b> The allocation of all developments in this Strategic Growth Area to one site in the settlement is an unsound strategy. This approach could risk delivery and rate of development could impact adversely on the delivery of effective sites and fail to provide sufficient choice and options.</p> <p><b>1613 and 1689</b> express concern that the strategy concentrates the housing allocations in this Strategic Growth Area to Laurencekirk and does therefore not provide a range of sites. <b>1613</b> suggests that this approach could impact on the delivery of housing land in the short term as there are not other alternatives if issues arise.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>1613:</b> Decrease the M1 housing allocation in Laurencekirk and transfer to Fordoun.</p> <p><b>1689:</b> Main Issues Report bid sites K50, K51 and K93 should also be allocated for the first plan period.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>                  The proposed strategy is entirely consistent with the housing and business land locations identified in the Structure Plan (Paragraph 3.9 p10, Figure 3 p14, Schedule 1 p27) and with paragraph 71 of Scottish Planning Policy, which advises that early consideration of the scale and location of the housing land requirement in development plans well ahead of land being required for development</p>		

should assist in aligning the investment decisions of developers, infrastructure providers and others. Key to decisions regarding the distribution of development in this area have been the role of Laurencekirk as a local service centre with a focus for both education, provided by a proposed new replacement academy, and transportation, provided by the re-opened railway station. The spatial strategy for the South of Drumlithie to Laurencekirk Strategic Growth Area is an appropriate response to the structure plan strategy for the area.

**Support for the Strategy**

The support for the approach adopted is welcomed.

**Deliverability of the Strategy**

Land allocations have been considered for other small villages in the strategic growth area, but the opportunity for this is very limited. Only Fordoun is an appropriate location for allocations to meet the strategic needs of the region (as opposed to local needs). Allocation in this village requires to be limited in scale to preserve its character (it is currently a community of 130 households) and to avoid breaching the capacity of the existing primary school (Redmyre, which has capacity for only 4 pupils in 2016 in the absence of any new allocations).

Within the area only one substantial site has been identified in order to provide sufficient certainty for infrastructure investment. Allocation of numerous sites would not achieve the critical mass of development that both justifies and can afford the significant infrastructure that is required. A range of sites has been provided across the whole of the rural housing market area; and in the Mearns area substantial alternative development opportunities are provided in settlements where there is a need for local growth and diversification, as well as within countryside sites under the policies to facilitate development in the countryside.

**Conclusion**

This is an appropriate strategy that will provide sufficient land to meet the aspirations of the structure plan.

**Any further plan changes commended by the planning authority:**

No further changes are commended.

**Reporter’s conclusions:**

1. The merits of the proposal to concentrate development in the strategic growth area (SGA) at a single site in Laurencekirk (M1), and to allocate only limited development at Fordoun, are addressed in Issues 47 and 48. The main considerations are repeated below.
2. Laurencekirk is the main service centre, and indeed the only large settlement, in the South of Drumlithie to Laurencekirk SGA. Schedule 1 of the structure plan allocates 500 houses to the SGA in the period 2007-2016, and 400 in the period 2017-2023.
3. As the main service centre and the largest town in the Mearns, Laurencekirk is the logical location to accept the lion’s share of the structure plan allocation for the growth corridor. Laurencekirk has primary and secondary schools, library, village hall, health centre, police station, public parks, churches, pubs, post office, small supermarket and a range of other shops and services. In 2009 the town’s railway station was re-opened, thereby facilitating commuting to Aberdeen and Dundee.
4. However, a number of constraints will need to be addressed if Laurencekirk is to accommodate the level of growth expected in the structure plan. The High Street is used by heavy vehicles and is subject to on-street parking, and there is demand for a distributor road to relieve traffic congestion in the town centre. Mearns Academy is over capacity, and a replacement secondary school is programmed. Any substantial housing development would require a new primary school, new water

and waste water infrastructure, and possibly a new distributor road. Critically, any significant development would need to be carried out in conjunction with the upgrading of one or both of the junctions of the A937 with the A90 trunk road.

5. The Plan allocates an extensive area of land at the north end of the town for a mixed use proposal, comprising 485 houses between 2007-2016 and 400 between 2017-2023, together with a substantial area of employment land. The large allocation at M1 is made to create critical mass to overcome local infrastructure constraints.

6. There are strong reasons for concentrating development on a single site which is large enough to support the infrastructure works required to enable the planned expansion of Laurencekirk in accordance with the structure plan strategy. I support the Plan's identification of site M1, which is uniquely well placed as it is adjacent to the railway station, secondary school, and northern junction with the A90, and within easy reach of town centre facilities.

7. In line with my conclusion that development should be concentrated at site M1, I have concluded that no additional sites are required in Laurencekirk. To allocate sites beyond the 885 houses and 11 hectares of employment uses to be built on site M1 would place further strain on roads and services in the town, whereas the objective of the Plan is to relieve that pressure.

8. There is justification for modest growth at Fordoun to support local services, which include a primary school, post office and public house. However, the scale and direction of expansion will be affected by the reducing spare capacity at the primary school, and the constraints posed by the A90 trunk road, pipeline corridors, and sewage treatment works.

9. The identified site (H1) at Fordoun represents a logical rounding off of the village on its south west side. The proposed 15 houses would not place an undue strain on local services. The development of the 5 hectare site at K54 for housing and employment purposes would involve a substantial westwards expansion of the village, even if restricted to take account of the pipeline corridor.

**Reporter's recommendations:**

No modifications.

<b>Issue 47</b>	<b>Fordoun</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p23) Schedule 1, Table 6, (p28) Document 3H Supplementary Guidance, Settlement Statements (p14 & 15)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ryden LLP on behalf of Alexander Adamson Ltd (181, 183, 2252, 2653) Halliday Fraser Munro on behalf of Pension Fund (SAP) (1559, 1562, 1567) Archial Planning on behalf of Mr &amp; Mrs MacKenzie (1613)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocations in Fordoun at H1 & General Comments.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>General Comments</b>  <b>181, 183, 1559, 1562, 1567, 2252, 2653:</b> Development is required in Fordoun to support the primary school.</p> <p><b>Site H1</b>  <b>181, 183, 2252, 2653:</b> Although H1 is supported, it is requested that the initial Main Issues Report bid site K117 is allocated in full for 51 houses. The precedent has been set for development along the Burn of Leppie, by development east of the railway, and the burn forms a natural and defined boundary. The northern section (H1) is surrounded by development on three sides and can be considered infill development as part of the proposed extension to the settlement boundary. Therefore development should be focused towards sites around existing settlements and K117 provides an ideal opportunity to promote growth. Development will support local services including Laurencekirk Rail Station. K117 has a small section along the south at risk of flooding, but this is not a constraint to development.</p> <p><b>1559, 1562, 1567:</b> H1 will increase the east/west imbalance and will result in more children using the underpass. The site may not offer the best long term solution, as it is adjacent to the railway, there is potential flood risk to the west, and it is unclear how a second point of access could be achieved.</p> <p><b>Alternative Sites</b></p> <p><u>Site K81 (Redmyre)</u>  <b>181, 183, 2252, 2653:</b> Site K81 as identified in the Main Issues Report is located outwith the settlement boundary, on the opposite side of the railway from the built up area. The site would set a precedent for development east of the railway. K81 also has potential flooding issues.</p> <p><b>1559, 1562, 1567:</b> The site at Redmyre identified as K81 in the Main Issues Report should be allocated for a mixed use development of 40 units (in addition to H1). Allocating an additional 40 units in Fordoun would allow infrastructure contributions to be shared between developments. The site has no constraints and would need minimum upgrading work, it would make land available for the primary school and provide a park. The pipeline is not an absolute constraint to development and the site has been reduced to take the pipeline into account. Development of K81 would improve connectivity between existing housing and the primary school, and would bring the primary school back into the village.</p> <p>A mixed use development in K81 will provide employment land in Fordoun which will help to meet</p>		

the structure plan requirement for 60 hectares of employment land to be made available in a range of places.

Site K54

**1613:** Site to the north of H1 should be allocated (site K54 as identified in the Main Issues Report). Scottish Planning Policy requires a range of sites to be provided, and so site M1 at Laurencekirk should be reduced and some of the allocation transferred to this site. The site has no infrastructure constraints, and enjoys a range of transport options, services and facilities. The primary school has capacity for 22 pupils. There is a pipeline corridor within the site which would restrict the scale of development, but there is scope for 40 houses on the site.

**Modifications sought by those submitting representations:**

**181, 183, 2252, 2653:** Support the allocation at H1 but request the larger site be included for a mixed development including 51 houses.

**181, 183, 2252, 2653:** Site K81 should not be favoured for development.

**1559, 1562, 1567:** Site K117 (H1) may not offer the best area for future expansion.

**1559, 1562, 1567:** The site at Redmyre (K81) should be included in the plan for the development of 40 houses, with 25 houses in phase 1 and 15 houses in phase 2.

**1613:** Site K54 should be allocated for housing development.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Fordoun is located within the South of Drumlithie to Laurencekirk strategic growth area. Fordoun has a primary school, a village hall, a public house and employment uses within the settlement. The primary school is located to the east of the A90 and is connected to the settlement via a pedestrian underpass. The school is currently operating at 74% capacity, but is forecast to rise to 94% by 2016.

The majority of the allocation within this corridor is allocated to Laurencekirk, where there are significant infrastructure issues to overcome (see Issue 46 'Spatial Strategy South of Drumlithie to Laurencekirk').

The allocation made in Fordoun is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the site is contained in the paper apart 'Issues and Actions Volume 6 May 2010' (page 59), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

**General Comment**

Significant development could not be accommodated by the primary school as it is operating relatively close to capacity. The primary school does not have capacity for growth in excess of the allocated 15 houses.

**Site H1**

There is not the capacity within the primary school for the scale of additional development proposed on site H1. The housing requirement for this strategic growth area has been met: allocation M1 in Laurencekirk is both appropriate and sufficient to meet this requirement (see issue 48). Therefore, there is no need to allocate additional housing on this site. The site is not currently within the settlement boundary, it only has development on two sides, and it would not be permitted as infill development. Land adjacent to the Burn of Leppie is at flood risk. The boundary in line with existing development is defensible. Regarding access, the developer has advised that a second point of access can be considered, and that the Roads Authority have confirmed Redhall Avenue can be

extended to serve the site. The railway can be accommodated for by the design of the site, and landscaping can be used to ensure there is no adverse impact on the development.

Fordoun settlement is located to the west of the A90, and it is acknowledged that there is a group of 6 houses to the east of the bypass, but these are not within the settlement boundary. Site H1 site has pedestrian access to the school. Therefore, an allocation to west of the A90 is appropriate and does not exacerbate the east/west split.

**Alternative Sites**

As the allocation discussed above, and the other allocations within the strategic growth area are appropriate and sufficient, there is no requirement to consider alternative sites.

Site K81 (Redmyre)

The site was fully debated at the Main Issues Report and Proposed Plan stages, and following widespread community engagement the Council’s conclusion was to exclude it. Allocating site H1 results in consolidation of the settlement. There is no significant infrastructure identified in Fordoun, and therefore no need for an additional 40 houses to contribute to infrastructure provision. Development to the east of the A90 would result in the creation of a new, distinct, neighbourhood. Fordoun is one of the few small settlements to have employment land, and no further need for employment land has been identified. The employment requirement in the strategic growth area has been met and no additional employment land is required. Any small scale employment uses can come forward through the rural development policy.

Site K54

The site was fully debated at the Main Issues Report and Proposed Plan stages, and following widespread community engagement the Council’s conclusion was to exclude it. Site K54 was identified as constrained in the Main Issues Report due to a pipeline consultation corridor within the site. Adopting the precautionary principle, and to avoid costly realignment, where there are alternatives, pipeline corridors have been treated as absolute constraints. Although there may be scope for 40 houses on the site, there remains no need to allocate further housing in the settlement.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Fordoun are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

There are no changes commended to the Plan.

**Reporter’s conclusions:**

1. To meet the relevant structure plan housing allowance the proposed Plan allocates sites for 900 houses in the South of Drumlithie – Laurencekirk strategic growth corridor, 500 of which are to be built by 2016. The Plan proposes to concentrate this growth in Laurencekirk, for the reasons discussed elsewhere in Issues 46 and 48.
2. There is justification for modest growth at Fordoun to support local services, which include a primary school, post office and public house. However, the scale and direction of expansion will be affected by the reducing spare capacity at the primary school, and the constraints posed by the A90 trunk road, pipeline corridors, and sewage treatment works.
3. The identified site (H1) represents a logical rounding off of the village on its south west side. It is bounded by housing on two sides, and the railway on the third. The site could be readily accessed from Redhall Avenue, and would be well integrated with adjoining development. The proposed 15 houses would not place an undue strain on local services.



4. The suggested extension of the H1 site would create a development of up to 51 houses, which is not required to meet structure plan allowances. The expanded site is less well contained, and it is (albeit marginally) at risk of flooding.

5. The suggested site to the north of H1 (K54) is affected by a gas pipeline corridor. I agree with the council that it makes sense to avoid development in pipeline corridors where suitable alternatives exist. The development of this 5 hectare site for housing and employment purposes would involve a substantial westwards expansion of the village, even if restricted to 40 houses to take account of the pipeline corridor.

6. The suggested alternative site at Redmyre (K81) is separated from the main part of the village by the A90 trunk road. There is already a line of houses, and the primary school, on the east side of the road. However, the remainder of the village and its services, with the exception of the sewage treatment works, lie on the opposite side of the A90. There is no direct vehicle access to the village, though there is a pedestrian subway. Any new development at K81 would accentuate this separation, and would effectively create a parallel settlement on the east side of the A90. The houses would have easy access to the school, but would be poorly related to the existing village.

7. In any case, given the scale of the proposed allocations in Laurencekirk nearby, there is no need to promote significant developments of housing and employment uses at Fordoun.

**Reporter's recommendations:**

No modifications.

<b>Issue 48</b>	<b>Laurencekirk</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (p23) Schedule 1, Table 6, (p28) Schedule 2, Table 6, (p32 - 33) Schedule 3, Table 2, (p35 - 40) Volume 3H Supplementary Guidance, Settlement Statements (p22-26)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Knight Frank LLP on behalf of Mt Mitchell (156, 157)          Angus Council (176)          Ryden LLP on behalf of Pallet Logistics Ltd (277)          Ryden LLP on behalf of Bruce Developments (287, 288, 1214, 1216)          Mearns Community Council (978)          Savills on behalf of Kincardineshire Investment Company Ltd (1057, 2134)          Scottish Government (1247, 2141)          Bancon Developments (1419)          Halliday Fraser Munro on behalf of Pension Fund (SAP) (1559, 1562, 1567)          Archial Planning on behalf of Mr &amp; Mrs MacKenzie (1613)          Ryden LLP on behalf of Kirkwood Homes Ltd (1647, 1650)          Archial Planning on behalf of Carnegie Base Services (1654)          Paull &amp; Williamsons LLP on behalf of Scotia Homes Limited (1685, 1693, 1773, 1777)          Ian Downie (1689)          Mearns Academy (2235)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations in and around Laurencekirk – M1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1</b>  <u>General Comments</u>  <b>1559, 1562, 1567:</b> A portion of the Laurencekirk housing allocation should be shared with Fordoun.  <b>1613:</b> Suggest that 25 units should be reallocated from this site to Fordoun.  <b>1647, 1650:</b> Support allocation M1 to accommodate 885 houses. The site is more than capable of accommodating the significant mixed use development. The site is directly accessible from the A90, is adjacent to a number of key amenities including Mearns Academy and the rail station. The site has no constraints to development.  <b>1685, 1693, 1773, 1777:</b> Object to the allocation of all of the significant new development proposed at M1. Allocating all development to the north of the settlement will create an unbalanced settlement, will not provide flexibility and choice, and will reduce development in the settlement. The period for houses to be delivered should be extended.</p> <p><u>Employment Land</u>  <b>156, 157, 277, 1559, 1562, 1567:</b> The scale of employment land proposed in M1 is excessive and may not be delivered in full. The structure plan requires business land to be provided in a range of locations and has a target to 'make sure there is at least 60 hectares of land available to businesses at all times in a range of places within the SGA'. Part of the employment allocation should be redistributed to Fordoun.  <b>1647:</b> Object to the scale of the employment land proposed in M1: the requirement is excessive.</p>		

There is an established supply of 8.4 hectares in the extant local plan. Take up over the last 10 year period has been 0.08 hectares per annum. Assuming this take up, the 11 hectares would take in excess of 130 years to build out. Comparisons with similar sites would indicate that 5 - 10 hectares is sufficient to serve 1000 houses.

#### Transportation

**176, 978:** Request consideration is given to the upgrade of the road junctions onto the A90 on the grounds of road safety.

**978:** To facilitate the development of site M1, a section of distributor road is required to the west of Laurencekirk in order to relieve traffic in the High Street and Blackiemuir Avenue.

**1247, 2141:** Site M1 should not proceed without the Council bringing forward a strategy of junction improvements including grade separation of the A90 trunk road junctions to the north and south of the town.

**1647:** The southern A90 junction already requires upgrade on road safety grounds. Impact on the southern junction from development on M1 is limited and therefore this development should not require contribution towards it.

**1685, 1693, 1773, 1777:** M1 fails to address the need for a major upgrade to the south A90 junction.

**1419:** Site M1 is a logical development proposal utilising excellent rail and road linkages, and benefiting the existing community through the delivery of a new school.

#### Deliverability

**1559, 1562, 1567:** Such a substantial allocation in Laurencekirk as at M1 may have impacts on its deliverability as there are onerous developer contributions.

**1654:** The respondent questions the deliverability of the allocation, transportation infrastructure will require to be provided.

**1693, 1773:** Delivery of one site risks the delivery of any houses at all by only one unforeseen circumstance, and the rate of development on one site will adversely impact on the delivery of effective sites.

#### **Site R1**

**978, 2235:** Site R1 is appropriate.

**2235:** Request a review of site R1 to ensure the capacity is appropriate. The proposed capacity of 650 pupils is not sufficient for all the housing proposed and it should be confirmed that the site can accommodate a school of larger capacity (850 pupils). Also, it should be confirmed that site R1 can accommodate expected community facilities.

**2235:** The plan does not indicate what is planned for the existing Academy site.

**1647, 1650:** Object to the protection of a site for the Academy. Land for a replacement secondary school can be provided through the expansion of M1. A site should not be identified prior to a masterplan, as it prejudices a masterplan layout and inter-relationship of the uses that will emerge from the masterplan. This approach is contrary to Policy 8. Also, Aberdeenshire Council have yet to finalise their favoured location for a school.

#### **Alternative Sites**

##### Site K106

**287, 288, 1214, 1216:** Object to the failure to identify land at K106 for a residential development of 60 units. The Laurencekirk Capacity Study states that the site 'is bound on three sides by the settlement boundary and would make a valuable contribution to the settlement in terms of its

location'. The site forms a logical area for expansion of Laurencekirk, it is considered to be infill development. The site would not cause significant visual impact but would complement allocations to the north, would ensure a range of dwellings are provided and can be delivered in phase 1. Site K106 is within approximately 500metres of the centre of Laurencekirk, it is 200m from a bus stop and 400m from the rail station.

Site K93

**1057, 2134:** Site K93 forms a natural extension to the existing site EH1. The site is an effective development site and is technically possible for development. The site should be allocated for a mixed use development

Land to the south of Laurencekirk

**1685, 1777:** Part of K50 is allocated in the current local plan as employment land. It is not good planning to include a site in a Local Plan (which is only 4 years old), allow the developer to incur considerable cost in looking to bring forward the site in an appropriate and integrated way and to then delete the allocation. Development led planning is meant to provide a sound solid base for landowners and developers to make informed investment decisions. It is wholly inappropriate to delete part of K50 from the Proposed Plan.

**1685, 1777:** Request sites K50, K51 and K93 are allocated for a mixed use development. Development on site K50, to the south of Laurencekirk, would provide a positive opportunity to assemble the land required for the grade separated junction. The land required for the junction is able to be procured by Scotia, and Scotia would make land available and recognise developer contributions would go towards the cost of the grade separated junction. A Traffic Assessment carried out for a planning application on site K50 shows that development would not have an adverse impact on the A90 junction. Development on site K50, K51 and K93 would provide a gateway entrance to the south of Laurencekirk and would make Denlethen Woods more accessible to the expanded community of Laurencekirk. Site K50, K51 and K93 would provide an integrated and appropriate expansion of Laurencekirk, the site would be sustainable and in terms of land assembly and developer contributions would bring forward a grade separated junction to the south of the A90.

**1689:** Sites K50, K51 and K93 should be allocated in addition to M1 to ensure that the plan conforms with the Structure Plan. Sites K50, K51 and K93 are technically deliverable and are closer to the existing centre of the settlement.

**Modifications sought by those submitting representations:**

**Site M1**

**156, 157, 277:** The scale of employment land in M1 is excessive and should be reduced.

**1647:** Suggest in M1 that 7.5 hectares of employment land are allocated, with strategic reserve of 15 hectares.

**1647, 1650:** The employment land should be reduced to 7.5 hectares, with a further 7.5 hectares strategic reserve.

**1559, 1562, 1567:** Reduce the number of houses on site M1.

**1613:** Reduce the allocation in M1 by 25 houses.

**176, 978:** Request consideration is given to the upgrade of the A90 road junctions.

**978:** A distributor Road is required to serve M1.

**1685, 1773, 1777:** Object to the large allocation at M1. The period for which the allocation should be developed should be extended.

**Site R1**

**2235:** Request conformation that site R1 can accommodate a school of appropriate capacity along with community facilities.

**1647, 1650:** Site R1 should be deleted and incorporated into the wider M1 site with the Academy's location to be identified in the masterplanning process.

**Alternative Sites**

**287, 288, 1214, 1216:** Site K106 should be allocated as H1 for the development of 60 houses.

**1057, 2134:** Site K93 should be allocated for a mixed used development.

**1685, 1689, 1777:** Site K50, K50 and K93 should be allocated for a mixed use development.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Laurencekirk is located within the South of Drumlithie to Laurencekirk strategic growth area. The planning objectives for the settlement are to meet demand for new housing in the strategic growth area, sustain existing services, provide opportunity for employment and in the long term, relieve town centre congestion through provision of a distributor road. Laurencekirk is the main service centre in the Mearns. Laurencekirk town centre suffers from traffic congestion, and heavy goods vehicles use the roads through the town. The Academy is currently operating over capacity, and is in the capital plan for replacement. A new primary school will be required to serve the proposed development.

There are substantial infrastructure improvements required in Laurencekirk for any significant development to occur at all, including a distributor road involving a new link over the railway, upgrade of A90 junctions, contribution to a replacement Academy, and water infrastructure. Further information about the strategy within this strategic growth area can be found in issue 46.

The allocation made in Laurencekirk is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the site is contained in the paper apart 'Issues and Actions Volume 6 May 2010' (page 81) which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

**Site M1**

General Comments

Support for the site is noted. Development is sited to the north of the settlement to capitalise on the location adjacent to the railway station and the Academy. In order to overcome infrastructure requirements, a critical mass of development is required. Development to the north will not unbalance the settlement, though it is likely to result in the village 'centre' gravitating northwards. There is a choice of sites available within the settlement and there are two existing 'EH' sites. It has been demonstrated that site M1 is deliverable, but there is an opportunity to review the plan in 5 years if the site is not being developed at a suitable rate.

The scale of growth directed to Laurencekirk is appropriate and necessary for the scale of infrastructure required (see issue 46). In any case there is no capacity in Fordoun Primary School for a further 25 houses (see issue 47).

Employment Land

The level of employment land required within the corridor from Huntly to Laurencekirk is 105 hectares. This has been distributed between the four strategic growth areas within the Huntly to Laurencekirk corridor, and reflects the level of housing growth promoted in each corridor (see schedule 2 and issue 26).

The employment allocations within each strategic growth area reflect the level of housing proposed

in each settlement. Fordoun has a development of 15 houses proposed and so there is very little need for large scale employment land in that settlement. Laurencekirk is the main service centre, the main public transport hub and has the largest population base for the workforce: it is therefore more desirable and more sustainable to locate employment land in Laurencekirk than at Fordoun.

There is not an effective employment land supply in Laurencekirk. Site EmpB as allocated in the Aberdeenshire Local Plan is constrained and it is proposed that this site be removed. There is very limited serviced employment land available within the settlement, the Employment Land Audit highlights that only 0.5 hectares of land are immediately available (see Employment Land Audit 2010 page 34). The scale of development being promoted in Laurencekirk is likely to result in a greater uptake of employment land in the settlement and allows cross-subsidisation of servicing costs. The plan will be reviewed in 5 years and if the take up of employment land is very low, reallocation could be considered. It is important to provide the opportunity for employment land as a part of a mixed use sustainable development.

#### Transportation

Site M1 utilises rail links, and meets paragraph 176 of Scottish Planning Policy as it 'promotes growth where it will make best use of current rail services'.

Consideration of junction improvements at Laurencekirk is ongoing and it is recognised that at least one grade separation will be provided by the development of site M1. Transport Scotland has completed a transport appraisal of development options at Laurencekirk (March 2010), which suggests that the development will require to provide junction upgrades to both the north and the south A90 junctions.

There is a road safety issue at the southern A90 junction, which has been an ongoing problem for a number of years. It is recognised that a grade separated junction is required to the south of the settlement to overcome this. However, site M1 cannot be expected to resolve an existing transport problem. Circular 1/2010 (paragraph 19) states that planning agreements should not be used to resolve existing deficiencies in infrastructure provision. In any case, the land values in Laurencekirk are not sufficient to afford both trunk road improvements, and may make development in Laurencekirk undeliverable. This would in turn lead to the reconsideration of the Government approved planning strategy for the whole of the south Mearns, and would result in a failure to make best use of multi-million pound investments by the Scottish Government in the rail station, and the proposed replacement of Mearns Academy.

As the road is a trunk road and consequently under the direct control of Transport Scotland, it is inappropriate for Aberdeenshire Council to "bring forward a strategy for junction improvements". Upgrading of trunk roads in response to demands is a matter for the Scottish Government, and in this it should have regard to paragraph 19 of Circular 1/2010 as noted above.

It is suggested by one respondent that allocation of site M1 fails to recognise the need to upgrade the southern junction. It is further contended that development should be directed to the most appropriate location, and not simply allocated to the south in order to facilitate junction improvements. In any case, development to the north takes strain away from the southern junction and would likely provide a material improvement to road safety at this point.

A distributor road will be required to serve site M1. Development of site M1 will not facilitate the distributor road around the west of the settlement, but will provide the first section between the A90 and Fordoun Road.

#### Deliverability

Laurencekirk requires substantial infrastructure provision for development to occur. Upfront funding of infrastructure by Aberdeenshire Council is being evaluated to assist development in Laurencekirk. The deliverability issues highlighted remain the same for any site within the settlement. Allocating one large site provides the advantage of critical mass. The alternative of developing a number of smaller sites has the disadvantage in that multiple developers and landowners would need to reach



agreement on contributions towards the relevant infrastructure. In terms of choice, the site is large enough to provide a choice of locations for prospective buyers.

### **Site R1**

Comments in support of R1 are noted. Site R1 is large enough to accommodate a school with a capacity for 840 pupils. Discussions within the Education Authority are ongoing as to whether a 740 or 840 capacity school is actually required. Site R1 has now been recommended as the preferred site for the Academy by the Area Committee. The site is being partially funded by the Scottish Futures Trust, and in order to gain funding, timescales have to be met which include work being started by June 2012. Therefore it is not possible for the Academy site to be considered through the masterplanning process of M1.

### **Alternative Sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

### Site K106

It is accepted that in terms of accessibility the site is well placed. However, the site was fully debated at the Main Issues Report and Proposed Plan stages, and following widespread community engagement the Council's conclusion was to exclude it. A large allocation has been made in the settlement to allow masterplanned growth and a move away from incremental development. Recognising there is a requirement for 40% of the site to be open space, the site would need to be developed at an exceptionally high density to meet the developer's aspiration.

### Site K93

It is recognised that land to the west of the settlement is capable of being developed. The development would facilitate the next stages of the distributor road. However, the site was fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement the Council's conclusion was to exclude it. The Council's view is that development at this time should be concentrated to the north of the town. Additional development in Laurencekirk is not supported by the structure plan.

### Land to the south of Laurencekirk

Site EmpB as allocated in the Aberdeenshire Local Plan has been removed as it is constrained. The site has proven not to be viable as employment land due to the high costs in resolving a waste water constraint affecting the site. There was a risk taken by the developer in promoting housing on an employment site which is contrary to policy under both the old and new plans. Although the level of public engagement undertaken by the developer is welcomed. There was no live planning application on the site when the decision was taken to remove the site, so the deliverability of the site was not certain. Mixed use development on the site (K50 and K51) was considered in the main issues report. Following a full debate at the proposed plan stage, and widespread community engagement the Council's conclusion was to exclude the site.

It is noted that development to the south of the settlement would enable land to be made available for the southern junction, but the scale of development promoted by the structure plan does not allow this development in addition to M1. The Structure Plan does not allocate sufficient housing to meet both developers' aspirations. Site M1 is a more appropriate and sustainable location for development, and sites K50 and 51 could be considered in the next plan (for development post 2023).

Regarding transportation, attention is brought to the 'Laurencekirk A90 Appraisal, March 2010', which highlights that no matter where development is directed in the settlement, there will be an impact at both the north and the south junctions (paragraph 5.11)

There is no deliverability statement to show that sites K50 and K51 are more deliverable than site M1. There is no defined 'centre' to Laurencekirk. The High Street is a very long street and it is accepted that there are facilities closer to the south of the settlement. However, the largest

concentration of services is to the north of the town and it is therefore disputed that sites K50 and K51 are closer to the 'centre' of the settlement.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Laurencekirk are appropriate and sufficient to meet the needs of the settlement strategy. It is recognised that there are significant issues within the settlement, but land to the north of the settlement remains the most appropriate location for settlement expansion of this scale.

**Any further plan changes commended by the planning authority:**

No further changes are commended.

**Reporter's conclusions:**

**General**

1. Laurencekirk is the main service area, and indeed the only large settlement, in the South of Drumlithie to Laurencekirk strategic growth area (SGA). Schedule 1 of the structure plan allocates 500 houses to the SGA in the period 2007-2016, and 400 in the period 2017-2023.
2. The spatial strategy for the SGA is discussed in Issue 46, and the merits of alternative sites in the SGA at Fordoun and Fordoun Airfield are considered in Issues 47 and 49.
3. As the main service centre and the largest town in the Mearns, Laurencekirk is the logical location to accept the lion's share of the structure plan allocation for the growth corridor. Laurencekirk has primary and secondary schools, library, village hall, health centre, police station, public parks, churches, pubs, post office, small supermarket and a range of other shops and services. In 2009 the town's railway station was re-opened, thereby facilitating commuting to Aberdeen and Dundee.
4. However, a number of constraints will need to be addressed if Laurencekirk is to accommodate the level of growth expected in the structure plan. The High Street is used by heavy vehicles and is subject to on-street parking, and there is demand for a distributor road to relieve traffic congestion in the town centre. Mearns Academy is over capacity, and a replacement secondary school is programmed. Any substantial housing development would require a new primary school, new water and waste water infrastructure, and possibly a new distributor road. Critically, any significant development would need to be carried out in conjunction with the upgrading of one or both of the junctions of the A937 with the A90 trunk road.

**Site M1**

5. The Plan allocates an extensive area of land at the north end of the town for a mixed use proposal, comprising 485 houses between 2007-2016 and 400 between 2017-2023, together with a substantial area of employment land. Most of the site is to the north of the railway line and east of Fordoun Road, but it also includes land on either side of Aberdeen Road.
6. The site is adjacent to the railway station, and adjoins the existing and proposed sites of Mearns Academy. The village hall and High Street shops and facilities are nearby. The site abuts the northerly junction of the A937 with the A90, and there is scope to access the site via a remodelled junction without adding to the congestion on the High Street. The land has no physical constraints which would prevent its development for housing and employment.
7. The structure plan strategy focuses development in places where there are clear opportunities to use public transport, and plans for significant growth in a limited number of places where there can be significant public and private investment in schools, community facilities and transport infrastructure without affecting people's quality of life.

8. Site M1 is well placed to support sustainable travel patterns, particularly walking, cycling and rail travel, and to minimise any adverse impacts on the town centre. Subject to a suitable upgrade to the A90 junction, the site would have exceptionally good access to the trunk road network. This would be especially advantageous to potential employers considering whether to locate businesses at Laurencekirk.

#### Employment allocations

9. The employment allocations at M1 (11 hectares for 2007-2023, plus a strategic reserve of 16 hectares for 2024-2030) are very substantial in relation to the scale of the town and the very low take up rate in recent years. However, it is difficult to gauge demand for serviced sites in Laurencekirk when high quality employment land has not been available in the past.

10. Site M1 is a mixed use site where a significant employment allocation would be justified to support the almost 900 houses proposed. This approach, which helps to create sustainable communities and to minimise motorised travel, is commended in the structure plan and in Scottish Planning Policy. Moreover, I consider that the council is justified in providing a larger allocation (11 hectares) than would normally be associated with this level of housing for a number of reasons:

- Laurencekirk needs to play its part in meeting the structure plan target of 105 hectares of employment land in the Huntly-Laurencekirk corridor;
- the town has suffered from limited availability of land to allow local firms to grow and new businesses to establish;
- the allocation is supported by the community council, which is keen to reduce travel to work distances and to retain young people in the town; and
- site M1 is unusually well located adjacent to a main line railway station and, potentially, a grade separated junction with the A90.

11. I note the conclusion of the DTZ study that an allocation of 7.5 hectares (and strategic reserve of 7.5 hectares) would be sufficient. However, for the reasons given above I support the council's more ambitious aspirations. It will be for the masterplan to establish how the provision of employment land might be phased with the housing development, to ensure that it does not become too burdensome a commitment on the developer, particularly during the early stages of the project.

12. The aim to provide employment sites in a range of locations is met by the various employment allocations in Kincardine and Mearns and elsewhere. These include 100 hectares at the former airbase at Edzell Woods, not far from Laurencekirk, which would be suitable for a variety of businesses.

#### A90 junctions

13. Laurencekirk has three junctions with the A90, all of which are at grade. In their current form the north and south junctions of the A937 with the A90 are significant constraints to any major expansion of the town. Both junctions raise safety and capacity issues. The south junction also has to cater for traffic using the A937 route southwards to Marykirk and Montrose.

14. There have been no serious or fatal accidents on the A90 at the south junction since Transport Scotland (TS) carried out a series of safety measures, involving a 50mph speed limit, cameras and improved signage in or around 2005. However, the south junction remains a significant concern, and the community council and others are keen that it should be grade separated.

15. TS is scheduled to implement some minor measures at the north junction in 2012 – i.e. a northbound acceleration lane, friction surfacing, route marking, relocating signs, cutting back shrubs – but has no plans to carry out any further improvements. Importantly, TS has no proposals to construct a grade separated junction north or south of Laurencekirk. If grade separation is necessary to accommodate new development, it will require to be developer funded.

16. Ideally TS would like to see grade separated junctions north and south of Laurencekirk. However, given the likely cost of £13.5 million of remodelling either junction, it is unreasonable to expect developers to fund the grade separation of both, bearing in mind all the other demands for

funding schools, water and waste water infrastructure, and a distributor road.

17. Subject to the outcome of a fully appraised transport assessment for site M1, TS is prepared to consider the provision of a grade separated junction north of Laurencekirk, together with associated works at the other junctions. Because of the location of the site on the northern edge of the town, most vehicles entering or leaving the site would be likely to use the north junction. The creation of a grade separated junction north of Laurencekirk would also divert some traffic from the at grade junction south of the town, to the benefit of that junction.

18. TS would prefer the improvements to be in place before any development traffic used the junctions. However, it is not known how much development at M1 (if any) could be carried out before the north junction is grade separated until TS has had the opportunity to evaluate a transport assessment for the site.

19. At this stage some preliminary findings can be made:

- any significant development at Laurencekirk will require 1 or more grade separated junctions on the A90;
- it will be for the developers to fund the grade separation works;
- the level of development proposed in the Plan would support the grade separation of either the north or the south junction, but not both;
- the development of M1 would potentially provide a grade separated junction to the north of Laurencekirk;
- this is the busiest of the town's 3 junctions with the A90, and has been the location of a higher number of serious accidents than the south junction since 2005;
- there are clear benefits to the town in grade separating the north junction;
- it would also provide an excellent access to site M1, and keep development traffic through the town to a minimum.

#### Distributor road

20. The development of M1 offers the opportunity to construct the first section of a distributor road to the west of Laurencekirk (from Fordoun Road to the A90), which would relieve congestion on the High Street. This is an important objective, which would depend on further major releases of development land in the longer term to realise its full extent. At the minimum the distributor, including the link over the railway, will need to be incorporated in the masterplan for M1. On receipt of the TA for site M1 it will be a matter for the council, in discussion with the developer, to decide how much development can be carried out without the link over the railway.

#### Education

21. Mearns Academy is close to its capacity, but a site (R1) has been identified for its replacement, and work on the new Academy is due to start in 2012. Although the new school is designed for 640 pupils, it could expand to accommodate 840 (or even 940) pupils. The developers of M1 would be expected to make an appropriate contribution to education provision, including primary schooling. The development of M1 will need to include the construction of a new primary school, but the existing school would be able to cope with a measure of development in the interim.

#### Other constraints

22. The development at M1 requires upgrades to the water main, service reservoir and Laurencekirk waste water treatment works. These improvements would apply to any major development in the town. There are no constraints, including flood risk areas or pipeline corridors, which would prevent the implementation of the development at M1.

#### Delivery

23. This large allocation at M1 is made to create critical mass to overcome local infrastructure constraints.

24. The Action Programme indicates the expected phasing of infrastructure to support the development of site M1. However, this phasing is the subject of continuing discussion with water

and drainage authorities, the council as planning, roads and education authority, Transport Scotland, and other relevant bodies. The precise nature and timing of the provision of different elements of infrastructure will change as further details emerge. It is therefore impossible to reach definite conclusions on phasing at this early stage in the process. Some key infrastructure may be eligible for up front funding through the council's Future Infrastructure Requirements for Services (FIRS) initiative.

25. The new Academy is scheduled for completion in 2014, but temporary classrooms could cater for any pupils from M1 in the meantime.

26. Experience in Laurencekirk suggests that the build rate is unlikely to be more than 50 per year. No planning application has been submitted yet, and hence no consent is likely to be forthcoming before late 2012 (allowing time to conclude a S75 agreement). That would mean a start date in 2013 at best, which would suggest a maximum of 200 houses could be built by the end of 2016, and another 350 between 2017-2023.

27. It would be prudent to allow 3-4 years for negotiation, design, consent and construction of the grade separated junction. If the grade separated junction is required in advance of M1, that suggests a earliest start date of 2015. In those circumstances 100 units could be built by the end of 2016, and a further 350 between 2017-2023. In either case there would be a substantial shortfall when compared to the expectations of Schedule 1 of the structure plan or Table 6 of Schedule 1 of the proposed local development plan.

#### Implications for housing strategy

28. If the major share of the housing allocation for the SGA is to be built in Laurencekirk, as proposed, there is bound to be some delay whilst essential infrastructure is being provided. The major constraints – i.e. A90 junctions, road congestion, education capacity, water and waste water infrastructure – would affect whichever site or sites in the town were identified for major development.

29. In any case, given historic build rates in Laurencekirk it is most unlikely that the level of development anticipated in the structure plan could have been achieved within the Plan periods, even if no such constraints existed.

30. Moreover, the Draft Housing Land Audit 2011 indicates that Laurencekirk has 2 housing sites carried over from the Aberdeenshire Local Plan with a joint capacity of over 200 houses (i.e. 4 years supply), which would potentially fill the gap in supply until site M1 comes on stream. In the rural housing market area (RHMA) as a whole there is a 5.2 year supply of effective housing sites, which indicates that there is some tolerance to cope with a slower start on the major new site at Laurencekirk. In any case, the housing requirement is identified as being 18% lower than the housing allowance in the RHMA, so even if there was a delay in delivery the requirement should still be met.

#### Conclusions on site M1

31. I conclude that there are strong reasons for concentrating development on a single site which is large enough to support the infrastructure works required to enable the planned expansion of Laurencekirk in accordance with the structure plan strategy. I support the Plan's identification of site M1, which is uniquely well placed as it is adjacent to the railway station, secondary school, and northern junction with the A90, and within easy reach of town centre facilities.

#### **Site R1**

32. As already indicated the site to be reserved for the replacement Mearns Academy is sufficient to accommodate the increase in school roll brought about by the development of site M1. It is twice the size of the existing school site, and is designed to the building and outdoor space standards of the Scottish Futures Trust, which is the funding body. The site layout plan shows a spacious campus, with extensive playing fields and landscaped areas.



33. The community council's aspirations for other community facilities could be considered as part of the masterplanning process for M1.

**Alternative sites**

34. In line with my conclusion that development should be concentrated at site M1, I conclude that no additional sites are required in Laurencekirk. To allocate sites beyond the 885 houses and 11 hectares of employment uses to be built on site M1 would place further strain on roads and services in the town, whereas the objective of the Plan is to relieve that pressure. However, I consider the alternative sites below.

Land south of Laurencekirk

35. Sites K50, K51 and K93 are capable of being developed for a variety of uses as suggested. A great deal of time and consideration has been devoted to the project, including a public engagement exercise and the production of a masterplan. The development could be readily integrated with town, and could create an attractive southern gateway to Laurencekirk. There is potential to form a grade separated junction south of the town in association with the development of K50. Any site constraints could be overcome.

36. However, the land south of Laurencekirk lacks the locational advantages of M1 outlined above, notably the proximity to the railway station, secondary school and north junction with the A90 (which is the most popular direction for traffic). There is no need to allocate this site in addition to M1; to do so would threaten the viability of the allocated site.

37. Having regard to the substantial allocations of employment land at M1, there is no requirement to allocate a further employment site at K50. I am satisfied that the council was justified in abandoning the previous allocation of K50, and concentrating development at a single site at M1 to achieve the critical mass necessary to redress the town's chronic infrastructure constraints.

Sites K93 and K106

38. Both sites are suitable for development in due course. The development of site K106 could be regarded as a logical rounding off of development west of the railway, whereas site K93 would be an obvious extension to site EH1. However, these sites should come forward in the future as part of a comprehensive plan for the development on the west side of the town, including the distributor road. Neither site is needed in the current Plan period.

**Reporter's recommendations:**

No modifications.



<b>Issue 49</b>	<b>Other Sites: South of Drumlithie to Laurencekirk Strategic Growth Area</b>	
<b>Development plan reference:</b>	Section 4, The Spatial Strategy (p6 & 7) Section 6, The Proposals Map, (p23) Schedule 1, Table 6 (p28) Schedule 2, Table 6, (p32) Schedule 3, Table 2 (p35 - 41)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Knight Frank LLP on behalf of Mt Mitchell (156, 157) Ryden LLP on behalf of Pallet Logistics Ltd (277) Ryden LLP on behalf of Hunthaven Properties Limited (278)		
<b>Provision of the development plan to which the issue relates:</b>	Distribution of development settlements in the Laurencekirk Strategic Growth Area.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Alternative Sites</b> <u>Fordoun Airfield</u> <b>156, 157, 277, 278:</b> These respondents object to the failure to identify the extent of business and industrial uses at Fordoun Aerodrome, and object to the failure to allocate further land for the future expansion of Fordoun Aerodrome. The site has excellent linkages onto the A90. Much of the land has consents for employment uses already, but development has been occurring in an ad-hoc manner. Allocating the site in the Local Development Plan would provide an opportunity to remedy the unplanned nature of the site. Development cannot be addressed through development in the countryside policies as this provides no certainty (<b>277, 278</b>). Allocating the site would also provide certainty for businesses who have made significant investment in the area (<b>277, 278</b>).</p> <p><b>156, 157:</b> There is significant demand for employment land at Fordoun Airfield. Fordoun is within the Strategic Growth Area, and there is a requirement to identify 60 hectares of land in a range of locations within the Strategic Growth Area. The presence of pipelines does not constrain any of the land, most of the land already has planning permission in any case.</p> <p><b>277, 278:</b> The site at Fordoun Airfield meets a particular need: the site is particularly suited to open storage. Development has minimal landscape and visual impacts. Scottish Planning Policy advises there is a need to meet the diverse needs and locational requirements of different sectors.</p> <p><b>278:</b> Land at K112 and other developed land in the vicinity should be identified as employment land. The site has had consents for storage since 1996, and there are a number of planning consents on the site.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>156, 157, 277, 278:</b> Land at Fordoun Aerodrome should be allocated as employment land.</p> <p><b>278:</b> Site K112 and land in the vicinity should be allocated for employment land. Much of the land at Fordoun airfield has existing consents. Small scale employment development is supported in the rural housing market area under the Development in the Countryside Policy.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b> The allocations made within the south of Drumlithie to Laurencekirk strategic growth area are</p>		

appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan (see issue 46).

**Alternative Sites**

Further information on the sites is contained in 'Issues and Actions Volume 6 May 2010' (page 59), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

Fordoun Airfield

Sites at Fordoun Airfield (K112 and K153) were identified mostly as constrained in the Main Issues Report due to pipeline consultation zones and flood risk. Adopting the precautionary principle and to avoid costly realignment, where there are alternatives, pipelines have been treated as absolute constraints. However, it is acknowledged that some development can go ahead on pipeline corridors, if it meets the planning advice for developments near hazardous installations (PADHI) guidelines.

The sites were fully debated at the Main Issues Report and Proposed Plan stages. It is recognised that the sites are capable of development, and there is some public support for the allocation of employment land in this location. However, the Council's conclusion was to exclude them.

The structure plan target of 105 hectares of employment land has been allocated within the corridor from Huntly to Laurencekirk. There is no requirement to allocate any further employment land. The employment allocation within each strategic growth area reflects the level of housing proposed in the settlement. Therefore, all employment land in this corridor has been directed to Laurencekirk, as it is the main service centre, the main public transport hub and has the largest population base for the workforce (see issue 48). Laurencekirk better meets the Structure Plan objectives on sustainable mixed communities, which encourages mixed use developments (paragraph 4.3), and on accessibility which requires major employment developments to show that they are easy to access by walking, cycling or using public transport (page 23).

It is not desirable to allocate employment land remote from services, public transport and a population base. The Development in the Countryside policy is supportive of economic development proposals in the rural housing market area, and development can come forward on an organic basis through the relevant policies. If the site meets a particular need in terms of open storage, this can be considered on a case by case basis.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in the strategic growth area are appropriate and sufficient to meet the needs of the settlement strategy. Development in this location can be dealt with under the general policies of the plan, if they meet the relevant criteria.

**Any further plan changes commended by the planning authority:**

No further changes are commended.

**Reporter's conclusions:**

1. Of the 105 hectares of employment land which the structure plan allocates to the Huntly to Laurencekirk strategic growth area, the council is proposing 11 hectares in the area south of Drumlithie to Laurencekirk, which is all to be directed to the major mixed development site (M1) at Laurencekirk.
2. Fordoun Aerodrome lies some 1km north east of Fordoun village and 0.5km west of the A90. A number of businesses have established on the disused airfield, taking advantage of the level terrain, existing hanger buildings and runway hardstandings, and access to the nearby trunk road. A series

of planning permissions has been granted for employment uses on this extensive area, including one for the storage and distribution of polytunnel components, and others for the expansion of an oil pipe storage yard and associated offices, and for a sawmill operation to the north of the B986. Other longstanding businesses on the former airfield may benefit from established uses.

3. The merits of the council’s approach in concentrating employment uses at Laurencekirk are considered elsewhere in the report in the discussion of Issues 39 and 40. However, on the basis that the allocation of 11 hectares at Laurencekirk remains in the Plan, there is no strategic requirement for further such allocations in the area. The designation of the former airfield, or even parts of it, as an employment site in the plan would result in a substantial over-allocation in this part of the strategic growth area, and might make it more difficult to progress the allocated site at Laurencekirk, which has other advantages.

4. The former airfield clearly fulfils a demand for particular employment activities with a need for extensive storage areas, and its location away from the nearest village is likely to prevent any conflict with residential occupiers. I can understand the desire of existing uses to be able to expand their operations in the future. However, I am not convinced that the land needs to be allocated in the Plan to enable that to happen. Recent planning history suggests that the council is prepared to grant planning permission for reasonable expansion proposals in this location. In the future the council will be guided by the terms of policy 1 of the Plan which supports the development of business and sustainable growth in all areas, and policy 3 which supports development in the countryside where it meets the needs of a rural community by contributing to its overall social and economic wellbeing.

5. I conclude that it is not necessary to allocate land at the former Fordoun Aerodrome for employment uses to secure the future of the businesses which are already established there.

**Reporter’s recommendations:**

No modifications.

<b>Issue 50</b>	<b>Spatial Strategy: Peterhead to Hatton Strategic Growth Area</b>	
<b>Development plan reference:</b>	Section 4, The Spatial Strategy (p6 & 7) Section 6, The Proposals Map, (p23) Schedule 1, Table 6 (p28) Schedule 2, Table 6, (p32) Schedule 3, Table 2 (p35 - 41) Schedule 4, (p43)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Knight Frank LLP on behalf of Mr Wyness (376, 377) Grampian Design Associates (620) Knight Frank LLP on behalf of Susan Baxter (1149, 1151) Bancon Developments (1417, 1422) Linda Alves (2219)		
<b>Provision of the development plan to which the issue relates:</b>	Distribution of development between settlements in the Peterhead to Hatton Strategic Growth Area.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>367, 377:</b> Employment land allocations should be increased, specifically at Hatton, so as to meet the objectives of the Structure Plan (see issue 53).</p> <p><b>1149, 1151, 1417, 1422:</b> Support for the Spatial Strategy which identifies Peterhead as a main focus for development.</p> <p><b>2219:</b> Concern about the increase in traffic on the A90.</p> <p><b>620:</b> Additional development land should be allocated at Longhaven, as there is capacity in the primary school, and strong support from the local community for additional development to sustain local services.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>367, 377:</b> Increase employment land allocations and housing allocations in Hatton.</p> <p><b>620:</b> Allocate site B21 for a substantial new mixed use development,</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>The strategy proposed for the Peterhead to Hatton Strategic Growth Area is an appropriate response to planning issues in the area and is sufficient to meet the structure plan land requirements set out in figure 3 (p14) and figure 8 (p17). Infrastructure within the corridor is limited and the creation of a new neighbourhood for the town of Peterhead as a means of accommodating substantial growth in the area makes best use of this in accordance with paragraph 77 of Scottish Planning Policy. Substantial allocation in Peterhead provides the best opportunities for delivering development land in a location that is both accessible and free from environmental constraints. While brownfield opportunities exist in Peterhead these are fragmented, often very small and have singularly failed to deliver substantial housing opportunities in previous years. The plan does not preclude these coming forward, but recognises the need for substantial greenfield land release to realise the structure plan spatial strategy for the area. There is no other coherent strategy for the area.</p>		

Consultation on the Main Issues Report resulted in very few comments on the proposed strategy with only 6 respondents seeking an alternative strategy based on concerns regarding deliverability and infrastructure capacity, both of which were given due consideration prior to drafting of the proposed plan (See Issues and Actions Volume 1 Policies and Strategy p107).

Both employment and housing land have been allocated in a manner which reflects the scale of the settlements in which they are located. Making strategic land allocations at Longhaven would be out of character for the area. Substantial housing and employment land allocations have been made at Hatton, at a scale appropriate for that settlement. Substantial strategic land allocations in either of these two locations would neither make best use of the infrastructure within the wider area nor of the public transport accessibility of locations on the periphery of Peterhead.

Transport Scotland has not raised issues with traffic on the A90 either in informal discussion or through the Scottish Government submission.

In conclusion the settlement strategy for this corridor is both appropriate for the area and sufficient to meet the structure plan requirements.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. Representations supporting the spatial strategy raise no unresolved issues and are therefore not subject to examination.
2. The request to include further employment land and housing at Hatton is addressed in Issue 54 below. Furthermore, the representation seeking the inclusion of a mixed use proposal in Longhaven (site B21) is addressed in Issue 53 below.
3. The only unresolved issue referring to the spatial strategy is the concern about increased traffic on the Aberdeen to Peterhead trunk road (A90). Transport Scotland has not indicated any concern with increased traffic levels in this location as a result of development proposed through the local development plan. Furthermore, the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 require Scottish Ministers (Transport Scotland) to be consulted on any development likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a trunk road. Any concerns relating to specific development proposals can therefore be addressed at the application stage.

**Reporter’s recommendations:**

No modifications.

<b>Issue 51</b>	<b>Peterhead</b>	
<b>Development plan reference:</b>	Section 6, The proposals Map, (p 20) Schedule 1 – Table 3 (page 26) Volume 3E Supplementary Guidance, Settlement Statement (p 36 to 48)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Gordon Milne (17) George Anderson (62) Kenneth & Moira Massie (78) Knight Frank LLP on behalf of Susan Baxter (1149, 1150, 1151, 1152) Ryden LLP on behalf of Buchan Properties (1934, 1838, 2113, 2115) Scottish Environment Protection Agency (1979) Drivers Jonas Deloitte on behalf of ASDA Stores Ltd (2208. 2745) David Murray Associates on behalf of New Hope Trust (2458) William Wilson (2841)		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at M1, H1, H2, E1 and CC1.	
<b>Planning authority’s summary of the representation(s):</b>		
<p><b>Site M1 Peterhead</b>  <b>1149, 1150:</b> The respondent expresses support for the site.</p> <p><b>1834, 1838, 2113, 2115:</b> The respondents state that Peterhead is well placed to absorb substantial growth throughout the Local Development Plan period as it is Aberdeenshire's largest town, and is within the Structure Plan’s Strategic Growth Area, Regeneration Priority Area and the Energetica corridor. The site is well connected to Peterhead and is in close proximity to areas of employment (e.g. industrial estates). The site will also include or provide land for community facilities, such as a community hospital and a health centre.</p> <p><b>2841:</b> Does not support any more housing on greenfield land [in Peterhead], as there are insufficient jobs, schools, medical care at present.</p> <p><b>1979:</b> Scottish Environment Protection Agency expresses concern that a large area of the site is at risk of flooding from Collie Burn and objects to the site unless additional text is added to the Plan or Supplementary Guidance highlighting the flood risk, as required by Scottish Planning Policy.</p> <p><b>Site H1 Peterhead</b>  <b>2841:</b> Does not support any more housing on greenfield land [in Peterhead], as there are insufficient jobs, schools, medical care at present.</p> <p><b>1151, 1152:</b> The respondent expresses support for the site.</p> <p><b>Site H2 Peterhead</b>  <b>2841:</b> Does not support any more housing on greenfield land [in Peterhead], as there are insufficient jobs, schools, medical care at present.</p> <p><b>Sites E1 and BUS 1 Peterhead</b>  <b>62, 78:</b> Objects to the sites as there is no demand for employment uses given that the Simmers factory was sold for housing.</p>		



**62, 78:** Expresses concern that the sites have access issues.

**62:** Expresses concern that any hotel in the area would not want to be surrounded by factories.

**Site CC1 Peterhead**

**2208, 2745:** Express concern that the location of the site is not suited for a supermarket (e.g. disconnected from the town centre, removed from residential areas, and contrary to Scottish Planning Policy as no health check assessment has been undertaken to justify a supermarket in CC1), and proposes that the site should be limited to retail warehousing and bulky goods only.

**Sites BUS4 and BUS5 Peterhead**

**1979:** Scottish Environment Protection Agency objects to the site, as it is partially at medium to high risk from flooding, unless additional text is added to the Plan or Supplementary Guidance highlighting the flood risk.

**Alternative sites Peterhead**

**17:** Proposes the inclusion of Main Issues Report site B79, a small site to the west of M1, as it was identified in the Main Issues Report as being technically feasible in support of cohesive groups under the Supplementary Guidance Rural Development 1.

**2458:** Requests that allocation M1 is extended to the west of the site to include all of Main Issues Report site B30, including New Hope Trust, as it would allow for the upgrade of road access and relocation of New Hope Trust (charity group) into the new central village area.

**Modifications sought by those submitting representations:**

**2841:** Delete allocations M1, H1 and H2.

**1979:** Delete site M1 unless the following wording is included in the supplementary guidance text for Peterhead "Part of this site lies within SEPA's indicative 1 in 200 year flood risk area and is adjacent to a meandering watercourse. A detailed flood risk assessment and hydromorphological assessment will be required to accompany any future development proposals for this site to inform width of adequate buffer strips and limit of the flood plain."

**62, 78:** Delete site E1.

**62, 78:** Delete site BUS1.

**2208, 2745:** Delete "including potential development of a supermarket" with reference to site CC1 in the supplementary guidance for Buchan.

**1979:** Delete sites BUS4 and BUS5 unless the following wording is included in the supplementary guidance text for Peterhead "Part of this site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site. Appropriate buffer strips will be required adjacent to existing watercourses."

**17:** Inclusion of Main Issues Report site B79.

**2458:** Extend site M1 to include the whole of Main Issue Report site B30.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Peterhead is located within the Strategic Growth Areas and the scale of development and its general

location is determined by the Aberdeen City and Shire Structure Plan (Schedule 1, page 27). Peterhead is also within the Regeneration Priority Area, and development has proposed to enhance the town's role as regional service centre, meet the need for new housing, provide affordable housing and provide opportunity for employment and retail development within the Strategic Growth Area and in the Regeneration Priority Area. The allocation of development within Peterhead in the Strategic Growth Area is addressed in the council's response to Issue 50 *Peterhead Strategic Growth Area*. It notes that as infrastructure within the corridor is limited, the creation of a new neighbourhood in Peterhead, as a means of accommodating substantial growth in the area, makes best use of this in accordance with paragraph 77 of Scottish Planning Policy. Peterhead has sufficient capacity in existing services and infrastructure to absorb the scale of growth proposed.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. A number of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Vol 3, Buchan Paper' (May 2010, pages 49 to 55).

### **Sites M1, H1 and H2 Peterhead**

Peterhead is Aberdeenshire's largest settlement, with a population of around 18,000, and there are sufficient jobs, health and education provision to absorb the scale of development proposed (see above). The settlement statement for Peterhead requires new development to contribute to the provision of a new health centre, and given the scale and location of site M1, land for a new community hospital and health centre is required within the site.

The support for sites M1 and H1 is welcomed.

Regarding potential flood risk on site M1, text has been added to the supplementary guidance to clarify that a flood risk assessment will be required, to satisfy the Scottish Environment Protection Agency's concerns. Parts of the sites that may not be developable following detailed flood risk assessment could be incorporated into the open space requirement for the sites at the masterplanning stage.

### **Sites E1 and BUS 1 Peterhead**

There is continuous demand for employment land in Peterhead. The scale of site E1 was reduced to ensure the employment land allocation in the Blackdog to Peterhead Strategic Growth Area complied with the Structure Plan (shown in Figure 3, page 14). Site BUS1 includes the Blackhouse Industrial Estate.

The concerns relating to access into the site are unfounded. The Roads Authority has not identified any access issues affecting the site.

Site E1 is proposed next to two well established industrial estates, and given its location, it is unlikely to affect the few hotels in the area (the nearest hotel is over 800m away and received planning permission in 2010).

### **Site CC1 Peterhead**

The location and accessibility of site CC1 off the A90 trunk road makes it an appropriate site for both comparison and convenience retail. The site is located within the Buchan Gateway (a long term vision to transform the entrance into Peterhead into a mix of employment, retail and commercial developments) and the Energetica corridor. Furthermore, its close proximity to the A90 trunk road means it has good links to residential areas on the periphery of Peterhead. Successive retail impact assessments have demonstrated that there are significant constraints associated with assembling sites for modern retail development within the historic town centre. The identification of an alternative location for retail is in accord with Scottish Planning Policy, paragraph 53.

The 2009 "Health Check" for Peterhead identified a lack of food shopping within the town centre

(see paper apart Results for Peterhead – 2009 Health Check extract paragraph 3.37). Any planning application for a large convenience retail store will have to demonstrate that a sequential approach to site selection has been followed, as required in supplementary guidance *SGRetail 1: town centres and retailing*.

**Sites BUS4 and BUS5 Peterhead**

Regarding potential flood risk on the sites, text has been added to the supplementary guidance to clarify that a flood risk assessment will be required, to satisfy the Scottish Environment Protection Agency's concerns. Parts of the sites that may not be developable following detailed flood risk assessment could be incorporated as open space.

**Alternative sites Peterhead**

Site B79 is unlikely to make a significant contribution to existing services within Peterhead, and given its location outwith Peterhead, it should not be allocated for housing. The site is adjacent to a cohesive group of dwellings, and development on the site would be more appropriately considered under supplementary guidance *SG Rural Development 1: Housing and business development in the countryside*.

There is no requirement to extend site M1 to include the remainder of site B30, as identified in the Main Issues Report, as the housing allowances in the Hatton to Peterhead Strategic Growth Area have been met, and there already is sufficient land to accommodate the proposed development in M1.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Peterhead are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

The following changes have been made to Volume 3E Supplementary Guidance: Settlement statements Buchan:

In the supplementary guidance for Buchan, under the settlement statement for Peterhead, add under section 'Proposed sites' for site H1, "Part of this site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site. Appropriate buffer strips will be required adjacent to existing watercourses."

In the supplementary guidance for Buchan, under the settlement statement for Peterhead, add under section 'Protected land' for sites BUS4 and BUS5, "Part of sites BUS4 and BUS5 lie within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and an appropriate buffer strip will be required adjacent to the existing watercourse."

**Reporter's conclusions:**

**Site M1**

1. This mixed use site is proposed for 1,265 houses and 4 hectares of employment land in the period 2007 to 2023. The proposed supplementary guidance for Buchan also requires the site to provide transport improvements and land for a community hospital and health centre.

2. The site would provide employment land, is in close proximity to existing employment uses and would have access to the A90 to allow travel to more distant employment. Health care facilities

would be provided on the site. The 2010 school roll shows that Peterhead Academy is currently operating at 78% of capacity, and is forecast to fall. The primary schools in Peterhead vary in capacity and forecasts but there is overall capacity for further pupils. In any event, the proposed Plan requires contributions to fully accommodate any capacity deficit resulting from development, which could be identified at the masterplanning stage. There is no evidence to suggest that there are insufficient jobs, school capacity and medical care to allow the release of this site for housing.

3. The council has confirmed that the supplementary guidance for Buchan will be amended as requested by the Scottish Environment Protection Agency (SEPA) to highlight the need to take account of the flood risk from the Collie Burn. By this action, the representation from SEPA to the proposed plan would be resolved.

**Site H1**

4. This site is proposed for 250 houses in the period 2007 to 2023. The site is located adjacent to existing employment and business uses, and would have access to the A90 allowing travel to more distant employment. The council has indicated that sufficient health care facilities exist in Peterhead and a contribution would be sought from site H1 for the provision of a new health centre on site M1. As stated in paragraph 2 above, there is sufficient capacity for schooling in Peterhead, and if found not to be the case then the provisions of the local development plan require contributions to accommodate any capacity shortfall. Again, no evidence suggests that there are insufficient jobs, school capacity and medical care to allow the release of this site for housing.

**Site H2**

5. Site H2 is proposed for one house in close proximity to existing employment uses. As expressed in the paragraphs above, sufficient employment land, health care and school capacity would exist to accommodate this house.

**Sites E1 and BUS1**

6. Site BUS1 is not shown in the proposed Plan but is shown in the proposed supplementary guidance for Buchan. Representations to the supplementary guidance are outwith the scope of this examination and are therefore not addressed in these conclusions.

7. The approved Aberdeen City and Shire Structure Plan requires 45 hectares of employment land to be allocated in the Peterhead-Blackdog corridor in the period 2007 to 2023. Site E1 would provide a 14 hectare contribution to that allocation. Although the Simmers Factory may have been sold for housing that in itself is not a definitive indication that there is no demand for further employment land in Peterhead. If demand falls, then the proposed allocation would have a substantial period of time to come forward for development, during which the employment market could change significantly.

8. The access road to site E1 does narrow in sections. However, the roads authority is satisfied that sufficient access can be provided to allow development to proceed at site E1. The nearest hotel is over 800 metres from site E1. Consequently, it is unlikely that the allocation of this site would provide a nuisance for users of the hotel. There is demand for employment land, the site can be accessed and is unlikely to interfere with local hotel operation. Site E1 should remain in the Plan.

**Site CC1**

9. The representation does not raise any objection to the proposed allocation of site CC1 as a commercial centre in the proposed local development plan. It requests that text in the proposed supplementary guidance referring to the site including potential for a supermarket be deleted. Representations to the supplementary guidance are outwith the scope of this examination and are therefore not addressed in these conclusions.

**Sites BUS4 and BUS5**

10. Sites BUS4 and BUS5 are not shown in the proposed Plan but are shown in the proposed supplementary guidance for Buchan. Representations to the supplementary guidance are outwith the scope of this examination. However, it is noted that the council has agreed to amend the

supplementary guidance to reflect the flood risk on these two sites.

**Alternative site B79**

11. The site is outwith Peterhead but in close proximity to a cluster of existing houses. Furthermore, the main issues report acknowledges that the site would be technically feasible to develop. However, there is a lack of supporting evidence to demonstrate deliverability of housing on the site, suitable access, integration with the nearby houses, and address any topographical issues, as the site is heavily sloping. As a small scale development, the proposal would be more appropriately assessed at the planning application stage against the provisions of the development in the countryside policy. The site should not be allocated in the Plan.

**Alternative site B30**

12. The main issues report proposed residential development to the north-west of Peterhead with site B30 identified with potential for mixed use. Following consultation, only five comments were made to site B30, which noted flood risk, requested an extension to the site area, and integrated phasing with site B66. The Issues and Actions report accepted that B30 should be phased together with other main issues report sites, that flood risk should be investigated, and that, unless there was a need, no development should occur on a former military camp from World War II situated on the site to the south of Faith Acres. Part of site B30 has been progressed through the proposed local development plan as site M1. However, the remaining area to the west has not.

13. The representation suggests the remaining area should be included to allow a potential secondary access route and allow the potential re-location of the New Hope Trust and Faith Acres facilities to a new central village area as part of the masterplanning process.

14. Sufficient allocations and land has been made available to meet the structure plan requirements for housing and employment in the Peterhead area. The land to the south of Faith Acres contains archaeological remains and land to the north of the New Hope Trust provides open crop land, woodland landscaping, and a buffer between the M1 development and a cluster of houses at Mount Pleasant. The currently developed land containing the New Hope Trust and Faith Acres is physically dislocated from the remaining M1 allocation by substantial woodland to the east. Consequently, these areas should not be promoted for development through this local development plan.

**Reporter’s recommendations:**

No modifications.

<b>Issue 52</b>	<b>Boddam</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p 20) Schedule 1, Table 3 (p 26) Document 3E Supplementary Guidance, Settlement Statement (p 5 & 6)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Steven McDonald (150) Lynne Keith (160) Susan Richardson (185) Peter Duncan on behalf of A C Watson (346) Taylor Design Services on behalf of E Smith (499, 502) Daniel McLeod (562) Ann Cunningham (573) James &amp; Cheryl Murray (664) Penny Robertson (843) Paul Fletcher (945) Charles &amp; Pat Smith (1099) Brian Strachan (2227) Fiona Kilner (2840)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing Allocations at H1 & H2 at Boddam.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H2 Boddam</b> <b>150, 562:</b> Express concern that additional traffic in an already congested area would be detrimental to people's health.</p> <p><b>150, 160, 185, 573, 664, 843, 945, 2840:</b> Express concern that the development will impact on the local road network and increase congestion from construction and additional traffic. Cars are often parked on Inchmore Gardens, and access to the site can only be through Inchmore Gardens as the other access roads are private.</p> <p><b>150, 346, 562, 573, 664, 945, 2840:</b> Express concern that additional traffic (and construction traffic) within Inchmore Gardens will affect children's safety.</p> <p><b>2227:</b> Expresses concern that their personal health will suffer as builders will attempt to gain access to the site through the private road co-owned by the respondent. Also queries who will pay for damage to the access road and who will ensure the builders do not use the private road.</p> <p><b>346, 573:</b> Expresses concern that noise, dirt and dust would be generated during the building of the site. The CDM Regulation from 2007 will have to be followed and not impact on the existing community (e.g. noise) (<b>573</b>).</p> <p><b>160, 945:</b> Express concern that the safety of their autistic family member playing in the vicinity will be affected by extra traffic, which will cause great stress and result in a change and or extra medication.</p> <p><b>150, 160, 562, 573, 664, 843:</b> Express concern that the existing sewage system is at full capacity</p>		



with some respondents suggesting there will be a cost and difficulty in accommodating additional properties to the sewage network. Respondents note that a septic tank was required for a single dwelling in the area (**160, 573, 664**).

**150, 160, 562, 664, 1099, 2227:** Express concern that the development of the site will impact on wildlife, especially a bat colony that feeds in the area (**150, 1099**). Respondents report that deer and foxes use this land, and one notes that Skylarks nested on the site for a second year running (**1099**).

**185, 664, 2227:** Express concern about the impact the development of the site would have on the setting of historic buildings in the area, include Buchanness Lodge, a listed building.

**843:** Queries if the design of the house types will complement existing types.

**160:** The respondent chose their site as they were told that building on the proposed site was forbidden. Queries why nine houses should be allowed when planning permission for a single house was previously refused.

**664:** To ensure the safety of new residents, suggests a substantial perimeter fence would be required, which would be very visible, and affect the appearance of this part of the coastline for the worse.

**160, 664:** Express concern that they will be overlooked, and that their view, privacy and light (**160**) would be reduced.

**664, 2227, 2840:** Express concern with anti-social behaviour if the site were to be developed, including if council houses are built.

**150, 160, 562, 664, 945, 2227, 2840:** Express concern that the new houses will depreciate the value of the houses in the area.

**150, 664:** Respondents note that the land is owned by an unknown source (i.e. not the council).

**664:** Notes that building on the site will necessitate deep foundations and the unevenness of the land will require substantial landscaping both at considerable cost.

**843:** Expresses concern with the length of time it will take to develop the site, as the original site at Inchmore Gardens took 10-12 years to complete.

**Alternative site Boddam**

**499, 502:** Requests that the whole or part of the Main Issues Report site B23 is allocated for housing and/or employment land strategic reserve, as it is within the Strategic Growth Area and is a large area of developable land set within clearly defined limits of the A90 and Stirling Village.

**Modifications sought by those submitting representations:**

**150, 160, 185, 346, 562, 573, 664, 843, 945, 1099, 2227, 2840:** Delete site H2.

**499, 502:** Allocate land in full or in part, at Main Issues Report site B23, for housing in phase two and/or as strategic reserve employment land.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Boddam is located within the Strategic Growth Areas and Regeneration Priority Area, as defined by the Structure Plan. Within the strategic growth area the creation of a new neighbourhood in

Peterhead is proposed as a means of accommodating substantial growth in the area (see Issue 50). The settlement also has pipeline consultation corridors running along its northern boundary and it is within hazardous consultation zones for Peterhead Power Station. This limits opportunity for expansion within the settlement. In light of this, two allocations of up to 15 houses are proposed to provide housing choice and affordable housing and sustain existing local services.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. Some of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, pages 6 to 8).

**Site H2 Boddam**

The concerns relating to the impact of additional traffic on the local road network and people's safety are noted, but the Roads Authority has not expressed any access issues affecting the site, subject to satisfying required standards.

A development brief is proposed for site H2 in light of its close proximity to Boddam Castle, to ensure development is sensitively designed and appropriately screened from the nearby monument. Historic Scotland commented on the site at the Main Issues Report stage (Issues and Actions paper, page 6) and was not against development on the site. The development brief will also address concerns relating to privacy, health, and residents' amenity, and will allow further opportunity for community engagement in relation to the detail of the site (e.g. house types), its layout, siting and design.

Scottish Water has not raised any sewage connection concerns, and waste water would be pumped to Peterhead.

The impact of loss of the site to wildlife is likely to be low as the site is small, on a peninsula, and there are dwellings already dotted around it. There are similar nesting sites/habitats for wildlife along the coast.

The site is currently designated in the Aberdeenshire Local Plan as Protected Land, which does not support housing within its designation. However, a designation does not remain in perpetuity. Reviewing the plan allows for land to be re-evaluated to ascertain whether it is appropriate for development, and whether certain designations or allocations should remain. The Community Council, when asked, did not seek continued protection of this land.

**Alternative site Boddam**

There is limited scope in Boddam for significant development, as discussed above. There is no requirement to identify further development in the Strategic Growth Area (see Issue 50). Allocating land west of the A90 would promote local trips across the strategic network, which Transport Scotland raised concerns about, result in over-development and break up the urban form of the settlement (page 6, Issues and Actions Volume 3, Buchan - May 2010)

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Boddam are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site H2**

1. Nine houses are proposed on this site in the period 2017 to 2023. Access to the site would likely be taken from an existing spur on Inchmore Gardens. Consequently, there would be little impact on the existing access lane around the coast. The roads authority has raised no objection to either the accessibility of the site or the potential impact on the local road network, health or child safety.
2. There is no evidence to suggest that the existence of fauna on the site would prevent its allocation for housing. However, the presence of fauna on the site would be investigated at the planning application stage as part of the provisions of proposed policy 11 on natural heritage and its associated supplementary guidance.
3. The design of any future housing would be related to its context, including the existing houses at Inchmore Gardens and the proximity to the sea cliffs. There is enough land allocated to accommodate the nine houses proposed and retain sufficient land for privacy, amenity and daylight to existing residents. However, these are matters to be assessed at the application stage.
4. Two B-listed buildings are located nearby the proposed housing allocation. Boddam Castle is located to the west and now only partial remains are present. Buchanness Cottage (or Earls Lodge) is a classic marine villa located to the south of the proposed housing where its principal elevations front the sea. Due to the location and orientation of the listed buildings it is unlikely that development of the site would harm their setting. No objection to the housing allocation was made by Historic Scotland. In any event, any impact on the listed buildings would again be assessed at the application stage through policy 13 on protecting, improving and conserving the historic environment.
5. As stated in Scottish Planning Policy, the planning system does not operate in the interests of one person. Consequently, the retention of existing views from an unlisted building, or the effect on property values are not matters which can be addressed by this examination. Similarly, there is no evidence to suggest that the allocation would increase the occurrence of anti-social behaviour.
6. There is no indication from Scottish Water that there is insufficient sewerage capacity, and the council has confirmed that waste water would be pumped to Peterhead.
7. Although there is no evidence to suggest it would be the case, any disruption during construction is controlled through a separate legislative process. Allocation of the site is both sufficient and appropriate to accommodate housing in the second phase of the plan and should remain.

**Alternative site B23**

8. This alternative is promoted for a mix of housing in the second phase of the Plan (2017 to 2023) and as part of the strategic employment reserve for 2024 to 2030. The site is of a strategic scale being of a similar area to the settlement of Boddam. Located west of the A90 trunk road beside Stirling Village the site proceeds up Stirling Hill to a small hamlet in the south and field boundaries in the west and north-west. The site was rejected at the main issues report stage, as expansion of Boddam was preferred to developing across the A90 at Stirling Village.
9. Sufficient land has been allocated for housing within the Peterhead to Hatton strategic growth area in Hatton (site H1) and Peterhead (sites M1 and H1) to accommodate the structure plan allowance of 800 houses in the period 2017 to 2023. In addition, the 43 hectare strategic employment reserve in the Blackdog to Peterhead corridor has been allocated on six sites in Formartine. Both the housing allocations and strategic employment reserve are not recommended for deletion through this examination.
10. Furthermore, development would be visually prominent due to the slope and topography of the site. The development would not provide small scale local growth to Stirling Village and the hamlet to the south but would provide significant development out of character with the surrounding open countryside. Stirling Village and the hamlet to the south would also be likely to coalesce as a result

of development in this location. Development would also encourage additional vehicular movements across the trunk road, discouraged by Transport Scotland. There is no requirement for further housing allocations in the second phase of the Plan in this area or a need to reserve further strategic employment land. On the basis of the above, site B23 should not be allocated.

**Reporter's recommendations:**

No modifications.

<b>Issue 53</b>	<b>Longhaven</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map - Buchan Schedule 1, Table 3, (p 26) Document 3E Supplementary Guidance, Settlement Statement (p 16 to 17)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Water (609) Grampian Design Associates (620)		
<b>Provision of the development plan to which the issue relates:</b>	H1 Allocation in Longhaven.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Longhaven</b>  <b>609:</b> Scottish Water reports there is no public drainage serving Longhaven, but do not object to the allocation of the site.</p> <p><b>Alternative site Longhaven</b>  <b>620:</b> Proposes a site for development in Longside, including site B21 as identified in the Main Issues Report, for a mixed use development, since it is located directly on the Ellon to Peterhead Strategic Growth Corridor and can sustain a significant amount of development. It is deliverable now and has local support. It will sustain local community facilities, including the school and provide a play park. It is adjacent to the A90 trunk road and will not pose an increased traffic risk. It will safeguard the former railway line and provide land for a station and platform. It is not within an Area of Landscape Significance.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>620:</b> Allocate land including Main Issues Report site B21 for a mixed use development.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Longhaven is located within the Peterhead to Ellon Strategic Growth Area, as defined by the Aberdeen City and Shire Structure Plan (Schedule 1, page 27). The strategy for allocations in the Strategic Growth Area is discussed in Issue 50. The school is operating at half its capacity, but the very small scale of the settlement only justifies a small allocation of houses to meet demand, provide housing choice, and sustain existing local services.</p> <p>The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. Further information on the sites is contained in the Issues and Actions Volume 3 Buchan paper (May 2010, pages 27 to 29), which was informed by the Main Issues Report consultation, and was produced to inform the allocation in the Proposed Plan.</p> <p><b>Alternative site Longhaven</b>  The site was fully considered following consideration of the consultation on the Main Issues Report,</p>		

and following widespread community engagement, the Council's conclusion was to exclude it. The scale of development proposed would result in gross over-development, exceed school roll capacity, and erode the design and form of the existing area, displacing the 'centre' of Longhaven to site B21. The level of growth in Longhaven is considered to be appropriate, as discussed above, and there is no requirement to identify further development in the Strategic Growth Area (see issue 50).

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Longhaven are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Drainage**

1. The representation from Scottish Water does not object to any allocation in Longhaven but notes that there is no public drainage available. The council has confirmed that a connection to a waste water facility is possible and that the lack of public drainage would not impede development coming forward within the settlement. No modifications to the proposed Plan are therefore required on this basis.

**Alternative site B21**

2. Longhaven is located in the Peterhead to Hatton Strategic Growth Area. The approved Aberdeen City and Shire Structure Plan requires 1,600 houses to be allocated within this strategic growth area in the period 2007 to 2023 to meet population growth and housing demand. Alongside housing allocations in Peterhead, Boddam, and Hatton, the proposed local development plan helps meet this requirement by allocating 30 houses at site H1 in Longhaven in the first plan period (2007 to 2016).

3. The settlement is also within the Energetica corridor, where economic growth is targeted. The proposed Plan is required by the structure plan to allocate 45 hectares of employment land in the Blackdog to Peterhead corridor between 2007 and 2023 and exceeds this by allocating 46.3 hectares.

4. The representation promotes the inclusion of 15.4 hectares of land for housing and employment uses on the eastern side of the A90 trunk road. It is suggested that it would: be readily deliverable, accessible, and designed in keeping with the area; have little impact on the adjacent area of landscape significance; create a possible village square and play park; and support the local school roll.

5. Longhaven is a settlement of some 10 houses and a post office/shop concentrated on the western side of the A90. The structure plan states that housing sites over one hectare in strategic growth areas should generally have no less than 30 dwellings per hectare. Development of 15.4 hectares of land for housing and employment uses would provide a significant extension to Longhaven disproportionate to the settlement's existing size and available facilities. Furthermore, as stated in the main issues report, the proposal would also be dislocated from the main settlement.

6. Longhaven primary school has a capacity of 47 and had a pupil roll of 19 in 2010. The school roll is forecast to increase to 20 pupils by 2016. The council notes that the school is at half capacity. One of the supporting reasons for allocating 30 new houses in Longhaven at site H1 was to support the local primary school. Development of the scale proposed in the representation would place the local primary school accommodation under pressure. However, it is acknowledged that this may be overcome by means of a contribution.



7. There is a sufficient and appropriate allocation in Longhaven to meet local housing needs and help sustain local services. There are also sufficient allocations within the strategic growth corridor to meet the structure plan requirements for housing and employment. A further allocation in Longhaven, as proposed, would provide some community benefits, but is not otherwise justified. The alternative site should not be allocated.

**Reporter's recommendations:**

No modifications.

<b>Issue 54</b>	<b>Hatton</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p 20) Schedule 1 – Table 3 (p26) Document 3E Supplementary Guidance, Settlement Statement (p 14 & 15)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Taylor Design Services on behalf of Philip Cantlay (224, 226) Knight Frank LLP on behalf of Mr Wyness (376, 377) Scottish Environment Protection Agency (1979) Baxter Design Ltd on behalf of Mr Mallarkey (2068) George Noble (2171) Sandra Buchan (2172)		
<b>Provision of the development plan to which the issue relates:</b>	Housing and Employment Land Allocations at H1 & E1 in Hatton.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Hatton</b>  <b>2171, 2172:</b> Do not support the site and express concern with access onto the site affecting road safety, the safety of pupils walking to school from the site, the adverse impact on the landscape setting of Hatton, and with the drainage of the site affecting adjacent properties as the site is on different levels.</p> <p><b>2171:</b> Requests that the applicant demonstrates the viability of the site through the submission of a business plan.</p> <p><b>2068:</b> The respondent expresses support for the site and reports that planning permission for the formation of vehicular access has been granted consent.</p> <p><b>1979:</b> Scottish Environment Protection Agency notes the flooding issues identified for the site, but have no further comments to make.</p> <p><b>Site E1 Hatton</b>  <b>376, 377:</b> Request that the allocation is increased from 0.8 hectares to 2.5 hectares to allow for local start up businesses, as the current scale is not sufficient to meet the objectives of the Aberdeen City and Shire Structure Plan on developing within the Blackdog to Peterhead Strategic Growth corridor. There is no employment land available within 9 miles of Hatton.</p> <p><b>376, 377:</b> Request changing the allocation from employment use to a mixed use site (M1) and allow up to 5 self-build housing plots on the site in the first phase of the plan.</p> <p><b>Alternative sites Hatton</b>  <b>224, 226:</b> Requests that site B60, which was identified as the preferred site for employment land in the Main Issues Report is allocated in the plan, as Hatton is located within the Energetica corridor and is served by a range of services.</p> <p><b>2171, 2172:</b> Suggest an alternative site to H1. Propose site B90, as identified in the Main Issues Report, as road access is not an issue, it is located closer to the school and existing services, its location provides a safer route to school, it will have a less landscape impact, and it is deliverable.</p> <p><b>2171, 2172:</b> Suggest an alternative site to H1 and if site B90 is not supported. Propose site B69, as</p>		

identified in the Main Issues Report, as it would have a lesser impact on the landscape setting of Hatton, and pedestrian access across the A90 trunk road could be addressed via a pedestrian bridge or underpass.

**Modifications sought by those submitting representations:**

**2171, 2072:** Delete site H1.

**224, 226:** Allocate site B60, as identified in the Main Issues Report, northwest of the A90, for employment land.

**2171, 2072:** Allocate site B90 or site B69, as identified in the Main Issues Report, for up to 40 houses.

**376, 377:** Increase the size of site E1, as identified in the Main Issues Report as site B69, from 0.8 hectares to 2.5 hectares.

**376, 377:** Allocate site E1 as a mixed use site (e.g. M1) and include up to 5 houses within the enlarged E1 site.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Hatton is located within the Strategic Growth Areas as defined by the Aberdeen City and Shire Structure Plan. The allocations strategy for this area is discussed in Issue 50 Peterhead to Hatton Strategic Growth Area.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. The majority of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 3, Buchan paper' (May 2010, pages 21 to 24).

**Site H1 Hatton**

The support for the site is welcomed.

The site was put forward for development for housing and was identified as a preferred site for development in the Main Issues Report as site B70. The site is currently identified in the existing plan as an area of search for future housing (fh2\*). The site is unlikely to have an adverse landscape impact as there are buildings on all sides of the site except on the western boundary and it is not on the summit of the local hill.

The Roads Authority has not raised any access problems for the site, subject to the junction being upgraded, which received planning permission in 2008.

The site is on the same side of the school and it is not expected that pupils' safety will be more adversely affected compared with any other housing estate in Hatton.

The Scottish Environment Protection Agency has not raised any objections to the site as a result of flooding issues, and this would be considered at the pre-application stage through a Drainage Impact Assessment. The developer has submitted a letter (see paper part titled *Letter from Baxter Design*) which confirms the deliverability of the site.

**Site E1 Hatton**

No new employment land was initially proposed in Hatton, but the Council took a view, which placed

greater weight on the perceived community benefit, and put forward site E1 for development. Site E1 was put forward for a mixed use development as part of a much larger site (site B69 in the Main Issues Report), and was identified as possible for development. However, there is no requirement to identify further employment land in the Strategic Growth Area (see Issue 50). Furthermore, increasing the size of the site would result in intensification of movement at the existing crossroads on the A90 trunk road, which Transport Scotland expresses concern about in the 'Issues and Actions Volume 3, Buchan' paper (May 2010, Site B69, page 22).

There is currently one vacant employment site in Hatton, BUS1, adjacent to site E1, which provides an opportunity for small to medium scale businesses in Hatton.

**Alternative sites Hatton**

Site B60

Site B60 was identified as a preferred site for employment land in the Main Issues Report, but there is no requirement to identify further employment land in the Strategic Growth Area (see Issue 50). Increasing the employment land allocation within the Strategic Growth Area would exceed the allowances proposed in the Structure Plan (see Figure 3, page 14). Furthermore, the council's Roads Authority report that industrial access is likely to be a problem from Station Road due to the visibility constraints caused by adjacent properties, preferring access from the A90. Nonetheless, the site could be considered for development when the plan is next reviewed.

Site B90

The Roads Authority note that Site B90 would require similar if not greater road and junction improvements than B70. Furthermore, no deliverability statement has been provided to confirm that the site is deliverable given the road access concerns. In light of this, site B90 is not an appropriate alternative to site H1.

Site B69

The Roads Authority notes that access to the site requires to be upgraded and a pedestrian over-bridge across the A90 trunk road would be required to link with Hatton. However, Transport Scotland expresses concern with developments that promote local trips across the strategic network, as discussed above under site E1. In light of this, site B69 is not an appropriate alternative to site H1.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Hatton are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. Hatton is located in the Peterhead to Hatton Strategic Growth Area. The approved Aberdeen City and Shire Structure Plan requires 1,600 houses to be allocated within this strategic growth area in the period 2007 to 2023 to meet population growth and housing demand. Alongside housing allocations in Peterhead, Boddam, and Longhaven, the proposed Plan helps meet this requirement by allocating 40 houses at site H1 in Hatton in the second plan period (2017 to 2023).
2. The settlement is also within the Energetica corridor, where economic growth is targeted. The proposed Plan is required by the structure plan to allocate 45 hectares of employment land in the Blackdog to Peterhead corridor between 2007 and 2023 and exceeds this by allocating 46.3 hectares.

**Site H1**

3. The adopted Aberdeenshire Local Plan identifies the site of proposal H1 as an area of search for

future housing.

4. The Scottish Environment Protection Agency has highlighted a potential flooding issue with the site but has provided no objection to its allocation or sought any additional requirements. Nevertheless, the council has identified the issue in the proposed supplementary guidance for settlements in Buchan and the promoter of site H1 has agreed to undertake a drainage impact assessment as part of the planning application process. No evidence submitted suggests that the site should not be allocated on flooding or drainage grounds.

5. The existing access is difficult, being at the summit of a hill and at an acute angle to the main road thereby reducing visibility. However, the promoter of the site has obtained planning consent for a new viable access. The roads authority has raised no objection to the allocation of site H1 and there is no indication that the promoted access could not be provided.

6. The local primary school is located on the same side of the road as the proposed housing site, reducing the need to cross Main Street. A representation raises concerns about reversing traffic from a local factory and shops potentially reducing child safety. These concerns are not raised by the roads authority, and children walking or cycling from site H1 would travel along the same routes as those currently used from adjoining residential estates. These concerns could be further assessed at the planning application stage if necessary.

7. The flat site occupies a commanding vantage point with open views to the west and is set on higher ground than properties in Northfield Gardens. The site is in an elevated position bound on three sides by housing and farm buildings. Some development would therefore be visible from the western approach into the settlement but this would not interfere with either the settlement form or the landscape character of the area.

8. Allocation of site H1 for housing is both appropriate and sufficient to meet housing need in the strategic growth area, provide for local needs, and maintain local services. There is no evidence to suggest that the site is not deliverable in the second plan period. The allocation should therefore remain.

#### **Site E1**

9. The proposed Plan allocates 0.8 hectares of employment land on site E1 adjacent to an existing business site on the south side of the A90 trunk road. This allocation has been made to help meet the structure plan requirement for the Peterhead to Blackdog corridor, as set out in paragraph 2 above. Allocations are made on 11 sites in this corridor to provide a 46.3 hectare allocation. A total of 43 hectares of employment land has also been identified in this corridor as a strategic reserve. This is in addition to around 37.5 hectares of employment land identified for local growth within the strategic growth areas of Peterhead to Hatton and Ellon to Blackdog, and undeveloped or unoccupied existing employment premises in the area. There is an appropriate range and choice of employment sites within the strategic growth area and no requirement to find additional land for employment. Therefore, the extension of site E1 for employment purposes is not recommended.

10. The representation also suggests the allocation of five self build houses as part of the extension of site E1. The site is currently accessed off the A90 trunk road and there are around five existing houses to the east. However, Transport Scotland was concerned at the main issues report stage about increased traffic crossing the A90 trunk road. Furthermore, the roads authority has identified required access improvements including a pedestrian bridge over the A90 trunk road. There is no evidence that the scale of development promoted would be able to provide for such upgrades. The site is dislocated from the main settlement by the trunk road and sufficient land for housing to meet the housing requirement has been provided. The allocation of land for five self build houses is, therefore, not recommended.

#### **Alternative B60**

11. The representation promotes alternative site B60 for employment use. The site occupies a significant area being of a similar size to the existing settlement boundary. It is located to the south-

east of Hatton, split into two parts by the A90 trunk road. A north-west section (15 hectares) of the site was identified in the main issues report as preferred for development.

12. In response to the main issues report there was mixed support for the site. Transport Scotland opposed development of the area to the south of the trunk road and the Scottish Environment Protection Agency noted that part of the site was at medium to high flood risk. The council's Issues and Actions Volume 3 report noted access issues with site B60, and commented that employment allocations would be more appropriate in Ellon and Peterhead with a limited 0.8 hectare release in Hatton.

13. As set out in paragraph 9 above, sufficient employment land has been allocated in the Peterhead to Blackdog area to meet the structure plan requirement. There is also sufficient land for a strategic reserve up to 2030 and additional undeveloped or unoccupied existing employment land in the area.

14. There is no requirement for further employment land in Hatton to meet local or strategic needs, or sustain services. In addition, development of site B60 to the south of the trunk road would be isolated from the settlement and result in intensified traffic movements across the A90. Alternative B60 would provide a significant development out of scale with the existing settlement and would be likely to affect the setting and approach into Hatton from the east. It should not be allocated for employment use. However, the council has acknowledged that it could be re-considered in future reviews.

**Alternative B90**

15. The representations suggest the allocation of site B90 to the north-east of the settlement for housing. The site is located on farmland to the rear of properties on Hatton Farm Gardens. Farm buildings lie beyond to the north-west of the site. The northern, western and eastern boundaries are open, meaning the site is viewed as part of the wider landscape of the adjacent and surrounding farmland. Allocation of this site for housing would have a landscape impact comparable to proposed site H1, if not more harmful due to the exposed nature of the site.

16. The main issues report noted that the site could be developed for housing but was constrained by a poor road junction and narrow road. The representations consider that these constraints could be overcome by the council making improvements to the existing access to address road safety issues. However, there is no evidence of a viable access solution or a commitment from the council to provide improvements at this stage.

17. Alternative B90 is in close proximity to the school and services but there is nothing to suggest that its allocation would be safer than proposed site H1. Appropriate and sufficient housing allocation has been made in Hatton to meet local needs and help meet the housing requirement. In consideration of the above, alternative B90 should not be allocated for housing.

**Alternative B69**

18. The representations also promote the allocation of alternative B69 for housing. Site B69 forms part of proposal E1 discussed above. The site is dislocated from the main settlement by the A90 trunk road. Development of the site would intensify traffic movements across this road, discouraged by Transport Scotland, although pedestrian access could be provided by means of a bridge or underpass.

19. There is sufficient housing allocated in Hatton and within the Peterhead to Ellon strategic growth area. Alternative B69 should not be allocated for housing.

**Reporter's recommendations:**

No modifications.



<b>Issue 56</b>	<b>Spatial Strategy: Ellon to Blackdog</b>	
<b>Development plan reference:</b>	Section 4, The Spatial Strategy (p6 - 7) Section 6, The Proposals Maps (p21) Schedule 1 Table 4, (p27) Schedule 2 Table 4, (p31) Schedule 3 (p34 - 41) Schedule 4 (p42) Volume 3F Supplementary Guidance, Settlement Statements Formartine	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Belhelvie Community Council (561) Knight Frank LLP on behalf of Kirkwood Homes Ltd (924, 925, 926) Bancon Developments (1416, 1417, 1422, 1428, 1448) Halliday Fraser Munro on behalf of Harper & Cochrane (1483, 1486, 1511) Archial Planning on behalf of Stewart Milne Homes (1637, 1944) Paull & Williamsons LLP on behalf of Scotia Homes Ltd (1794) Knight Frank LLP on behalf of Colin & Esther Tawse (1816, 1817, 1821) Ryden LLP on behalf of Mr & Mrs Buchan (1896, 1897) PPCA Ltd on behalf of Tor Ecosse Ltd (2674)		
<b>Provision of the development plan to which the issue relates:</b>	Distribution of development within the Ellon to Blackdog strategic growth corridor.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Overall approach and phasing</u>                  Respondents <b>924, 925, 926, 927</b> and <b>1794</b> support the proposed spatial strategy, which focuses the majority of development in the early phase of the plan to Ellon. 1794 further comments that this will support the school roll at the academy and help produce a solution to traffic congestion in the town centre.</p> <p><b>1422</b> also supports this approach, but questions whether the target of around 150 homes per annum is deliverable.</p> <p><u>Blackdog</u>  <b>1816, 1817, 1821:</b> Part of the housing proposed at Blackdog should be included within the first phase of the plan and in advance of the completion of the Aberdeen Western Peripheral Route. There is capacity in the existing infrastructure and it would help address shortages in housing land supply. An early start will provide a catalyst for the wider development and the economic benefits that flow from that, as well as supporting the Energetica Framework.</p> <p><u>Alternative strategies</u>                  Respondent <b>561</b> comments that the Blackdog proposal has little merit and the community would be better served by allocating development to Potterton and Balmedie, to help deliver improvements to existing facilities and to secure some existing facilities that may be threatened. They further suggest that West Balmedie should be identified as the prime development area, as it will offer a more amenable site for new primary school; a site for a new academy; a park and ride facility; employment land; and would integrate well with the existing village through new linkages.</p> <p><b>1428, 1448:</b> Proposes that Balmedie West offers a better development proposal as it lies outwith both the Green Belt and Coastal Zone. It would create a sustainable mixed-use expansion of the</p>		

village of Balmedie on the west side of the A90 and provide the infrastructure and framework to facilitate that growth.

**1896, 1897:** The plan strategy should focus on existing communities, particularly given the importance attached to this area by the Structure Plan in terms of a Strategic Growth Area and Energetica framework. Development will help to support and sustain services and facilities. These respondents suggest that a large allocation to the west of Balmedie is a more appropriate alternative to expansion of the community to the south east or at Blackdog.

Respondents **1637, 1944, 2674** comment that Potterton is within the Strategic Growth Area. **2674** suggests that a strategic allocation at Potterton would enable the existing settlement to become a well planned, desirable and attractive place. They also suggest that it has a strategic advantage over Blackdog in that there is existing infrastructure and it is easier to get to the critical mass where access, services and facilities become viable and deliverable. Whilst respondents **1416, 1417, 1422, 1428, 1448** seek clarification on the role of Potterton as part of the Strategic Growth Area, they suggest that it should remain as protected, due to land use conflict and community opposition to major development in the village.

**1637** and **1944** also comment on the education strategy for this area, suggesting that there should be provision for a new secondary in South Formartine, as this is not included in either Blackdog or Balmedie. It is further suggested that Potterton is the most suitable location for such an academy, as there would be opportunities for children to walk to school.

Foveran

**1483, 1486, 1511:** Additional land should be identified at Foveran, split equally between the phases of the plan. Suggests that it is a key location on the Energetica corridor that should be considered for future development.

**Modifications sought by those submitting representations:**

**1637, 1944:** Land allocations should be transferred from Blackdog to Potterton to include 600 dwellinghouses, 4 hectares of employment land and 7 hectares of strategic reserve land.

**1637, 1944:** Land for a new academy should be identified within Potterton.

**2674:** The Blackdog allocation should be removed and a mixed use allocation be made at Potterton.

**1428, 1448:** Reduce the housing allocation at Cromleybank in the first plan period to 545 units; delete the allocation on any development land at Blackdog and substitute a Green Belt and Coastal protection zone; delete the allocations at H1 and M1 in Balmedie East and substitute a Coastal protection zoning; clarify the role of Potterton as part of the Strategic Growth Area but as a protected settlement in the Green Belt; and allocate land at Balmedie West to accommodate the Masterplan proposals illustrated in the submitted masterplan.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The allocations proposed build on the delivery of a new replacement academy at Ellon, and in the period beyond 2016, on the provision of a major junction associated with the Aberdeen Western Peripheral Route. The strategy proposed is consistent with paragraph 77 of Scottish Planning Policy, as it coordinates land releases with programmed investment in infrastructure on a scale which is deliverable given the infrastructure constraints that must be overcome. While the strategy generally promotes development opportunities according to the scale of existing settlements, at Blackdog it allows for a significant village to be created with supporting employment opportunities.

Within the corridor large employment land allocations have been made specifically to support the

development of the “Energetica framework” (referred to in paragraph 204 of the National Planning Framework 2). Allocations made at Rashierieve, Foveran and Westfield have been made in support of this initiative, either as distinct employment land allocations or as part of mixed use developments. Access to all these locations will be facilitated by the approved dual carriageway improvements to the Balmedie to Tipperty section of the A90.

The settlement strategy for the Ellon to Blackdog corridor is an appropriate and sufficient response to the land requirements set out in figure 3 (p14) and figure 8 (p17) in the structure plan.

#### Overall approach

The support for this strategy is noted. While 750 houses are proposed at Ellon for the period 2011 to 2016, the structure plan is clear at paragraph 4.17 that we cannot expect all the new homes to be built in the relevant plan period. The development will contribute to the effective land supply and can expect to deliver completions over a 10 year period.

#### Blackdog

Development at Blackdog is dependant on the provision of a major new junction on the A90 and the Aberdeen Western Peripheral Route. Development at this location could not be contemplated in advance of those major engineering works, despite limited existing capacity. Development that requires crossing of the dual carriageway at grade is not something that should be promoted on road safety grounds, despite potential short term economic benefits. These benefits can be realised elsewhere in the interim. Development at Blackdog capitalises on the opportunity for a regionally significant economic development opportunity (a regional food market) and will provide key facilities for the existing community

#### Alternative strategies- Balmedie and Potterton

Development of this scale at Potterton would be out of character with the existing community, while development at West Balmedie would be separated from the limited services in that village by the dual carriageway itself. Substantial development in the West Balmedie / Potterton / Belhelvie triangle, to create a sustainable mixed use community, may need to be considered in the context of additional school capacity that may be required post 2023. But this is likely to be substantially bigger than either the Blackdog proposal or indeed Balmedie itself (622 households in the 2001 Census). The structure plan strategy anticipates further allocations of 1500 houses in this corridor post 2023 (Schedule 1, p27). Development at West Balmedie would presume the provision of infrastructure (a secondary school), over which decisions are not required for at least 10 years. Development of 175 houses and employment land is promoted in Balmedie, and this is sufficient to sustain and safeguard existing facilities.

Neither Balmedie nor Potterton has the levels of infrastructure or services necessary to accommodate the scale of development proposed at Blackdog, and arguments that doubling or tripling the size of these communities (as would be the case in Potterton - 330 households recorded in the 2001 census) would achieve these benefits, are spurious. Expansion of Ellon Academy and existing capacity in Aberdeen City Council Schools (notably Bridge of Don Academy; at 74% of capacity in 2016) cater for senior schooling needs in the corridor during the plan period, but as noted above additional provision may be necessary to cater for future growth.

The structure plan (para. 3.7) notes that it is a function of the Local Development Plan to decide which settlements and sites are within the strategic growth area. The Formartine Area Committee considered this issue during consideration of responses to the Main Issues Report, and concluded that Potterton should be excluded on the grounds of its limited accessibility to the main transport routes. A similar position has been taken for Newburgh and Cruden Bay.

#### Foveran

Foveran is allocated 50 houses as part of a mixed use development. This is an appropriate scale of development given the existing character of the community and the role that this development has to assist in the provision of business land at this location. Foveran School is forecast to be over capacity in 2016 and additional development would only exacerbate this issue.

**Reporter's conclusions:**

1. The council's planned distribution of development within the Ellon to Blackdog strategic growth area corridor is set out in broad terms in the proposed Plan and articulated in more detail in the Supplementary Guidance settlement statements for Formartine (document 3F). As noted by the council, the Plan's proposed spatial strategy, in terms of allocations for housing land, as well as for employment and community development, is based on a number of key principles. Firstly, it aims to be in line with national planning policy – in particular Scottish Planning Policy (SPP) and National Planning Framework 2. It is also intended to meet the strategic requirements set out in the approved structure plan – including making the necessary housing land allocations to match the housing allowances for the Ellon to Blackdog strategic growth corridor set out in Schedule 1 of the approved structure plan.

2. The council also makes explicit that the spatial distribution of the Plan's site allocations along this corridor – for housing, business and other development, including with regard to local community facilities and services – is further directed by and dependent on the implementation and timing of two new, key infrastructural developments for this area. These comprise, firstly, the delivery of a planned new replacement secondary school for Ellon Academy. The other pre-requisite for delivery of the corridor strategy is the provision of a major new road junction associated with the proposed Aberdeen Western Peripheral Route (AWPR) – which is proposed to terminate in the immediate vicinity of Blackdog.

3. Against this background, there is no substantive evidence in the representations to challenge the council's assertion that the policies and proposals of the Plan for the Ellon to Blackdog corridor would be in line with national planning policy principles, in broad terms at least. For example, the council makes clear that within this corridor large-scale allocations have been made in the Plan that would support the Energetica Framework identified for this area in National Planning Framework 2. In particular these take the form of employment land allocations or as part of mixed use development allocations at a number of locations.

4. A key issue raised in many of the representations relates to the fact that the housing land allocations summarised in Table 4 of the Plan are concentrated:

- for the first plan period (2007-2016) almost solely on Ellon, directly linked to completion of a proposed new replacement secondary school there, and then
- for the later plan period (2017-2023) predominantly at Blackdog and to a lesser extent at Ellon – in the former case following completion of the AWPR and an associated major road junction at Blackdog.

In that regard, whilst some representations support the council's approach others raise various concerns and/or suggest alternative strategies. Many of these argue for local changes to the Plan's proposed site allocations in and around Ellon, whilst others would prefer a reduced reliance on Ellon for major new housing allocations, particularly in the short term. A number of the representations seek allocations to be made in and around other settlements along or near to the Ellon-Blackdog corridor, in addition to or instead of those proposed by the council at Ellon and Blackdog.

5. In support of some of the 'bids' for new or replacement allocations at other locations, it is argued that the Plan gives undue preference to Blackdog – where the new allocations are restricted to the second plan period 2017-2023 and are conditional on the completion of the junction proposed for the end of the AWPR at Blackdog. One representation contends that some housing growth can be accommodated at Blackdog prior to that junction being constructed – such that an element of the 600 houses allocated for Blackdog could be brought forward to the early plan period, up to 2016. Others argue that there are more suitable settlements in the vicinity – such as Potterton, Foveran and Balmedie – where new allocations would support local communities and sustain existing services that in some cases are currently under threat, they suggest.

6. Prior to looking at the merits of possible alternative locations in more detail, it is necessary to test the robustness and merits of the overall strategy for this corridor set out in the Plan. The council

states that its development strategy for this corridor over the plan period to 2016 and for the longer term “builds” on delivery of the new replacement school at Ellon and the AWPR junction at Blackdog, in the pre and post 2016 periods respectively. In reality the council’s strategy for the corridor in question is almost totally dependant on those two important pieces of infrastructure being implemented within the timeframes envisaged. These matters are discussed further below before looking in more detail at the broad land use allocations that the council has proposed, as summarised in Table 4 of the Plan.

7. Alternative site options for the new school have been put forward in some representations. Nevertheless, none of those representations appears to question the fundamental assumptions made by the council that a replacement Ellon Academy is required; has the necessary funding; and will be developed within the first plan period. After a comparative assessment of a number of possible locations for the new secondary school intended to replace Ellon Academy, the council has now chosen a site for this school at Cromleybank East, to the south of Ellon town centre. This forms part of site M1 shown on the Plan, which is also allocated for up to 980 houses overall (comprising up to 745 units in the plan period to 2016 and up to 235 units in the period 2017-2023) together with a new primary school and associated facilities. The settlement statement for Ellon states under M1 that this area may also be required for a new secondary school “dependant on the outcome of an options appraisal for a replacement Ellon Academy”.

8. The council contends that this proposed new school will accommodate the required 1,200 pupils – being [the projected secondary school needs associated with] “the current and planned future housing provision, as defined in the draft Local Development Plan”. It also notes that part of the funding secured for that preferred option, which includes provision for a new pedestrian bridge across the River Ythan to facilitate movement between the school and the town centre, is dependant on the project being on site by January 2013. The council’s decision to proceed with the Cromleybank option, taken in December 2010, post-dated the period of consultation on the proposed Plan, when cases were being put forward in representations as to what would be the most appropriate direction of planned growth for Ellon, in particular for new housing land allocations. The relative merits of those alternative sites put forward for housing land allocations for Ellon (compared with the M1 housing allocation and site H1 for 5 units shown in the Plan) are considered elsewhere in this report, under Issue 57 (Ellon).

9. As outlined above, one representation suggests that there might be scope for an element of the housing allocations for Blackdog proposed in the Plan, to be brought forward. In particular it is argued that some new housing could be implemented using existing roads infrastructure, rather than all having to await completion of the planned new junction of the AWPR at Blackdog. That case is evaluated in the section of the report on Blackdog under Issue 64. Others argue that in any event the housing land allocation for Blackdog should be reallocated instead to other settlements nearby to support those villages by helping to sustain local services. Nevertheless none of the representations seriously challenge the assumption made by the council that the AWPR and the Blackdog junction associated with it will be fully implemented in the period 2017-2023.

10. More generally, the council states that underlying its overall plan strategy for the Ellon-Blackdog corridor are the following principles:

- co-ordinating land releases with programmed investment in infrastructure on a scale that is deliverable, given the infrastructure constraints to be overcome,
- promoting development opportunities according to the scale of existing settlements, whilst
- creating a significant village at Blackdog with supporting employment opportunities, and
- making large employment allocations to support the development of the Energetica framework, in line with National Planning Framework 2 – in particular at Rashierieve, Foveran and Westfield, sometimes as part of mixed use developments (in all these cases to be facilitated by dual carriageway improvements to the Balmedie to Tlpperty section of the A90).

11. Against this background, it is evident that unless and until the proposed new school at Ellon is completed and the proposed new road junction at Blackdog is available, the major new allocations proposed in the Plan for those two settlements cannot be implemented in full. This is irrespective of



which specific sites within or adjoining particular settlements are chosen for housing and related developments. As stated earlier, the cases put forward for new allocations in and around other villages within the Ellon-Blackdog corridor, in place of or in addition to those proposals in the Plan, are also considered in their own rights in this report - on a settlement by settlement basis.

12. Ellon is by far the largest settlement in the Ellon-Blackdog corridor. Nevertheless, the principle of “promoting development opportunities according to the scale of the existing settlements” appears to have been further weighted in favour of Ellon in the first plan period by the major planned infrastructure investment for the new school. Similarly, for the second plan period only 4 settlements receive new housing allocations in the Plan and more than 80% of those 1035 new units are directed to just 2 sites at Blackdog and Ellon. As stated earlier, the first of these allocations is conditional on completion of the new AWPR junction – and the latter is the same M1 location in Ellon that accounts for more than 90% of the total allocation for the whole corridor for the first plan period.

13. In this context it is understandable that representations raise concerns that on first inspection this concentration of housing land allocations on such a small number of settlements and sites along this particular strategic growth area corridor is hard to reconcile with the vision and aims set out in Section 3 of the proposed Plan. There reference is made to identifying “a range of sites within the strategic growth areas which offer a choice of size, location and environmental and other facilities. The range also allows flexibility to cope with uncertainty in the market.” Nevertheless, the total housing land allocations for the Ellon-Blackdog corridor (set out in Table 4 of document 3A for the first and second plan periods) do accord, at least in numerical terms, with the requirements summarised in Schedule 1 of the approved structure plan for this corridor of the Aberdeen Housing Market Area (AHMA).

14. When considering alternative settlement strategies as discussed below – and on a more detailed site-by-site basis in other sections of this report where individual settlements are considered in turn – it is necessary to ensure that suitable sites are potentially available. In that regard, the key requirement is for allocations, individually and in combination, to offer potential for balanced and sustainable new growth and settlement expansion, including with respect to existing and planned infrastructure provision. Another important factor is that the council only recognises the following settlements as being within the Ellon to Blackdog strategic growth corridor for housing allocation purposes – Ellon, Foveran, Belhelvie, Balmedie and Blackdog. Rashierieve and Westfield are also listed, but solely for employment land allocations.

15. The council acknowledges that not all of the 750 houses allocated for Ellon for the first plan period are expected to be built in that period. In support of this allocation the council points out that paragraph 4.17 of the approved structure plan makes clear that whilst that plan provides a generous supply of land for new housing, in line with Scottish Planning Policy, not all the new homes can be expected to be built within the relevant plan period. In that context the council states that the development proposed in the Plan for Ellon would “contribute to the effective housing land supply and can expect to deliver completions over a 10 year period.”

16. For the first plan period, in addition to the allocation identified for Ellon, which the council acknowledges is driven by the location of the replacement Ellon Academy, the only other housing land allocations it proposes for the Ellon-Blackdog corridor are at Foveran (50 units) and Belhelvie (10 units). Those two settlements, like almost all the others along the corridor between Ellon to Blackdog are very small and the council has rightly concluded that any larger scale development would be out of keeping with their existing scale and form. Indeed, it is difficult to provide a choice of locations for major new allocations that would not distort the existing settlement pattern significantly.

17. For the period 2017-2023, the distribution of allocations totalling 1035 units for the Ellon-Blackdog corridor in the Plan is restricted to only 3 settlements – comprising 600 units for Blackdog, 235 for Ellon (on the same M1 site as the allocations of 745 for the earlier plan period) and 200 on two sites in Balmedie. Those allocations are focused on Ellon, as the largest settlement – but also now include Blackdog and Balmedie, following the completion of major road infrastructure improvements that are programmed, as detailed earlier. Blackdog today is one of the smallest



settlements in the corridor concerned, with no significant facilities or services. The council clarifies and justifies its strategy in this regard by stating that the intention is to allow for a significant village to be created at Blackdog along with supporting significant employment opportunities. The particular focus is on a new regional food market, as well as providing key facilities for the existing community. These factors have to be considered alongside the limited choice of suitable locations for new housing development allocations in the Ellon-Blackdog corridor, where the other settlements are so small and not readily suitable to accommodate major new growth – as discussed in more detail on a settlement by settlement basis elsewhere in this report. Whilst some representations argue that the small village of Potterton should be preferred for a major expansion, this settlement is not situated along the corridor concerned – and would require new connections to the main road network. Other local considerations in respect of Potterton are discussed in more detail in this report under that settlement heading (Issue 73).

18. In conclusion, whilst in principle there would be merit in reducing the dependence on Ellon and Blackdog in the Plan allocations made for the Ellon-Blackdog corridor, particularly with regard to housing land, the council has been justified in taking a pragmatic approach. More specifically, the choice of any possible new or replacement allocations depends on the outcome of an evaluation of the alternative sites being put forward in the context of their respective settlements and the strategic setting, including with reference to main transport routes. These are all matters evaluated in detail on a settlement-by-settlement basis, elsewhere in this report. Drawing these matters together, in overall terms the arguments put forward in favour of wholly new strategies for the Ellon-Blackdog corridor, say to promote either Balmedie or Potterton, are not persuasive. As the council has pointed out neither of those villages has the required infrastructure capacity and services to support major new developments and substantial growth would be out of scale and character with these settlements. The same planning concerns would apply to the other, even smaller existing communities along the corridor concerned.

**Reporter’s recommendations:**

No modifications.

<b>Issue 57</b>	<b>Ellon</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (p21) Schedule 1, Table 4, (p27) Schedule 2, Table 4 (p31) Volume 3f, Supplementary Guidance, Settlement Statements, (p11 to 16).	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Kevin Riddell (136)                  Peter Mackie (186)                  Jean Sutherland (440)                  Graham Sangster (826)                  Knight Frank LLP on behalf of Kirkwood Homes Ltd (924, 925, 926, 927)                  Wilma Durward (1047)                  Charles Robertson (1097)                  Bancon Developments (1417, 1422, 1428, 1448, 1450)                  Halliday Fraser Munro on behalf of Barratt East Scotland &amp; Scotia Homes (North) Ltd (1592, 1593, 1595, 1597)                  Paull &amp; Williamsons LLP on behalf of Scotia Homes Ltd (1709, 1710, 1784, 1794)                  Ryden LLP on behalf of Stewart Milne Homes (1877, 1878)                  Scottish Environment Protection Agency (1979)                  Ellon Business Initiative Ltd (1987)                  Dr &amp; Mrs Barrie &amp; Norma Seddon (2347)                  Ellon Community Council (2494)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations in and around Ellon - M1, H1, E1 & SR1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>M1 Ellon</b>  <u>Support for allocation</u>  <b>1417, 1422, 1709, 1784, 1794, 1987:</b> Representations expressed support for the allocation. It would support the school roll at Ellon Academy, is close to the town centre and has the potential to complement and support it. The site is capable of accommodating up to 2000 units with a mix of house types alongside associated services, business and employment facilities. There are no constraints to the development of the site, it is under the developer's control (subject to a small part which is under option to another developer), and the site is deliverable (<b>1709, 1794</b>). The proposal is logical due to the need to invest in a new secondary school and associated facilities; and the existing transport infrastructure, including the bypass and Park &amp; Ride facility, allows for short term delivery of development in line with the Structure Plan (<b>1422</b>). One respondent gave support for the allocation as a mixed use site, providing detail as to what the mixture should include, and hoped that the policies would support a variety of uses (<b>1987</b>).</p> <p><b>136:</b> Site M1 is more suitable and sustainable for employment development than land at Balmacassie (E1, SR1), as it is closer to Aberdeen where the majority of future employees, business partners and freight will come from. M1 is more accessible, with reduced travel distance and in line with General Development Policies.</p> <p><u>Strategy for M1 allocation</u>  <b>924, 927, 1097, 1877, 1878:</b> Objection was received to the strategy for the M1 allocation. It focuses new development to the south of the town, which is physically disconnected from the town centre by the River Ythan, thus presenting a major barrier to pedestrian and vehicle movements. It is contended that the strategy for Ellon may be fundamentally flawed, as traffic capacity studies did not</p>		

appraise all of the development scenarios (**924, 927**). It is contended that delivering M1 within two plan phases is unrealistic and should be distributed between M1 and an alternative site, to ensure that development can be delivered within timeframes required by Scottish Planning Policy, to ensure the housing supply is not constrained and to deliver the targets set in the Structure Plan (see issue 25 Schedule 1 Housing land). A reduction in units is requested to serve the alternative site, with a replacement allocation of strategic reserve land for development post 2023 at M1. This would allow the M1 site to be incorporated into masterplan(s) for the area and the strategic reserve land could be drawn down or allocated at subsequent LDP reviews if required (**1877, 1878**). Development at site F132 is inappropriate, as it will exacerbate the impression that Ellon is a dormitory town and will not attract visitors (**1097**).

Deliverability

**1878, 1422, 1428, 1448, 1450**: An allocation of 745 houses on one site in the first phase of the plan is undeliverable (see supporting doc 13) (**1422, 1428, 1448, 1450**), and would not meet the targets set out in the Structure Plan (**1878**). It is contended that it may take a considerable period of time for services to be brought to the site. Spare capacity in the nearby area and local Waste Water Treatment Plan is not readily accessible. It is contended that development will not commence until 2014, and based on historical housing land audits there is likely to be a shortfall of 200-250 units at M1. Suggest relocating 200 units to Balmedie West (see issue 63 Balmedie) (**1428, 1448, 1450**).

Flood risk and amenity

**826, 1047, 1097, 1709, 1979, 2347**: Representations raised a number of constraints in relation to the allocation. The site is potentially constrained by the presence of natural springs nearby (**826**). M1 is located next to the River Ythan and a flood plain which floods several times a year. Therefore, this area should not be built on (**2347**). Flood risk may severely reduce the area of M1 site that can be developed (**1979**). Concern is raised that further flooding will be caused as a result of the development (**1097, 2347**), and will erode the local parkland (Glebe Field) leading to a loss of leisure and recreation opportunity (**2347**). It is contended that the river environment needs to be protected and its flood plain preserved, as it is home to many plant and animal species (**2347**). Concern is raised for the effect on the amenity of neighbouring houseowners from the development (**1047**).

**1979**: Scottish Environment Protection Agency notes that a flood risk assessment has been carried out for site M1, but as it did not adequately address all the watercourses on the site, they object to the site unless additional text, as required by Scottish Planning Policy, is added to the Plan or Supplementary Guidance and a design statement highlighting the flood risk.

Impact on roads network

**826, 924, 927, 1047, 1097, 1709, 1794**: It is contended that the allocation will exacerbate current traffic congestion. The location of the new road bridge is unsuitable as a traffic solution, as it will cause disruption to residents and other road structures (**1097**). However, it is also contended that the development will help to produce a solution to traffic congestion (**1709, 1794**).

Impact on town centre

**924, 927, 2347**: Objection is made to the impact on the town centre as a result of the development, as it will exacerbate current vitality and viability issues and compete directly with the existing town centre (**924, 927**). The commercial part of the developer's proposal would dwarf the centre of Ellon by a factor of 5-8 fold, and shoppers will be encouraged away from the town centre (**2347**). The long term commercial viability of the proposal by the developer to create a new town centre is questioned due to the distance from the town centre (**924, 927**). It is felt that reducing the size of development and removing plans for commercial/shopping outlets would reduce the threat to the town centre (**2347**).

Impact on landscape character

**924, 927, 2347**: Objection to M1, as it will have a significant impact on landscape character and the views of the town. It is contended that M1 is the wrong site for the scale of the development proposed and should be located away from the river valley so as not to affect the views of the old town (**2347**).

**2347:** Concern is raised for loss of woodland area within the site.

**E1 and SR1 Ellon**

Support for allocations

**925, 926:** Support for the allocation which will meet demand for business/commercial development in the area and help deliver development in line with the Energetica framework. However, objection is made to the configuration of the land identified for employment use (E1 and SR1). It is contended that the most suitable location for employment land in the short to medium term is immediately adjacent to the A90 (T) and north of the A948. E1 should be positioned to "open-up" the site and facilitate development of the area by putting in the necessary infrastructure required to service the site, with the strategic roadside frontage attracting businesses for potential company headquarters in accordance with the Energetica concept. It is contended that repositioning the initial development for the period 2007-2023 is logical, and will allow access via the existing roads infrastructure through land immediately north of the A948, with land further north developed thereafter.

**2494:** Support for strategic employment land use on site SR1.

Impact on Balmacassie House

**440:** Objection to proximity of employment land to Balmacassie House and associated buildings. There is no clarity on the screening of the development land and private property.

Scale of allocations

**136:** Proposal for industrial/employment development is too extensive and will have a negative impact on the current countryside area and its residents. The proposal is in contrast to the General Development Policies and will have a negative impact on the character of the land, the landscape, wildlife and the environment. There is no viable reason, other than financial, for the current countryside to be changed to employment land. There is already employment land to the south of the A948, and extending to the north would be contrary to the principles set out in the General Development Policies. The proposals should be determined on "need" and there is other land in Ellon, such as site M1, which is more accessible, appropriate and sustainable for employment land other than Balmacassie. Land at Balmacassie should be retained as countryside. However, if development is to take place it should be proportionate in size and not destroy the area.

**R1 Ellon**

**136:** The respondent believes an error has been made in the designation of the site, as it is his belief that the land was part of proposed plans for employment land. Concern is raised in relation to the detail of the use, size and boundaries of the site in addition to a perceived lack of consideration for residents.

**EH1 Ellon**

**186:** The respondent raises concern for loss of habitat at site EH1 and requests the site is given a protected site status to protect the natural environment.

**Alternative Sites Ellon**

F133

**924, 927:** An alternative site is promoted north of Ellon (F133) for mixed use development for up to 1,500 houses, employment land (with excellent links to the A90) and community facilities. The allocation would assist in maintaining the vibrancy of the town in line with the Structure Plan's objectives for sustainable mixed communities and the Energetica initiative. It will use existing infrastructure and has potential to deliver a new relief road to alleviate pressure on the road infrastructure which is currently congested. It will offer enhanced connectivity with provision of footpaths and cycle routes and deliver enhanced public transport. The land to the north of Ellon is more accessible to Ellon town centre than site M1.

**1097:** Respondent does not agree with the reasons for dismissing the large area north of Ellon (on the by-pass) for housing development.

Land at Castle Meadows

**1592, 1593, 1595, 1597:** Objection to failure to allocate land at Castle Meadows (located adjacent to EH1) in the proposed plan. Castle Meadows will implement the Structure Plan strategy for Ellon and the wider SGA. The site is a sustainable and deliverable housing site which is currently being progressed through a detailed planning application. The site is immediately adjacent to the town centre and associated community facilities, which would allow easy access to employment uses whilst supporting existing services and integrating with its surroundings. The site is shown on the settlement statement as an area of white land within the settlement boundary, which suggests the non-allocation of this site was an oversight.

Site F51

**1710, 1784:** Allocate additional land at site F51 for mixed use development, including up to 800 residential units, retail, business, light industry, leisure, civic and community uses. The site is promoted for longer term development as a natural extension to the development of Site M1, which would form an important edge to Ellon and facilitate the creation of a southern link road to the town in preference to breaching the bypass to the north.

Site F140

**1877, 1878:** Objection to failure to allocate site F140 at Waterton, Ellon for 200 houses and riverside parkland. The allocation of F140 would assist in the deliverability of the Structure Plan strategic growth area strategy and Scottish Planning Policy. It is contended that distributing the allocation between M1 and site F140 would ensure that development can be delivered within timeframes required by Scottish Planning Policy and ensure the housing supply is not constrained, in order to deliver the targets set in the Structure Plan (see issue 12 housing land supply). The site is well screened, there are no focal points within the site, and it is on a gentle slope without risk of flooding. The site is under the control of the developer, has excellent connectivity with the town centre and the associated retail and community facilities. Connections to public water and sewer networks are readily available, and residential development would positively impact on the Park & Ride facility. Development of site F140 would accord with the Action Programme to deliver the riverside park extension in conjunction with site M1. Without site F140 the provision of the riverside park extension is not possible.

**Modifications sought by those submitting representations:**

**M1**

**1709, 1794:** No specific change stated.

**1417:** Retain the allocation.

**924, 927:** Deletion of M1.

**1097:** Although not explicitly stated it is assumed the respondent wishes site M1 deleted.

**1428, 1448, 1450:** Reduce the housing allocation at M1 from 745 to 545 in the first plan period. 200 units relocated to Balmedie West (see issue 63 Balmedie).

**1877, 1878:** Reduce M1 by 200 units in the first phase of the plan. Allocate strategic reserve land at site M1 post 2023, to provide for the 200 units taken for an alternative site at F140 (see issue 12 Housing land supply).

**826:** Adequate roadway provision requested.

**1047:** Request a grassed buffer of 50m to be planted between existing residential areas and the proposed development.

**1979:** Delete M1 unless the following wording is included in the supplementary guidance text for

Ellon "Part of this site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and an appropriate buffer strips will be required adjacent to the existing watercourses."

**E1**

**440:** No specific change stated.

**925, 926:** Request E1 designated land be located immediately north of the A948. Site layout plan attached.

**136:** Deletion of proposals for employment land at E1.

**SR1**

**2494:** No specific change stated.

**925, 926:** Request SR1 designated land be located north of repositioned site E1. Site layout plan attached.

**136:** Deletion of proposals for employment land at SR1.

**R1**

**136:** Clarity sought in relation to the area of site R1 and the boundaries for the proposed cemetery.

**EH1**

**186:** EH1 should be given a protected site designation.

**Alternative Sites**

**924, 927:** Allocate land at Cassiegills for an integrated mixed use development for up to 1,500 houses, employment land and community facilities.

**1097:** Although not explicitly stated, it is assumed the respondent supports an alternative site to the north of Ellon.

**1592, 1593, 1595, 1597:** Allocate land at Castle Meadows (adjacent to EH1) as housing land for approximately 247 houses.

**1710, 1784:** Identify land for a mixed use development at Site F51 for up to 800 residential units, retail, business, light industry, leisure, civic and community uses.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Ellon is located within the Ellon to Blackdog Strategic Growth Area as set out in the Structure Plan, and as such is identified as appropriate as a location for large scale growth. The allocations made are already appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. The settlement is subject to a high level of developer interest. Ellon is a key settlement within the corridor and there are a number of key planning objectives: To enhance the settlement's role as a sub-regional service centre; to meet the need for new housing in the Strategic Growth Area; to sustain existing services; to provide opportunity for employment in the Strategic Growth Area and to support the "Energetica" framework; and to provide improved community facilities. Within Ellon a new academy will be required during the lifetime of the plan to replace the existing school in the settlement. A site for this has been identified at Site M1 at Cromleybank and funding is secure.

The strategy for allocations in Ellon is addressed through the council's response to Issue 56 Spatial Strategy Ellon to Blackdog.



Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report (pages F7 – F10), and were considered in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Ellon pages 33 – 37).

**Site M1**

Strategy for M1 allocation

The local development plan promotes development at a scale that allows the opportunity to capitalise on the major improvements to roads, schools, sewers and other infrastructure that are required for any development.

The supplementary guidance settlement statement for Ellon omitted information relating to provision of an additional road crossing of the River Ythan as part of the development of site M1. Text will be inserted to resolve this omission. Provision of an additional crossing will assist in addressing any congestion issues raised in relation to M1.

The 'Aberdeenshire Council Ellon Traffic Capacity Study' published in April 2008 aimed to gauge the impact on traffic congestion and the road infrastructure of local planning aspirations for Ellon in the medium and long term. In addition to this an assessment of additional infrastructure interventions which might be required to reasonably accommodate the local planning applications was undertaken. It is important to note that the study was carried out in 2008 prior to the establishment of the settled view of the Council. For this reason the traffic study does not assess the proposed plan in its current form. Section 3 and particularly figure 3.1 of the study (page 4) state which aspirational development proposals were included as part of the study. The respondent states that land to the north was not included in the traffic capacity study but as section 3 shows this is not the case. The study concludes that new development in the settlement would have an impact on the roads network and congestion levels. However, it was considered that the scenarios considered for roads improvements would provide sufficient capacity to allow the development aspired to by 2027. Furthermore, as mentioned above the additional crossing at M1 will assist in addressing congestion issues.

The proposed Aberdeenshire Local Development Plan does not allocate land post 2023 and it would be inappropriate to change the phasing by allocating strategic reserve land at site M1 for development post 2023. The proposed plan contains a mechanism to allow housing land allocations to be drawn down from second phase allocations, should first phase allocations prove ineffective or undeliverable.

Deliverability

In relation to the deliverability, the developer's agent advised in February 2010 that the site is deliverable (see deliverability statement). The length of time it takes to bring services to the site may result in a delay to the sites development. However, this does not affect the suitability of the site for development in the period to 2016.

Flood risk and amenity

SEPA have commented that although a flood risk assessment was undertaken it did not adequately address all the watercourses on the site. The development framework and masterplanning of the site will ensure the flood risk and buffer zones are considered, and will result in a layout which mitigates any impact. Text will be added to the Supplementary Guidance to satisfy the Scottish Environment Protection Agency's concerns. There is a requirement for 40% open space within the development and so there is more than enough capacity within the site to accommodate development outwith the area at flood risk without infringing on or reducing nearby amenity areas or woodland. The proposed plan allocates land to be protected to conserve the River Ythan area and Meadows sports facility.

The development framework and masterplan required for site M1 will be a further opportunity for engagement with the community in relation to the detail of the site and its layout, siting and design, which should address concerns in relation to impact on neighbouring amenity.

Impact on roads network

See response to strategy for M1 allocation above.

Impact on town centre

Whilst the allocation suggests the inclusion of neighbourhood retail opportunities, this does not imply large scale commercial uses which will compete with the town centre. The proposed plan supports the identification of sustainable mixed communities and with the scale of growth proposed at the site, it is appropriate to include an element of neighbourhood retail use, the scale of which will be determined during preparation and consultation on the development framework and masterplan.

Impact on landscape character

The site is visible from the local road network and Ellon. However, it is not a prominent site. The proposed local development plan and its policies promote a high level of design in new development, and consideration of design and layout issues (including the woodland within the site) will be dealt with during preparation and consultation on the development framework and masterplan.

**H1**

Support for the proposed allocation is welcomed.

**E1 and SR1**

Support for allocations

Support for the allocations is welcomed. Configuration of the land at E1 and SR1 is considered appropriate to allow the temporary use as a gypsy / traveller transit site identified for SR1. Altering that configuration may prejudice whether the temporary use can be accommodated on SR1. The site layout attached to the representation shows a significantly larger allocation of employment land at E1 and SR1, although the representation does not request an increased allocation. Despite Ellon's location within the Ellon to Blackdog strategic growth area and Energetica framework, an increased allocation of employment land is not required, as sufficient employment land has already been allocated to meet the requirements of the structure plan.

Impact on Balmacassie House

Detail relating to screening of the employment land and adjacent residential property will be clarified during the development brief preparation process, where there will be further opportunity for consultation.

Scale of allocations

The proposed allocations are highly accessible due to their close proximity to the trunk road network (as noted in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Ellon pages 33 – 37) and are sufficient to meet the key planning objectives for Ellon, particularly providing opportunity for employment in the Strategic Growth Area and to support the "Energetica" framework. Proposed allocations at Ellon are significant. However, there are considerable economic and social benefits to be gained. The General Development Policies referred to in the respondents representation are Aberdeenshire Local Plan policies, which will be replaced by policies within the proposed local development plan following adoption. The proposed local development plan and its policies promote high levels of design in new development, and consideration of design and layout issues will be dealt with during preparation and consultation on the development brief required for the site.

**R1**

This site has been identified by the Council's Property Service as the optimal location for a cemetery. The reservation is not a proposal or allocation and the extent of the boundary reflects the need to reserve land for the long term future. As this is not a development proposal, detail of the site does not need to be provided at this stage.

**EH1**

The site was carried forward from the Aberdeenshire Local Plan, so housing development on this site has already been established.

**Alternative Sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

Site F133

Site F133 was fully debated in response to its inclusion in the Main Issues Report (pages F7 –F10) and following widespread community engagement, the Council’s conclusion was to exclude it. The site was not preferred for development, as it was considered more remote than other preferred sites (see ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Ellon pages 33 – 37). The benefits of the proposed M1 site to the south of the settlement outweigh those of site F133 as the M1 is located closer to the existing settlement centre and can be integrated with good access links across the river.

Land at Castle Meadows

Land at Castle Meadows (adjacent to EH1) was not proposed at any previous stage, so there has been no site assessment or public debate on the site. It is acknowledged that a planning application (APP/2009/2460) has delegated approval for 247 housing units (222 units above the allocation carried forward at EH1). The housing land allocations for the proposed Aberdeenshire Local Development Plan were approved at a meeting of the Infrastructure Services Committee in April 2010, at which time the application for Castle Meadows had not been submitted. Therefore, the Aberdeenshire Local Development Plan was unable to take account of the housing numbers at Castle Meadows, and we anticipate that Scottish Ministers may be minded to treat the additional numbers at Castle Meadows as windfall.

Site F51

Site F51 was fully debated in response to its inclusion in the Main Issues Report (pages F7 –F10) and following widespread community engagement, the Council’s conclusion was to exclude it (see ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Ellon pages 33 – 37). The site was not preferred for development due to access constraints, its prominent location and permeability issues with existing adjacent residential areas. Whilst the ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Ellon pages 33 – 37) highlights merit in assisting provision of a southern link road and recognised that it represented a natural extension to the proposed allocation at adjacent site M1, promoting the site to a proposed allocation in the plan would be premature at this stage and would result in overdevelopment.

Site F140

Site F140 was fully debated in response to its inclusion in the Main Issues Report (pages F7 –F10) and following widespread community engagement, the Council’s conclusion was to exclude it (see ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Ellon pages 33 – 37). The site was not preferred for the residential use proposed. The ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Ellon pages 33 – 37) concluded that residential development on the site would be located a considerable distance from the town centre and existing community facilities, and should not be progressed to the proposed plan. Whilst the Action Programme currently refers to a Riverside Park extension on north and south banks of the River Ythan as part of the masterplan for site M1m this is an evolving document and the reference is not a suitable justification for inclusion of site F140 in the proposed plan.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Ellon are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. Ellon, with just under 10,000 in its resident population, is the biggest settlement in the Ellon to Blackdog strategic growth area corridor – indeed it is the largest town in Formartine. In that context, in principle it is understandable that the council has identified Ellon for the greatest amount of growth, through allocations, for the plan period – particularly when there is a new replacement secondary school being developed there to cater for future educational needs associated with planned growth in and around Ellon. There is also a high level of developer interest in Ellon, which is reflected in the large number of representations lodged that concern a range of sites here proposed for allocation in the Plan.
  
2. As discussed in more detail in the section of this report headed Issue 56: Ellon to Blackdog, the focus of the new allocations for Ellon, and indeed for the whole Ellon-Blackdog corridor over the first plan period, is almost exclusively on site M1. This allocation includes up to 980 houses and 2 hectares of employment land. The M1 site, immediately to the east of the Craighall housing area and to the south of the River Ythan, comprises gently sloping agricultural fields centred around Cromleybank Farm - and mostly lies to the north-east of the B9005 road that leads, via an existing river crossing, into the town centre. The M1 allocation is justified by the council largely on the basis of its location and deliverability, mostly in the first plan period, to meet strategic housing needs and to support employment opportunities – including in respect of the Energetica framework. The council highlights the benefits of the site's proximity to the town centre and to the new school development also being proposed as part of the M1 allocation. It also points out that a new road crossing over the River Ythan is planned, which would not only serve this major mixed use site but would also alleviate existing congestion issues affecting Ellon town centre. In this context, a number of representations express support for the M1 allocation – recognising the potential of major new housing and other service and business development opportunities there to take full advantage of and complement the planned major new school and road infrastructure improvements that are expected nearby.
  
3. Most of the objections relating to site M1 were lodged in the context of expressions of support for other locations that could offer new housing and employment opportunities elsewhere in and around Ellon. In most cases the outline proposals for those other sites included provision for a new secondary school to replace Ellon Academy. It is noted that the council did explore some of those alternative sites for development of the replacement school before concluding that the Cromleybank option was preferable – and it is proceeding on that basis. One of the main arguments raised in representations seeking deletion of the M1 allocation is the fact that the site is disconnected from the town centre and based on related concerns that earlier traffic studies on the M1 proposals were flawed. The council has satisfactorily rebutted those concerns, partly with reference to more recent traffic studies that have been undertaken and by pointing out that congestion issues would be readily addressed by the proposals for a new crossing over the River Ythan. Clearly that would provide ready access between the M1 site and the town centre for both pedestrian and vehicular movements.
  
4. Another concern raised in representations with regard to the M1 site relates to the potential flood risk. This is a matter that the council acknowledges is still to be fully resolved to the satisfaction of the Scottish Environment Protection Agency (SEPA) – even though an initial flood risk assessment of the site has been undertaken. Meanwhile, the council has confirmed that the development framework and master planning of site M1 will result in a layout that mitigates any such impacts and states that text will be added to the Supplementary Guidance to satisfy SEPA in that regard.
  
5. Other concerns have been raised regarding the likely impacts of the proposed development on the town centre and on the landscape character of the area. Responding to the first of these, the council points out that the retail proposals for the M1 site are restricted to only neighbourhood shops and so there would be no competition with the town centre – noting that the scale of retail provision to ensure that this is the case would be determined in the development framework and masterplanning of the site. With regard to landscape character, the council acknowledges that the M1 site would be visible from the local road network and from Ellon. The council rightly argues,

however, that the site itself is not prominent and that appropriate design and layout standards can be set at the development framework and masterplanning stages of the development process to minimise impact on the landscape character of the area. In summary, the council has provided robust and persuasive rebuttals of each of the potential concerns raised with regard to the suitability of the M1 site for major, mixed use developments.

6. One of the parties making representations argues that the proposals for M1 to be delivered in two phases should be replaced by a strategy for the overall development to be shared between M1 and a site at Balmedie West. The relative merits of the Balmedie site are explored in more detail elsewhere in this report under the heading Issue 63 (Balmedie). Another representation contends that the M1 allocation for the first phase should be reduced by 200 housing units and for that amount to be allocated instead to site F140 on the eastern edge of Ellon – previously considered as a possible option in the Main Issues Report. This is examined below along with other sites in and around Ellon put forward for consideration in representations seeking allocations alongside or in place of the M1 site.

7. Before considering those possible alternative or additional sites, it should be noted that there are representations lodged supporting the employment site E1 and the strategic employment site SR1 adjoining it on the eastern edge of Ellon, as shown in the proposed Plan. Indeed one representation seeks an enlarged employment allocation north of the A948 Methlick road and there are suggested re-configurations for the E1 and SR1 boundaries. In contrast, another representation argues that the E1 and SR1 proposals would result in employment land that is too close to Balmacassie House, which is a private residence offering bed and breakfast. A further representation is concerned that the scale of the industrial/employment allocations is too extensive and risks having a negative impact on the countryside area and the residents in that locality. The council has responded to these various concerns with robust arguments that justify the scale and specific configurations of the employment allocations in the proposed plan – which would be in accordance with the needs set out in the approved structure plan. It also points out that requirements for screening of Balmacassie House are matters that would be dealt with as part of a development brief for the area concerned – which seems appropriate. The council also rightly highlights the fact that the E1 and SR1 sites are strategically well located, being in close proximity to the trunk road network. As such they are well placed to provide employment opportunities for the strategic growth area in general and to support the Energetica Framework in particular. Based on those considerations it is concluded that there is no justification for amending the E1 or SR1 allocations shown in the proposed Plan.

### **Alternative/additional sites**

#### **F133 Cassiegills**

8. This proposal for a mixed use development on the northern fringes of Ellon is illustrated with a masterplan incorporating land parcels to accommodate up to 1,500 new houses (including at least 25% as affordable housing) in two or more phases. It would also provide business and employment land serviced by green energy as well as a new community hub with associated facilities, including a new school. All of the above, as well as using existing infrastructure would benefit from a new relief road (proposed as part of the overall masterplan) that would also address existing congestion issues. Whilst most of the areas shown in the masterplan for business and industrial development are included in the E1 and SR1 allocations in the proposed Plan, the remainder of the proposals are not agreed by the council. Indeed the suggestions for a new school site on the northern edge of Ellon are no longer relevant as the M1 site has now been selected for the replacement Ellon Academy. The only basis on which the large-scale housing proposals in the Cassiegills Masterplan could be justified would be if they were to be preferred in whole or part to the allocation M1 at Cromleybank shown in the proposed Plan.

9. Cassiegills was explored as a possible housing expansion area in the Main Issues Report. Following widespread community engagement, that option was dropped as it was considered too remote. Clearly, being on the northern fringes of the built-up area of Ellon, Cassiegills is further from the town centre of Ellon than Cromleybank and less accessible, particularly once the proposed new crossing of the River Ythan is in place. Indeed, subject to that important new link being implemented, the whole of the M1 site would be more accessible to the town centre and therefore



more readily integrated with the facilities and services of the town than any part of the Cassiegills proposals.

10. Another concern of the Cassiegills proposals is that they would represent a major and unnecessary intrusion into the attractive areas of agricultural fields and rolling open countryside along the whole of the northern edge of Ellon. Furthermore, the proposed new community hub would represent a satellite remote from most existing parts of the town and even from some of the proposed new housing for Cassiegills – particularly those areas to the west of the A948 road. In that context, the possibility of a new relief road to ease congestion is not a sufficient reason to justify proceeding with the package of proposals put forward for Cassiegills. Based on all of these considerations, none of the areas identified in the Cassiegills Masterplan for major new housing expansion or community facilities are considered appropriate for allocation in the Plan, either in addition to or instead of the allocations at M1 shown in the proposed plan.

#### Site EH1

11. EH1 is an allocation of the existing Aberdeenshire Local Plan and does not form part of the new allocations of the local development plan. Accordingly, representations made in respect of site EH1 are not eligible for consideration as part of this examination.

#### Land at Castle Meadows (adjacent to EH1)

12. Castle Meadows is a mature woodland area with recreational paths on sloping ground immediately to the north of the existing Ellon Academy on the northern fringe of Ellon town centre. Although there are existing housing areas immediately to the north and east of Castle Meadows, the woodland area is not continuous but incorporates two sizeable open paddocks within it. One of these, shown as EH1 on the settlement statement of the supplementary guidance document 3F, was allocated (as ch2) for 25 houses in the previous plan. Indeed a site inspection in July 2011 confirmed that housing development on this particular site is now under construction. The site now in question is another gently sloping open paddock area located almost immediately to the east of EH1. The council states that neither this area nor the surrounding woodland areas were previously assessed or put forward for public consultation as possible housing sites in the process leading up to making allocations in the proposed Plan. Nevertheless, well after the finalised plan was completed in April 2010, the council resolved to grant planning permission (subject to planning conditions) in November 2010 for 247 houses on land at Castle Meadows – including the paddock in question, as well as site EH1 and neighbouring land including areas of the woodland. As that decision would represent a departure from the development plan this was the subject of referral to Scottish Ministers – who in early 2011 cleared the matter back to the council for its own determination.

13. With the council subsequently formally confirming its decision of November 2010, there is now a legally binding planning permission for 247 houses at Castle Meadows – covering both EH1 and land to the east of it, including the paddock and adjoining areas of Castle Meadows. At a site inspection in July 2011 there was evidence of housing under construction on the large open paddock area to the east of EH1. Only 25 units were included in the allocation for EH1 as part of the council's listing and associated calculations demonstrating how the plan will meet the housing land requirements specified in the approved structure plan. Accordingly, the balance of 222 housing units now approved has to be considered as a "windfall" rather than contributing directly to the plan allocations, as it did not arise through the development plan process.

#### Site F51

14. The representations in this case argue that land should be allocated for development on this site to the south-west of Ellon – in addition to the sites allocated in the proposed Plan, which are supported. It is suggested by the respondents that the F51 site would be appropriate for allocation in the second plan period, with a capacity for up to 800 new houses – all of which would be affordable. The council considered this site as a possible housing expansion area in the Main Issues Report. The council notes that, following widespread community engagement, this site was subsequently not preferred "due to access constraints, its prominent location and permeability issues with existing adjacent residential areas." These concerns are all valid as the site in question,



whilst on the edge of the built-up area of Ellon is mostly on high ground in open countryside surrounding a set of disused farm buildings. In time the site may benefit from being situated close to the M1 site being promoted in the proposed Plan, particularly if a suggested southern link road is built in due course. Nevertheless, at this stage the site in question is isolated and there is no justification for allocating a further 800 houses here, even for the second plan period, when there is no need to do so to meet structure plan requirements. In any event this site is more prominent and significantly further from the town centre than site M1. Based on all of these considerations there is no justification for allocating this site in addition to or in place of even part of site M1 – even if its implementation was deferred to the second plan period and restricted to affordable housing only.

Site F140 Waterton

15. The representations in support of this site contend that it should be allocated for 200 houses and riverside parkland. In particular it is suggested that the housing land allocation should be shared between site M1 and site F140 – arguing that to do so would assist with delivery of the strategy of the structure plan and would also accord with Scottish Planning Policy. There is no disagreement that the northern area of the F140 site that is proposed for housing is gently sloping fields with no flood risk. Whilst it is on the eastern edge of Ellon, adjoining the A90 road, and so relatively remote from the town centre, the site is immediately to the south of a major new food superstore, petrol filling station and a park and ride facility with bus links to Aberdeen. Furthermore, the inclusion of a riverside park extension within the southern part of the site would accord with a wider strategy to extend the riverside recreational access along the banks of the River Ythan.

16. Nevertheless, the council having included consideration of this site in the Main Issues Report decided, after wide community participation, not to pursue it further as an allocation. The council rightly points out that the site is in a prominent location and its proximity to other commercial uses immediately to the north raises concerns about access. Furthermore, its peripheral location means that it is relatively remote from the town centre and associated community facilities and services. In this context, the council is correct in concluding that these concerns are not sufficiently offset by the advantages of the southern part of the site being suitable and available for some form of riverside park. Furthermore, whilst there are other advantages presented by the proximity of the site to the park and ride facility, again this is not sufficient reason to allocate the site for 200 houses that would be isolated, for the reasons outlined by the council. Based on all of these considerations, it would be inappropriate to allocate site F140 for 200 houses, even on the basis of reducing the allocation for the M1 site by that amount – particularly when the M1 site is more accessible to the new school and to the town centre and will be even better linked when the proposed new river crossing is built.

Site R1

17. This site is not a formal allocation but has been identified by the council as the optimal location to be reserved for possible long-term use as a cemetery. Accordingly, as this is not a formal designation, concerns raised about detailed boundaries of the site in question and the amenity of local residents are premature. There will be opportunities for these and any related concerns to be addressed by the planning authority at a later date, if and when formal proposals come forward for this site.

**Reporter’s recommendations:**

No modifications.

<b>Issue 58</b>	<b>Westfield</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 2, Table 4, (p32) Volume 3f, Supplementary Guidance, Settlement Statements, (p41 & 42).	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Graham & Sibbald on behalf of Christopher Shepherd (2603)		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at Westfield – E1 & SR1.	
<b>Planning authority’s summary of the representation(s):</b>		
<p><b>Alternative Site Westfield</b>  <b>2603:</b> Objection to the failure to allocate site F68 for employment use. The site is in close proximity to an established business site, is highly accessible, and additional employment land would accord with the key identified planning objectives for the area and could contribute towards the Energetica framework. Including F68 within the development brief for E1 and SR1 would increase the potential for a well planned layout, and for phased provision of new employment land together with the necessary infrastructure.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>2603:</b> Inclusion of site F68 for employment use.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Westfield is located within the Ellon to Blackdog Strategic Growth Area. The allocations already made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. This particular issue was raised in response to the consultation on the Main Issues Report, and was considered in the ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (A90 Tippetty to Pettens/Orrick pages 3 – 7).</p> <p><b>Alternative Site</b>  Site F68 was fully debated in response to its inclusion as a preferred site in the Main Issues Report. However, following widespread community engagement the Council’s conclusion was to exclude it. It was felt that the other proposals put forward adequately complemented the existing employment land supply and reflected the level of development that Westfield could reasonably absorb. Access improvements to the settlement, and subsequent provision of direct access onto the strategic road network, will not be in place until the Balmedie to Tippetty A90 dualling is complete. Therefore, it would not be appropriate to allocate a higher employment land allocation than is currently proposed in the local development plan. Sufficient allocations have been proposed elsewhere in the Ellon to Blackdog Strategic Growth Area to meet the requirements of the Structure Plan, and additional allocations are not required.</p> <p><b>Conclusion</b>  The modification sought is not supported. The development strategy and land allocations in Westfield are already appropriate and sufficient to meet the needs of the settlement strategy.</p>		

<b>Any further plan changes commended by the planning authority:</b>
No changes are commended.
<b>Reporter's conclusions:</b>
<p>1. There is no disagreement that in principle Westfield, being in the Ellon to Blackdog Strategic Growth Area, is a locality that is appropriate for promotion of employment growth. This is reflected in the E1 and SR1 allocations shown for Westfield in the proposed Plan, for employment and strategic employment uses respectively. Those allocations, which straddle a site at West Pitmillan already used for commercial activities, are located immediately to the west of the site now in question – which was identified as site F68 for consideration in the Main Issues Report. That site forms a narrow wedge of low lying grass paddock that is bounded to the east by the A90 road. This particular section of the trunk road and associated accesses, including to Westfield, will be upgraded as part of the programmed Balmedie to Tippetty road improvement scheme.</p> <p>2. These, however, are not sufficient reasons to justify allocation of the site in question, particularly when the council has rightly concluded that the two employment-related allocations already made in the proposed Plan reflect the level of development that can readily be absorbed at Westfield during the plan period. Furthermore, the council has demonstrated that these, together with other allocations made elsewhere along the Ellon- Blackdog corridor, are sufficient at this time to meet the structure plan requirements for employment land in this area. Accordingly, after exploring the site options set out in the Main Issues Report, the council is justified in concluding that there is no local basis or strategic requirement for the F68 land to be allocated in the Plan. There are no arguments put forward in the representations that would merit overriding those conclusions.</p>
<b>Reporter's recommendations:</b>
No modifications.

<b>Issue 59</b>	<b>Tipperty</b>	
<b>Development plan reference:</b>	Supplementary Guidance Addendum Settlement Statements Formartine - Tipperty, (p18)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Taylor Design Services on behalf of C & D Cassie (238, 242) Paull & Williamson LLP on behalf of Scotia Homes Ltd (1699, 1814) Scottish Government (2881)		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at Tipperty.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Alternative Sites Tipperty</b></p> <p><b>238, 242:</b> Site F41 was rejected at MIR stage due to incorrect information concerning the location of pipelines, and its inclusion is requested within the proposed plan. It is contended that the merits of site F41 (south facing, located within the strategic development corridor, accessible to the Aberdeen to Peterhead trunk road) were not considered and the land should be included as a specific housing allocation. The site is a logical and appropriate extension to the settlement.</p> <p><b>1699, 1814:</b> Site F83 was rejected at MIR stage due to incorrect information concerning the location of pipelines and its inclusion is requested within the proposed plan. It is contended that up to 30 residential units can be built within the area of the site located within the Middle Consultation Zone for the BP Forties pipeline, in accordance with Health and Safety Executive guidelines; with the remainder of the site outwith the zone available for residential development without restriction. A mixed use site can be developed in accordance with a master plan for 100 residential units, business and leisure units. Site F83 is capable of development and would be a natural extension to the settlement. Site F83 is accessible to current settlement facilities, which the development would sustain (including the primary school roll) and facilitate expansion of. It is contended that additional housing allocations are required to meet the structure plan targets and the site would provide a valuable addition to the housing land supply (see issue 25 Schedule 1 Housing land).</p> <p><b>Protected Land Tipperty</b></p> <p><b>2881:</b> Land is required to be reserved for the M90/A90 Trunk Road (Balmedie to Tipperty) Scheme and should be protected within the proposed plan, as identified within the map enclosed with representation.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>238, 242:</b> Inclusion of site F41 as a housing land allocation.</p> <p><b>1699, 1814:</b> Inclusion of site F83 as a mixed use development site with residential, business and leisure uses.</p> <p><b>2881:</b> Request R1 allocation to safeguard land required for the route of the M90/A90 Trunk Road (Balmedie to Tipperty) scheme, as identified within map enclosed with representation.</p>		

<b>Summary of responses (including reasons) by planning authority:</b>
<p><b>Overview</b>  Tipperty is located within the Ellon to Blackdog Strategic Growth Area as set out in the Structure Plan. No new land allocations are proposed in the settlement due to pipeline constraints which is considered appropriate for the purposes of delivering the strategy and aims of the Structure Plan. The existing school roll is projected to be only 10 below its normal capacity in 2016 suggesting that further growth is not required to support the school roll. Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (A90 Tipperty to Pettens/Orrick pages 3 – 7).</p> <p><b>Additional Sites</b>  Sites F41 and F83 were identified as sites incapable of being developed at the Main Issues Report stage (F39). The sites were fully debated in response to their inclusion however, following widespread community engagement, the Council's conclusion was to exclude them as the sites are located within a pipeline corridor. Whilst it is accepted that part of site F83 is outwith this zone, development on this part would be disjointed. As other options were available elsewhere in the Ellon – Blackdog Strategic Growth Area that were not constrained by proximity to pipelines these have been pursued in preference to sites F41 and F83. Whilst it is accepted that additional allocations would contribute to sustaining local services, further development is not required to support the school roll as there is adequate stability. Furthermore, sufficient housing land allocations have already been made in the Ellon – Blackdog Strategic Growth Area to meet the requirements of the Structure Plan.</p> <p><b>Protected Land</b>  There is merit in the argument for safeguarding land for the route of the M90/A90 Trunk Road (Balmedie to Tipperty) Scheme and such an allocation would be consistent with the land reserved for the same use in Balmedie.</p> <p><b>Conclusion</b>  None of the additional site modifications sought are supported. However, there is merit in the argument for safeguarding land for the route of the M90/A90 Trunk Road (Balmedie to Tipperty) Scheme.</p>
<b>Any further plan changes commended by the planning authority:</b>
<p>A modification has been made to the settlement statement for Tipperty to safeguard land for the route of the M90/A90 Trunk Road (Balmedie to Tipperty).</p>
<b>Reporter's conclusions:</b>
<p><b>Additional sites</b>  <u>Site F41</u>  1. Whilst Tipperty is within the Ellon-Blackdog strategic growth corridor, this site was ruled out from further consideration by the council at the Main Issues Report stage, on the basis that it is located within a pipeline corridor and "therefore incapable of being developed." The representations contend that this conclusion was not valid as it was based on incorrect information concerning the location of pipelines. The council does not respond directly to that concern but, in support of its decision to not pursue this site as a possible allocation, states that other available housing site options in the Ellon-Blackdog corridor were preferred, partly because they were not constrained by proximity to pipelines. In addition, the council, whilst acknowledging that new allocations in Tipperty would contribute to sustaining local services, points out that the local school here is already operating close to capacity so is not dependent on new development to support it. Furthermore, the council is correct in stating that sufficient housing land allocations have already been made</p>

elsewhere in the Ellon-Blackdog strategic growth corridor to meet the requirements of the structure plan in full, without any new allocations in Tippetry.

2. Based on the available information, it appears that the site in question is clearly within a pipeline corridor, as noted by the council. Setting aside that fundamental disagreement with those making the representation, in any event there is no strategic need for this site to be allocated for housing to meet structure plan requirements. The land in question, however, is on the southern edge of Tippetry and close to a section of the A90 road that is programmed for upgrading - but this would not be a sufficient reason to allocate it for housing development. Indeed there are other local considerations that justify its non-allocation. Firstly, the site is a large open area of agricultural land that is on higher ground than the existing housing areas immediately to the north of it. Secondly, apart from having a southern edge marked by the B9000 road, its other boundaries are not defensible. In particular, they are not defined in any way by natural or other features but simply form part of larger open fields. Accordingly, any allocation of the site in question, which is quite large in the local context, would be at risk of pressures for further expansion that would be further out of keeping with this small settlement's scale and already incongruous form. In summary, aside from the pipeline corridor issue there are other local and strategic reasons that justify the council's decision not to allocate this site for housing development.

**Site F83**

3. In common with site F41, this site was ruled out from further consideration at the Main Issues Report stage on the basis that the council considered it to be located within a pipeline corridor and "therefore incapable of being developed", despite being within the strategic growth area. Once again there have been representations contending that this conclusion was not valid as it was based on incorrect information. In this case the council does now accept that part of site F83 is outwith the pipeline zone of concern, but it still does not consider this site appropriate for allocation. It correctly states that its decision not to pursue this site as a possible allocation for housing development is supported by the fact that it would result in a disjointed form of expansion for Tippetry. It also contends that other site options in the Ellon-Blackdog corridor were preferable and not constrained by proximity to pipelines. As above, the council, whilst acknowledging that new allocations in Tippetry would contribute to sustaining local services, points out that the local school here is already operating close to capacity and so is not dependent on new development to support it. Furthermore, the council points out, quite properly, that sufficient housing land allocations have already been made elsewhere in the Ellon-Blackdog strategic growth corridor to meet the requirements of the structure plan in full, without any new allocations in Tippetry.

4. The council is justified in arguing that this site would be inappropriate for allocation, irrespective of whether or not it is affected by a pipeline corridor. In particular, site F83 is a rectangular site that would appear isolated and totally out of keeping with the settlement form. Whilst it is close to the local school and wraps around an existing built development the proposed site consists of parts of open fields – and as in the case of F41, the F83 site is poorly defined with no natural or other boundaries. Accordingly, any allocation here would be at risk of pressures for further expansion. In summary, even if the nearby pipeline corridor was no longer highlighted as a potential issue of concern, there are insufficient local or strategic reasons to justify allocation of this site for housing.

**Protected land**

5. There is merit in the case put forward in the representation for the Plan to safeguard land as required in the vicinity of Tippetry for the route of the M90/A90 Trunk Road (Balmedie to Tippetry) Scheme. However, it is noted that the council is intending to modify the settlement statement to address that point.

**Reporter's recommendations:**

No modifications.



<b>Issue 60</b>	<b>Foveran</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Volume 3f, Supplementary Guidance, Settlement Statements, (p17 & 18).	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Colin Thompson Chartered Architect on behalf of Mrs Duncan (711, 712) Halliday Fraser Munro on behalf of Harper & Cockrane (1483, 1486, 1511) Ian Downie on behalf of Hill of Keir Ltd, Irvine Christie, Blairythan Partnership, Whitecairns Estates Ltd, Mr & Mrs S Ged (1688) Scottish Environment Protection Agency (1979) Allan Sangster (2908)		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations around Foveran – M1 & E1.	
<b>Planning authority’s summary of the representation(s):</b>		
<p><b>M1 Foveran</b>  <b>1483, 1486, 1511:</b> Representations seek to increase the allocation of housing units at site M1. Increasing the allocation can be achieved in conformity to the Structure Plan and Local Development Plan spatial strategies. (see issue 59 Spatial Strategy - Ellon to Blackdog and Local Needs). Foveran lies within the Energetica Corridor and should be considered for an appropriate allocation of future development.</p> <p><b>1483, 1486, 1511:</b> Site M1 has capacity to accept an increased allocation and is deliverable for development. The site is not dependent on delivery of the Balmedie to Tipperty dualling project. An increased allocation would enable residents to live and work in the village. It is contended that there are a number of issues in the village which the increased allocation would have the potential to address. The village has no mains sewerage provision which has constrained sites allocated in the Aberdeenshire Local Plan and there is a history of discharge issues. It is contended that the increased allocation would deliver improvements to the sewerage provision for new and existing properties and address the access issues faced by the School. It would allow the settlement to grow into a village with a centre and focal points linking existing services and facilities.</p> <p><b>1483, 1486, 1511:</b> Support for employment allocation at M1. However, additional housing units are needed to provide the economies of scale to deliver the substantial infrastructure investment required. Concern is raised in relation to the level of infrastructure requirements which may risk the viability of the development.</p> <p><b>1979:</b> Scottish Environment Protection Agency do not object to the allocation in principle providing an adequate buffer strip is provided and additional text is added to the supplementary guidance for Foveran and masterplan for the site highlighting the flood risk.</p> <p><b>2908:</b> Objection to M1. The respondee queries how access is proposed to serve the site and contends that the existing road network will not take the new traffic.</p> <p><b>Alternative Sites Foveran</b>  <u>Site F33</u>  <b>711, 712:</b> Promotion of additional light industrial land to the north east of Foveran and east of the A90 on bid site F33. Dual carriageway (presume A90 Balmedie - Tipperty upgrade) will leave</p>		

pockets of land between old and new roads which will not be economic for agriculture. Site plan attached.

Site F34

**1483, 1486, 1511:** Representations seek to increase site EH2 and its allocation on land identified as F34 at Main Issues Report stage. Increasing the allocation can be achieved in conformity to the Structure Plan and Local Development Plan spatial strategies (see Issue 56 Spatial Strategy - Ellon to Blackdog and Issue 66 Spatial Strategy - Local Growth and Diversification Areas). Foveran lies within the Energetica Corridor and should be considered for an appropriate allocation of future development.

**1483, 1486, 1511:** Site F34 is suitable and deliverable for development. The site is not dependent on delivery of the Balmedie to Tippetty dualling project. An increased allocation would enable residents to live and work in the village. It is contended that there are a number of issues in the village which the increased allocation would have the potential to address. The village has no mains sewerage provision which has constrained sites allocated in the Aberdeenshire Local Plan and there is a history of discharge issues. It is contended that the increased allocation would deliver improvements to the sewerage provision for new and existing properties and address the access issues faced by the School. It would allow the settlement to grow into a village with a centre and focal points linking existing services and facilities. Additional housing units are required to provide the economies of scale required to deliver the substantial infrastructure investment required.

Site F91

**1688:** Insufficient effective housing sites have been identified to provide a minimum 7 year effective supply and the land supply should be augmented to include site F91. The site is immediately deliverable in the first period of the plan (see Issue 25 Schedule 1 New Housing Land Allocations).

**Modifications sought by those submitting representations:**

**711, 712:** Include additional light industrial land allocation to north east of Foveran and east of A90 on bid site F33 (site plan attached).

**1483, 1486, 1511:** Increase allocation of M1 from 50 units to 100 units in the first phase (2007-2016) of the Local Development Plan.

**2908:** Although not explicitly stated it is assumed the resposdee wishes site M1 removed from the plan.

**1483, 1486, 1511:** Allocate new H1 site (F34 at Main Issues Report stage) through an increased allocation of site EH2 from 6 to 75 housing units in the second phase (2016 – 2023) of the Local Development Plan.

**1688:** Allocate F91 for housing in the first period of the plan.

**1979:** Add the following text into the supplementary guidance settlement statement and masterplan for the site: "Part of this site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment may be required to accompany any future planning application unless an appropriate buffer strip is provided adjacent to the Foveran Burn. Any improvements made to the Foveran Burn will be welcomed."

**Summary of responses (including reasons) by planning authority:**

**Overview**

Foveran is located within the Ellon to Blackdog Strategic Growth Area. The allocation already made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. The level of development proposed reflects that which Foveran can adequately absorb within

its existing infrastructure and landscape, whilst meeting the settlement’s key planning objectives: to enhance the settlement’s role as a service centre; to meet the demand for new housing and employment in the Strategic Growth Area; and to support the “Energetica Framework” and provide improved community facilities including a primary school.

**M1**

The level of development proposed at M1 is sufficient to resolve the drainage constraints of the existing ALP allocations and the access issues faced by the school. An increase in the allocation at site M1 or through an increased allocation at EH2 (F34) is not required to achieve this, as the level of development now proposed is above the threshold required by Scottish Water for a ‘growth’ project. Doubling the allocation at M1 and increasing the allocation at EH2 (F34) would result in overdevelopment and would require a larger extension to the primary school. There is currently limited space to extend the primary school even for the proposed allocation of 50 units and carried forward allocations from Aberdeenshire Local Plan.

The spatial strategy promotes the creation of sustainable communities, and the proposed housing and employment allocations are already sufficient to sustain the existing primary school, a key community resource, and to create further opportunities to live and work in the village. If additional development land is required in the area there are more appropriate locations for large scale development than in Foveran. The provision of buffer strips at site M1 will be addressed at the masterplanning stage of development, and the additional text in relation to flood risk will be included in the settlement statement produced as supplementary guidance.

Infrastructure requirements for this site are comparable, and may be considerably lower than for other development sites in the plan. Any contribution to health or school provision would be scaled to the number of units proposed: there are no economies of scale to be had.

The Roads Authority have not raised any significant concerns regarding the existing road network’s capability to cope with the proposed additional housing allocation.

**Alternative Sites**

Site F33

Site F33 was fully debated in response to its inclusion in the Main Issues Report (pages F31 – F32) for a residential use and following widespread community engagement the Council’s conclusion was to exclude it as the land within the proposal would be needed for the M90/A90 Balmedie to Tippetty dualling scheme (see ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (A90 Tippetty to Pettens/Orrick pages 3 – 7). The site was not proposed at any previous stage for the light industrial use now promoted for the site so there has been no site assessment or public debate on that use for the site. Nevertheless there is no further requirement for employment land in the area as sufficient allocations have already been proposed for the Ellon to Blackdog corridor.

Sites F34 and F91

Sites F34 and F91 were fully debated in response to their inclusion in the Main Issues Report (pages F31 – F32) and following widespread community engagement the Council’s conclusion was to exclude them as their development would increase the traffic levels going through the current settlement (see ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (A90 Tippetty to Pettens/Orrick pages 3 – 7).

**Conclusion**

None of the modifications sought are supported. As discussed above, the development strategy and land allocations in Foveran are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. The council puts forward a persuasive case that the new allocations in the proposed plan, together with those carried forward, would enhance Foveran's role as a service centre within the Ellon to Blackdog Strategic Growth Area corridor, as well as supporting the Energetica Framework. Equally importantly, the council also argues effectively that the level of new development that would be provided through those allocations reflects what this settlement can satisfactorily absorb, given its existing infrastructure and setting. The new allocations comprise site E1 for employment uses, located alongside EH1, and site M1 on the northern edge of the settlement. That is intended for mixed uses, including up to 50 houses as well as 2 hectares for employment land and a 3 hectare strategic reserve. For a small settlement with limited community facilities apart from its small primary school, the plan allocations made by the council provide for a significant amount of growth over the plan period. This should be seen in the context of the programmed upgrading of the Balmedie to Tippetty section of the A90 road that runs directly to the east of Foveran.

2. Nevertheless, the representations seek to: expand the EH1 and EH2 allocations of the Aberdeenshire Local Plan westwards (onto sites F91 and F34 respectively, as defined in the Main Issues Report); to increase the amount of development expected on site M1; and to add a new site (F33 shown in the Main Issues Report) for allocation to the east of the A90 road for light industrial developments. These suggestions are considered in turn below.

M1 enlargement and site F34

3. The representations argue that site M1 has sufficient scale and capacity to accept a significantly larger allocation than that being put forward in the proposed plan. Indeed it is contended that the allocation on that site should be doubled to provide 100 housing units in the first plan period – and that site F34 should also be allocated for up to 75 houses in the second plan period. The case put forward is based partly on the principle that these increased allocations would provide justification for installing a mains foul sewerage system for Foveran that is not available today. It is also seen as offering a means to address issues at the local school, which is nearing capacity limits and is close to a junction on the A90 (that currently makes it difficult to access,) and there are no playing fields within safe walking distance. It is also contended that an overall benefit of these two larger allocations would be an opportunity to provide the village with a defined new centre – as well as offering associated employment opportunities and improved community facilities, including open space provision, for the benefit of the existing and enlarged community.

4. In response, the council points out that the M1 allocations in the proposed Plan are already of sufficient scale to address existing drainage constraints – and would also include redevelopment of the primary school, so that it is no longer accessed directly from the A90. In that context, the council correctly concludes that there is no need or justification for an enlargement of the development on M1 or an additional allocation at site F34 when these are not required to address local issues. The council is also rightly concerned that further enlargement through increased allocations of the scale suggested in the representations would result in overdevelopment of the village. More generally, as the council has demonstrated, there is no need for additional housing land allocations beyond those shown in the proposed Plan to meet structure plan requirements in this particular area over the plan period.

Site F91

5. The main justification put forward in support of extending allocation site EH1 from the extant plan westwards to include site F91 is to augment the housing land supply (with new effective housing sites here and for other sites elsewhere across Formartine and beyond) in order to meet the minimum 5 year housing land supply requirements for the Plan area. The case being made in strategic terms is addressed elsewhere in this report (under the heading Issues 12 and 25). In summary, the council is correct in its assessment there is no need for additional housing land allocations beyond those shown in the proposed Plan to meet structure plan requirements in this particular area over the plan period – or to maintain a 5 year housing land supply throughout the plan period. With particular regard to Foveran, whilst this site may be readily deliverable, the council is rightly concerned that allocation of both this site and site F34 would increase traffic levels through

the existing settlement to unacceptable levels.

Site F33

6. The main thrust of the argument put forward in seeking to justify this site to the east of the existing A90 road being allocated for light industrial uses, is that the land in question would become no longer be viable as an agricultural unit once the new A90 upgrade is implemented between Balmedie and Tipperty. The council is justified in rejecting this site for allocation for employment use as there are no further requirements for such allocations to be made, beyond what is already in the proposed Plan. Furthermore, the site concerned, which simply forms part of a larger open field, has never been previously been proposed for such an allocation so has not been the subject of detailed assessment or public consultation during earlier stages in the plan process.

**Reporter's recommendations:**

No modifications.

<b>Issue 61</b>	<b>Rashierieve</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Schedule 2, Table 4, (p31) Volume 3f, Supplementary Guidance, Settlement Statements, (p27 & 28).	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
James & Lorna Hay (82) Ryden LLP on behalf of Ian Ross (543, 546) John Forbes (1550) Bon Accord Granite Ltd (1560) Scottish Environment Protection Agency (1979) Graham & Sibbald on behalf of Christopher Shepherd (2602)		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at Rashierieve E1 & SR1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>E1 and SR1 Rashierieve</b></p> <p><b>82:</b> One respondent objects to allocation of employment land to the rear of their house raising concern about increased traffic and noise.</p> <p><b>543, 546, 1550, 1560:</b> Although support is given for the allocation of site F102 (E1 and SR1), objection is taken to the scale of the allocation and the failure to acknowledge scope for associated residential development. However, it is contended that the site should be allocated as a mixed use site as the settlement and adjacent land uses are currently mixed uses. Support for mixed use development was given at the issues and actions stage (extract enclosed). The settlement is accessible and will benefit from being located at one of the new junctions following the Balmedie – Tippetty dualling and would accord with the vision for Energetica. Recent planning history in the area is of mixed use developments and the site is safe in relation to road safety (<b>1550, 1560</b>).</p> <p><b>543, 546:</b> It is contended that there is also a requirement to increase the scale of employment land to accord with the aims and objectives of the Structure Plan. In the context of Foveran receiving mixed use development allocations, it is contended that Rashierieve is better suited for mixed use development, and that issues in respect of permitting mixed use development are the same for both settlements.</p> <p><b>2602:</b> The SR1 allocation reinforces the linear/ribbon development nature of development at this location. It is contended that removing SR1 and allocating an alternative mixed use site at F67 would create a more balanced development form.</p> <p><b>1979:</b> Scottish Environment Protection Agency raises no significant flooding concerns for site SR1.</p> <p><b>Alternative Site Rashierieve</b></p> <p><b>2602:</b> Request allocation of site F67 for mixed use development to create a more balanced development form.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>82:</b> Clarification sought as to the type of employment uses on site E1.		



**543, 546:** Increase E1 employment allocation to 6 hectares with provision of mixed use residential and employment development.

**543, 546:** Increase SR1 employment allocation to 8.5 hectares with provision of mixed use residential and employment development.

**1550, 1560:** Site E1 should be changed to be a mixed use allocation.

**2602:** Allocate F67 for mixed use development with the mixture of employment and residential land use to be determined through a development brief

**Summary of responses (including reasons) by planning authority:**

**Overview**

Rashierieve is located within the Ellon to Blackdog Strategic Growth Area. The allocations already made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. The allocations reflect the level of development that Rashierieve can adequately absorb within its existing infrastructure and landscape whilst meeting the settlement's key planning objectives to provide opportunity for employment in the Strategic Growth Area and to support the "Energetica" framework.

Taken as a whole, the Ellon to Blackdog corridor has a sufficient allocation of employment land. Therefore, there is no requirement for increased allocations at E1 or SR1 or further employment allocations at site F67.

Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (A90 Tippetty to Pettens/Orrick pages 3 – 7).

**E1 and SR1 Rashierieve**

Whilst support for mixed use development at Rashierieve was given in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (A90 Tippetty to Pettens/Orrick page 6), following public consultation on the Main Issues Report the proposed employment allocations were agreed without a housing allocation element. Whilst it is agreed that the dualling of the A90 between Balmedie and Tippetty will increase accessibility of the settlement this in itself is insufficient reason to make housing land allocations here; and there are already sufficient housing allocations in larger settlements, with more facilities, in the Ellon to Blackdog corridor. It is, therefore not considered necessary to include further housing land at Rashierieve.

A development brief is required for sites E1 and SR1 and therefore there will be a further opportunity for community engagement and discussion of issues relating to noise, layout siting and design of the development. Sites E1 and SR1 are located adjacent to one another and it is not accepted that the SR1 allocation promotes ribbon/linear development.

As stated in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (A90 Tippetty to Pettens/Orrick page 6) the size of sites E1 and SR1 was reduced to allow for the land necessary for the dualling of the A90 Balmedie to Tippetty dualling.

The issues at Rashierieve and Foveran are not the same and an allocation for mixed use at Foveran does not justify a similar allocation at Rashierieve. Rashierieve has no community facilities that could be supported by new development. Whereas at Foveran, there are drainage constraints which affect the existing Aberdeenshire Local Plan allocations which require the addition of new development to resolve the constraint.

**Alternative Site Rashierieve**

As the allocations discussed above are already appropriate and sufficient there is no requirement to consider alternative sites.

<p>Site F67 was fully debated in response to its inclusion in the Main Issues Report (page F37 – F38) and following widespread community engagement the Council’s conclusion was to exclude it. Whilst the site was preferred at Main Issues Report stage, it was not progressed to an allocation as the level of development proposed in the settlement at sites E1 and SR1 was considered appropriate and to provide sufficient opportunity for employment in the Strategic Growth Area and to support the “Energetica” framework. A further allocation at site F67 would represent overdevelopment.</p> <p><b>Conclusions</b> None of the modifications sought are supported. The development strategy and land allocations in Rashierieve are already appropriate and sufficient to meet the needs of the settlement strategy.</p>
<p><b>Any further plan changes commended by the planning authority:</b></p> <p>No changes are commended.</p>
<p><b>Reporter’s conclusions:</b></p> <p>1. The council’s proposed allocations of employment land and a further reserve for strategic employment land are clearly intended to reflect the fact that Rashierieve is in a strategic growth area – and to support the Energetica Framework initiative, particularly when accessibility is improved through the upgrading of the neighbouring section of the A90. Following concerns expressed about the original scale of the allocation suggested as F102 in the Main Issues Report, the council has reduced that significantly in the proposed Plan and also split this smaller area to become E1 in the first plan period and SR1 to the north of it.</p> <p>2. A suggestion raised in some representations is that the employment opportunities presented by the allocation should be accompanied by some new housing, by changing the allocation to allow mixed uses including some residential development – as proposed by the council at Foveran. In response the council rightly concludes that the dualling of the A90 road in this locality is not sufficient reason to justify additional housing at Rashierieve. Most importantly, the requirements for housing land allocations in the Ellon-Blackdog corridor, set out in the structure plan, are already satisfactorily addressed through allocations made in the proposed Plan at other settlements along this corridor. The council also points out that concerns raised about the possible effects of the E1 and SR1 allocations on residential amenity – in particular with regard to the houses that form the eastern boundaries of these allocations – are matters that can and will be addressed at the development brief stage, when there would be a further opportunity for community engagement.</p> <p>3. The development brief should also address a new issue that emerges from the reduced E1 and SR1 allocations, as now proposed by the council. This is regarding the western and northern boundaries of SR1 that are now undefined by any natural or other features on the ground - and the western boundary of E1 is similarly undefined. In all cases those boundaries, as shown in the Supplementary Guidance document 3F, appear to be arbitrary lines drawn within larger open fields.</p> <p><u>Site F67</u></p> <p>4. A possible new mixed use allocation, to the east of the A90 road, shown as F67 in the Main Issues Report is suggested on the basis of it providing an opportunity to create a more balanced overall development plan for Rashierieve. This was quite properly rejected by the council, on the basis that there is already sufficient development land allocated in the proposed Plan to meet structure plan requirements in the Ellon-Blackdog strategic growth area. Accordingly such an allocation is not necessary to meet any strategic planning needs. Furthermore, allocation of that site, which comprises open fields separated from the rest of built up area by the A90 road is also unnecessary and inappropriate in the local context – indeed it would represent over-development.</p>
<p><b>Reporter’s recommendations:</b></p> <p>No modifications.</p>

<b>Issue 62</b>	<b>Belhelvie</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Schedule 2, Table 4, (p31) Volume 3f, Supplementary Guidance, Settlement Statements, (p4 & 5)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Paull & Williamsons LLP on behalf of Scotia Homes Limited (1703, 1807) Maureen Ross (2272) David Murray Associates (2361)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocations at H1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Alternative Sites Belhelvie</b></p> <p><u>Site F130</u> <b>1703, 1807:</b> Respondents propose additional land at site F130 for mixed uses comprising approximately 400 housing units built over a 10 year period, business, retail, leisure, civic, educational and community uses in accordance with a masterplan. The respondent advocates the requirement of additional housing land supply (see issue 25 Schedule 1 Housing land) and it is contended that a significant allocation at Belhelvie can assist in delivering this. It is contended that there is a shortage of facilities in the settlement and this will not be resolved without further development. Belhelvie is physically split and development of site F130 would complement the existing allocation and enable integration of the settlement in a sustainable and accessible manner offering the opportunity to live and work in the community and reduce reliance on cars. Site F130 is under the developer's ownership, is deliverable, with no constraints, and is capable of immediate development. Reference and support is given to the Main Issues Report in relation to an alternative strategy for Belhelvie which includes the development of F130.</p> <p><u>Site F96</u> <b>2272:</b> Objection to further large scale allocation at F96 as identified in the Main Issues Report as it would move the focus of the village away from its current central position. The respondent promotes an alternative small scale development on the western edge of F96, adjacent to F30 (allocated site H1), which would be a more suitable location and if both developments were to occur at the same time this would provide justification for provision of increased community facilities and other opportunities identified as a need for the village.</p> <p><u>Site F20</u> <b>2361:</b> It is contended that the plan fails to achieve the necessary level of housing land supply (see issue 25 Schedule 1 Housing land) to ensure a five year housing supply in accordance with Scottish Planning Policy. Promotion of additional land at site F20 for one house which will assist in alleviating the shortfall in housing land supply. It is contended that the community support the inclusion of the site as appropriate for development.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>1703, 1807:</b> Inclusion of land (identified as F130 in the Main Issues Report) as a mixed use development proposal comprising approximately 400 housing units built over a 10 year period,		

business, retail, leisure, civic, educational and community uses in accordance with a masterplan.

**2272:** Promotion of additional land on the western edge of F96, adjacent to F30 (allocated site H1).

**2361:** Inclusion of additional land at site F20 for one house.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Belhelvie is located within the Ellon to Blackdog Strategic Growth Area. The allocation already made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. The level of development proposed reflects the level of development that Belhelvie can adequately absorb without exceeding local infrastructure capacity or impacting on the characteristics of the village whilst meeting the settlement’s key planning objective to provide local housing opportunities. Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (pages 15 – 17).

**Alternative Sites Belhelvie**

As the allocation within the settlement is already appropriate and sufficient there is no requirement to consider alternative sites.

Site F130

Site F130 was fully debated following its inclusion in the Main Issues Report and following widespread community engagement the Council’s conclusion was to exclude it. Whilst it is accepted that the settlement lacks community facilities and the proposal indicates a mixed use site to deliver such facilities, it is at an inappropriate scale of development in relation to the existing settlement. An alternative option for a major development in this area (which included site F130 in conjunction with site F96 and adjacent development in Balmedie) was not progressed to the proposed plan on the basis that other options made better use of existing and committed infrastructure.

Site F96

Site F96 was fully debated following its inclusion in the Main Issues Report and following widespread community engagement the Council’s conclusion was to exclude it. Whilst the respondent is suggesting a smaller scale development than originally proposed at site F96 which would be located adjacent to the H1 site, the scale of proposed allocations at Belhelvie is already suitable for the needs of the settlement.

Site F20

Site F20 was fully debated following its inclusion in the Main Issues Report and following widespread community engagement the Council’s conclusion was to exclude it. Development of one housing unit outwith a settlement boundary would be better dealt with through Policy 3: Housing in the Countryside rather than through a specific housing allocation.

**Conclusions**

None of the modifications sought are supported. The development strategy and land allocations in Belhelvie are already appropriate and sufficient to meet the needs of the settlement strategy. Poor transport links and lack of services would not facilitate any large scale housing development in the area. There are better alternatives than Belhelvie for large scale allocations in the Ellon – Blackdog corridor.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. Belhelvie, a small village set in farmland amongst rolling hills, is within the Ellon-Blackdog Strategic Growth Area (SGA) corridor. Unlike most settlements in this SGA Belhelvie is not directly on the A90 road that forms the spine of the corridor. Therefore upgrading of the A90 between Balmedie to Tippetry, programmed during the plan period, will not provide any significant improvement in the accessibility of Belhelvie to the trunk road corridor. Furthermore, as the council points out, Belhelvie is not one of the larger settlements along the Ellon-Blackdog corridor. Accordingly, with its relatively poor transport links, limited infrastructure generally and few community facilities Belhelvie was not deemed suitable by the council for detailed capacity studies, with a view to possible strategic growth here. Against that background, the LDP proposal for Belhelvie comprises solely a housing land allocation for up to 10 houses (together with associated proposals in supplementary guidance). It is in this context that the suggestions for additional plan allocations are considered below.

Site F130.

2. Representations seek allocation of this site for a mixed development - including, amongst other things, around 400 houses together with business, retail, leisure, education and community uses – to be co-ordinated through a masterplan. Extensive documentation is lodged in support of the case for this allocation and to illustrate how it could become a sustainable development. The stated aim would be to help offset shortages in community facilities – whilst also contributing to addressing a perceived strategic need in this area for additional housing land supply to meet structure plan requirements.

3. In evaluating these proposals consideration has been given to the local factors outlined above, together with the conclusions of Issues 12, 25 and 56 elsewhere in this report regarding strategic housing land supply issues. Based on all of these factors, the council, having explored this as a possible location for major development, was fully justified in dismissing this site and Belhelvie in general in favour of other locations that are better suited to be centres of strategic growth. Furthermore, the council is correct in stating that the scale of development proposed for site F130 along with F96 is wholly inappropriate for Belhelvie – even allowing for the fact that the suggested development would include a range of community facilities currently not available there. That is not sufficient reason for making such a large scale allocation of housing and employment land which is not needed to meet the requirements of the structure plan for the Ellon-Blackdog corridor. Furthermore, adequate provisions are being made within the proposed plan at more appropriate locations along the corridor. Those alternative locations make more efficient use of existing and committed new infrastructure without the need for major new investments at Belhelvie that would be out of keeping in the local context.

Site F96

4. The possibility of large scale development being allocated on this site was explored by the council at the Main Issues Report stage. At that time it was noted that this would require major new investment in service infrastructure particularly if, as was suggested, the development might be linked with site F130 discussed above. The respondent now seeks instead only a smaller scale allocation on the western side of F96 – arguing that this would be a more suitable location if developed at the same time as site H1, which it adjoins. Clearly, the revised proposal for F96, being significantly smaller would raise fewer concerns. Nevertheless, the council is correct in stating that the allocations already made on H1 and on other sites elsewhere along the Ellon-Blackdog corridor are sufficient and appropriate to address local and strategic needs for the plan period, including meeting in full the housing land requirements set out in the approved structure plan. Accordingly, there is no strategic need and no local justification for a further allocation on site F96, even on a reduced scale. Instead such a development would represent an unwarranted intrusion into open countryside to the east of Belhelvie.

Site F20

5. This representation seeks allocation of a small vacant plot to the north of Belhelvie for a single house. As the council points out, sites being put forward for single houses outwith settlements are

not appropriate for formal allocation in the plan. Instead, such sites should be dealt with through the submission of an application for planning permission for consideration by the planning authority. Those proposals would then be evaluated on their particular merits in the context of the national and development plan policies that are applicable at the time, including those concerning housing in the countryside. In summary, this is not an appropriate site for allocation in the plan, particularly given its scale and location.

**Reporter's recommendations:**

No modifications.



<b>Issue 63</b>	<b>Balmedie</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Schedule 2, Table 4, (p31) Volume 3f, Supplementary Guidance, Settlement Statements, (p1-3)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mrs Charles Connor (50) Aileen Cowan (51) B &amp; R Sutherland (57) A J McCombie (58) Tracey McDonald (63) Margaret Barclay (89) Gladys Tocher (91) Elizabeth Fraser (93) Margaret Cumming (94) Stuart Alchin (95) Margaret Moar (97) Mary Newton (98) Vera Miller (99) Greta Haworth (100) Frederick Turner (102) D Falconer (103) Ernest Haworth (105) Catherine White (106) R Stevens (108)</p>	<p>Victor &amp; Marion Wellburn (109) Violet Paton (110) Jean Findlay (111) Alison Butcher (113) Sylvia Hepburn (114) T B Wyness (115) Michael Slaughter (237) William Lippe Architects Ltd on behalf of ANM Group Ltd (426) Belhelvie Community Council (561) Bancon Developments (1417, 1422, 1428, 1448, 1449, 1450) Ryden LLP on behalf of Mr &amp; Mrs Buchan (1896, 1897) Scottish Environment Protection Agency (1979) Ian Downie (2215, 2335) Howard Kershaw (2311) Graham Mitchell Architects Ltd on behalf of I Christie (2479)</p>	
<b>Provision of the development plan to which the issue relates:</b>	Housing and Employment Land Allocations at Balmedie – H1 & M1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Balmedie</b> <u>Strategy for allocation and viability of development</u> <b>2479:</b> The number of units on H1 should be reduced and redistributed to an alternative site in Balmedie.</p> <p><b>1896, 1897:</b> Developing to the south-east of the settlement demonstrates “piecemeal” expansion which will bring little benefit to the community in relation to services and facilities.</p> <p><b>1428, 1448:</b> The desirability of the site as a viable development option was questioned as the site is currently zoned in the Aberdeenshire Local Plan 2006 and no development has taken place in the 10 years since the plan was promoted.</p> <p><u>Phasing</u> <b>2215:</b> Site H1 can not be delivered in the second plan period following completion of a masterplan, as part of the site is currently being developed and may prejudice provision of adequate access to service the site.</p> <p><u>Environmental constraints</u> <b>1428, 1448, 1896, 1897:</b> Several representations identified that the site was inappropriate for</p>		

development, because it is visually intrusive and would impact on the landscape setting of the village. Also it encourages coalescence and demonstrates an undesirable and unnecessary intrusion into the Coastal Zone (**1428, 1448**).

### **Site M1 Balmedie**

#### Strategy for allocation and viability of development

**63:** Employment opportunities are not required due to provision in Blackdog and Ellon.

**1896, 1897:** Developing to the south-east of the settlement demonstrates “piecemeal” expansion which will bring little benefit to the community in relation to services and facilities.

**1428, 1448:** One of the respondents questioned the desirability of the site as a viable development option, as the site is zoned in the Aberdeenshire Local Plan 2006 and no development has taken place in the 10 years since the plan was promoted.

#### Phasing

**426:** Support for site, but requests changes to phasing as there are currently no employment sites nor opportunities within the settlement. Masterplan is attached.

**2215:** Site M1 can not be delivered in the second plan period following completion of a masterplan as part of the site is currently being developed and may prejudice provision of adequate access to service the site.

#### Environmental Constraints

**63:** Concern is raised for resulting loss of greenfield and impact on the character of Balmedie.

**1428, 1448, 1896, 1897:** Several representations identified that the site was inappropriate for development because it is visually intrusive and would impact on the landscape setting of the village. Also it encourages coalescence and demonstrates an undesirable and unnecessary intrusion into the Coastal Zone. (**1428, 1448**)

### **Site R2 Balmedie**

**50, 51, 57, 58, 89, 91, 93, 94, 95, 97, 98, 99, 100, 102, 103, 105, 106, 108, 109, 110, 111, 113, 114, 115, 237:** A petition objected to the proposal on the assumption that access would be taken from the access road used by residents of Eigie House. The use of this access road was stated to be incompatible with adjacent land uses, as school traffic would raise safety issues, cause noise, nuisance and distress to residents.

**561:** The proposal is unacceptable. It would reduce an area of woodland and affect its amenity. Access from Eigie Road would not be appropriate due to cost, impact on amenity area, increased traffic and congestion causing stress to residents. The proposal would reduce the playing fields and increase safety risk to children and residents. There are better proposals for a primary school elsewhere.

**2335:** Development on this site would conflict with other plan policies designed to protect this type of site.

**2335:** The site is unsuitable as there is currently no direct access to the site and the streets around the site suffer from excessive congestion.

**2335:** The school site should be located where there is a direct and dedicated access available from Eigie Road.

**1979:** Scottish Environment Protection Agency raises no significant flooding concerns for the site.

**Alternative Sites Balmedie**

Balmedie West

**1428, 1448, 1896, 1897:** Objection is made to the non-inclusion of land at West Balmedie.

**1417, 1422, 1428, 1448, 1449, 1450:** Promotion of a mixed use community expansion of Balmedie to the west of the A90 (F79) comprising up to 1000 housing units and a mix of community, commercial and business land uses. A larger scale development at Balmedie West is a more desirable and sustainable solution to the longer term needs of both the community and the SDA. The site has defined boundaries which will be augmented following the Balmedie to Tippetty bypass, which will enable access to the site and result in limited infrastructure costs for the site. The site is outwith the strategic green belt and coastal zone. It would create new physical and community infrastructure for both the extant and new development areas. A secondary school for the southern Formartine area can be delivered as part of the proposals. It is contended that an anticipated housing shortfall at Ellon, based on past housing land audits, can be provided at Balmedie West (see document 11, Issue 25 Schedule 1 New Housing Land Allocations and Issue 57 Ellon). **(1450)**

**1896, 1897:** Promotion of a mixed use site at Balmedie West (F117) for up to 800 houses, employment land, new primary school and associated facilities. The site would form a logical and clearly defined initial phase of development and is considered capable of development, with limited landscape and visual impacts. A proposed realignment to the B977 would create a well defined area next to Balmedie allowing for continued growth which would not result in ribbon development along the A90 or impact upon the sensitive coastal zone. Developing in an existing community will enable the development of existing and creation of additional facilities. It is contended that the site should be preferred to those allocated to the south east of Balmedie (H1 and M1) and to the proposed M1 allocation at Blackdog to provide greater benefits to residents through the growth of an existing settlement.

**561:** Support for alternative development proposal at West Balmedie. It would integrate well with the existing village without loss of amenity. The proposal offers a more amenable site for a new primary school and new academy which is a projected requirement within the 15 year lifetime of the local development plan. Business development will provide local employment and a park and ride facility which will improve access to public transport services in addition to the access improvements planned which will provide a choice of safe access options. West Balmedie development proposal will provide many facilities which are required in the area, including burial ground facilities. Support for the Balmedie Farm nature reserve proposal, as part of the West Balmedie development proposal, which will provide a needed leisure facility in the area and an attraction for tourism. The nature reserve could assist in provision of a pedestrian link between Balmedie and Belhelvie which would accord with the needs of the community and the Councils core path plan. Balmedie to Tippetty A90 upgrade will connect Millden and West Balmedie to the existing settlement. This area should be considered as part of the West Balmedie development proposal.

Site F166

**2479:** Objection is made to non-inclusion of land identified as F166 at Main Issues Report stage. The site was preferred by the Council at Main Issues Report stage, is deliverable, accessible, well contained in the landscape, is in close proximity to local facilities and would provide high quality dwellings with a low energy requirement. Site F166 offers a more attractive place to live and is a viable alternative to development south of Balmedie.

Land at Balmedie

**2311:** Reallocate share of housing from Blackdog M1 (see issue 064 Blackdog) to Balmedie.

**Modifications sought by those submitting representations:**

**1428, 1448:** Delete sites H1 and M1 and substitute with a coastal zoning. Allocate land at Balmedie West as a mixed use community expansion comprising community, commercial and business land. Reallocate housing units from M1 Ellon (200 units in the first plan period), 800 units and employment land from Blackdog and Balmedie (see also issues 25 Housing Land Supply, 46 Spatial Strategy

Ellon to Blackdog, 47 Ellon and 52 Blackdog) to alternative site at Balmedie West.

**1896, 1897:** Delete site H1 and M1 and reallocate all units and employment land to alternative Balmedie West site for up to 800 houses, employment land, new primary school and associated facilities identified as F117.

**2479:** Reduce allocation of units at site H1 by 25 and allocate to alternative site at land identified as F166 at Main Issues Report stage.

**426:** Rephrase 50% of site M1 into the plan period 2011-2016 (see issue 056 Spatial Strategy Ellon to Blackdog).

**2215:** No specific modifications to the local development plan have been articulated by resposdee 2215. However, it is being suggested that site H1 and M1 should be brought forward to the first phase of the plan without the need for a masterplan.

**63:** It is unclear whether resposdee 63 wishes the employment element of site M1 removed or the site deleted.

**50, 51, 57, 58, 89, 91, 93, 94, 95, 97, 98, 99, 100, 102, 103, 105, 106, 108, 109, 110, 111, 113, 114, 115, 561:** It is unclear what specific change to the local development plan was desired by a number of respondents.

**2335:** Delete reference to Balmedie R2.

**561, 1417, 1422, 1428, 1448, 1449, 1450, 1896, 1897:** Inclusion of West Balmedie as a development proposal.

**2311:** Reallocate share of housing from Blackdog M1 (see issue 064 Blackdog) to Balmedie.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Balmedie is located within the Ellon to Blackdog Strategic Growth Area as set out in the Structure Plan. The allocations made are already appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. The settlement is subject to a high level of developer interest. Balmedie is an important settlement within the southern end of the corridor and development will contribute to a number of key planning objectives, including: meeting the demand for housing in the Strategic Growth Area; providing opportunity for employment in the Strategic Growth Area and to support the “Energetica” framework; and providing improved community facilities including new health provision.

The strategy for allocations in the Balmedie area is addressed through the council’s response to Issue 56 Spatial Strategy Ellon to Blackdog. The majority of early development is focussed towards Ellon, but with development in the southern area at a later stage, dependent on completion of the Aberdeen Western Peripheral Route (AWPR). It is pertinent to note that in January 2011 the Scottish Government decided to proceed with the scheme to upgrade the A90 between Balmedie and Tipperty to dual carriageway, which will significantly improve accessibility in the corridor.

The adequacy of the housing land supply is addressed through Issue 25 New Housing Land Allocations.

Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report (pages F2 – F3), and were considered in the ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Balmedie pages 9 – 12). Issues relating to the spatial strategy were also considered in ‘Issues and Actions Paper Volume 1 Objectives, Policies and Strategy May 2010’ (Settlement Strategy - Ellon to Blackdog pages 109 – 111).

**Site H1 Balmedie**Strategy for allocation and viability of development

The local development plan promotes development at a scale that makes efficient use of major improvements to roads, schools, sewers and other infrastructure that are required for any development. The development of the site will contribute to providing the critical mass needed to provide services, for which land has been reserved (health facilities and primary school expansion), and represents a natural extension to the settlement and adjacent housing developments.

As stated in Schedule 1 of the proposed plan, part of the allocation is contained within the boundaries of an existing Aberdeenshire Local Plan housing site, so the principle of housing development is already established. It is not accepted that the site is undevelopable because it has remained undeveloped for a period of 10 years. It was initially identified in the Aberdeenshire Local Plan for development in the period between 2006 and 2010. Furthermore, a bid (F156) was received for development on site H1, which shows a continued interest in developing the site. In addition, site H1 is significantly bigger than fh1 was, and is allocated for an additional 125 houses and this provides the critical mass to facilitate development.

Phasing

Development in the area is limited prior to completion of the Aberdeen Western Peripheral Route. Whilst part of the M1 site is already being developed (APP/2005/4134), access options exist through adjacent housing developments where access has been reserved for future linkages into the proposed site. An application for the business park at Balmedie at site M1 was approved in January 2011 (APP/2005/3523) and the site layout also shows access linkages to the H1 site. Furthermore, phasing conditions have been placed on the development of site M1 (APP/2005/3523) to retain control over the development. Therefore, it is not accepted that the site cannot be delivered in the second phase of the plan, as sufficient access provision has been retained. Whilst part of the M1 and H1 sites are subject to current development and recent planning application approvals, a masterplan for the overall site is necessary to demonstrate linkages between current and future development, and to provide certainty for development of the sites in the second phase of the plan.

Environmental constraints

It is agreed that the site is visible from the A90. However, it is not a prominent site and its allocation is in accordance with Scottish Planning Policy (paragraph 80) due to its accessibility and location adjacent to an existing settlement. The proposed local development plan and its policies promote high quality design in new development and these issues will be dealt with during preparation and consultation on the masterplan required for the site. The amended coastal zone allows for appropriate growth in settlements in accordance with Scottish Planning Policy (paragraph 100) and can be used to prevent coalescence of settlements. The site is located a considerable distance from neighbouring settlements and it is not accepted that its development will encourage coalescence. The economic and social merits of the development were judged to outweigh the benefits of keeping the land as coastal zone.

**Site M1 Balmedie**Strategy for allocation and viability of development

Whilst M1 was identified in the Aberdeenshire Local Plan as suitable for employment uses and has not yet been developed, a planning application for a business park on the site was approved in January 2011 (APP/2005/3523). Furthermore, bids (F114 and F115) were received for employment development at site M1, which shows a continued interest in developing the site.

Phasing

The M1 allocation is phased over both plan periods, so the request made by the respondent is as proposed in the plan. Furthermore, a planning application for a business park at Balmedie at site M1 was approved in January 2011 (APP/2005/3523) and one condition of the application is for development to take place within 3 years of approval.

See also response to site H1 Phasing in relation to access provision and the requirement for a masterplan.



Environmental constraints

The Aberdeenshire Local Plan identified site M1 as suitable for employment uses, so the principle of employment development is already established.

See response to site H1 Environmental Constraints.

**Site R2 Balmedie**

The reservation is not a proposal or allocation and the extent of the boundary reflects the need to reserve land for the long term future. The proposed local development plan and its policies promote high levels of design in new development. However, as this reservation is not a development proposal, consideration of design and layout issues will be dealt with at a later stage.

**Alternative Sites Balmedie**

Balmedie West (F79 and F117)

Support for the Balmedie West proposal is noted, but as the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

As stated in the Main Issues Report (pages F2 - F3), the preferred strategy for this corridor focuses the majority of early development towards Ellon, but with development in the southern area at a later stage, dependent on completion of the Aberdeen Western Peripheral Route (AWPR). The preferred option is to allocate small amounts of limited growth to the east side of the A90 to enhance and support facilities in the current settlement.

Sites F79 and F117 were identified in the Main Issues Report (pages F2 – F3) as technically possible but not preferred sites and they represented an alternative option to the preferred proposals. However, there was also concern that development to the west of the A90 dual carriageway would create a new community rather than expanding the current one, which would effectively create two different split communities. The site was fully debated in response to its inclusion in the Main Issues Report. However, following widespread community engagement, the Council's conclusion was to exclude it, due to major issues regarding the cohesion of the community which would be split by the route of the A90 dual carriageway. In any case there were better proposals for large scale development in the Ellon to Blackdog corridor. As stated in the 'Issues and Actions Paper Volume 1 Objectives, Policies and Strategy May 2010' (Settlement Strategy - Ellon to Blackdog pages 109 – 111), the issue of the need for, or location of, a new academy in addition to the proposed replacement Academy at Ellon is not one that this plan has to address due to the spatial strategy that has been adopted for the corridor. The adequacy of the housing land supply is addressed through Issue 25 Housing Land.

Site F166

Site F166 was identified as a preferred site for small scale housing in the Main Issues Report (pages F2 – F3) in line with the preferred option for small amounts of limited growth allocated to the east side of the A90. The site was fully debated in response to its inclusion in the Main Issues Report, however, following widespread community engagement, the Council's conclusion was to exclude it and due to the distance from the settlement and potential adverse impact on the neighbouring woodland area. It was considered that there were more suitable sites located in closer proximity to the settlement.

Land at Balmedie

The respondent is not specific as to where allocations should be directed to in Balmedie in preference to Blackdog. The strategy for allocations in Balmedie and Blackdog are addressed through the council's response to Issue 56 Spatial Strategy Ellon to Blackdog.

**Conclusions**

None of the modifications sought are supported. The development strategy and land allocations in Balmedie are appropriate and sufficient to meet the needs of the settlement strategy.



**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. The overall adequacy of the allocations made in the proposed Plan for the Ellon to Blackdog Strategic Growth Area corridor and indeed across Aberdeenshire, in response to the requirements of the approved structure plan, are matters discussed elsewhere in this report under the heading Issue 25. As explored more fully under Issue 56, the strategy for this particular corridor for the first plan period is to focus most of the planned development growth around Ellon in association with a planned replacement secondary school. The strategy for the second plan period envisages much more development towards the southern end of the corridor once the planned Aberdeen Western Peripheral Route (AWPR) is completed, including the new junction at Blackdog. Advantage would also be taken of the programmed A90 upgrading between Balmedie and Tipperty to dual carriageway. It is against this background that the representations specifically concerning Balmedie sites in the proposed Plan – as well as other sites being suggested instead of or in addition to those in the plan – are now considered in turn below.

Site H1

2. The proposed Plan allocates up to 150 houses for this site on the southern fringe of the existing built-up area of Balmedie, including 25 units carried forward from an allocation here in the previous plan – with all of the houses to be delivered in the second plan period 2017-2023. Given the existing difficulties of road access for Balmedie, to and from the A90 road, the council is fully justified in concluding that planned housing and other developments here should be limited prior to the completion of the AWPR and the new junction planned at nearby Blackdog.

3. Meanwhile, it is noted that the neighbouring M1 site is the subject of current development and recent planning approvals – with access linkages to and from H1. There are a number of representations criticising the H1 allocation, including some arguing that it should be deleted in favour of other Balmedie sites. None of those criticisms of a housing allocation on site H1 are persuasive. Whilst this site is visible from the A90, there is insufficient basis to underpin the contentions made, firstly, that such an allocation would be unacceptably intrusive in landscape terms, including with respect to the coastal dune area immediately to its east, or secondly, that development there would somehow encourage coalescence. The council has provided a detailed and robust rebuttal of these and related criticisms of the H1 allocation. In summary, it is reasonable to conclude that the proposed development on this site, together with that shown in the proposed plan for site M1 immediately to its west, should ensure, through a joint masterplan, a planned southern extension to the existing settlement. This should also safeguard the retention of large, undeveloped open areas to the south and east of Balmedie, including along the coastal corridor of Elgie Links. The cases put forward for allocating other sites in and around Balmedie instead of or as well as allocating all or part of site H1 are each considered on their own merits below.

Site M1

4. One of the main points set out in representations arguing against continued allocation of site M1 for employment uses and a strategic reserve was that this site has not been developed over the decade it has been promoted for that purpose – and despite it being allocated in the previous local plan. The council points out that the site in question now has planning permission, granted in January 2011, for a business park and the approved scheme incorporates linkages to the adjoining site H1 – and a joint masterplan is envisaged. This planning permission confirms continued developer interest in site M1. The fact that the permission granted requires the business park to be commenced within 3 years should help to ensure that the employment land is developed within the first plan period – even though the 50 houses also allocated on site M1 are intended to be developed in the second plan period.

Site R2

5. This is a reservation (rather than an allocation) in the proposed Plan. It is shown in more detail in the settlement statement for Balmedie (Supplementary Guidance document 3F), which explains that the land is to be reserved for primary school expansion. It is noted that at this stage, there is no formal proposal or scheme being put forward for the land in question.

Sites F79 and F117

6. There are a number of representations seeking the plan to include major new allocations on either of two sites – F79 or F117 – for mixed use developments incorporating employment uses, together with 1000 houses in the case of F79 or up to 800 houses in the case of F117. The promoters of these packages of proposals contend in each case that the west side of the A90 road, once upgraded to dual carriageway with associated access improvements, offers the most sustainable location for growth that is outwith both the green belt and the coastal zone.

Furthermore, each group argues that their respective scheme would offer the most appropriate package of development – making efficient use of infrastructure and improving local community facilities such as schools provision and linkages, whilst minimising landscape and other impacts, including loss of amenity. The promoters of the F79 scheme argue that it should be supported to address anticipated housing land shortfalls at Ellon, based on previous housing land audits. Those advocating the F117 site package do so on the basis of it being preferable to the H1 and M1 allocations shown in the proposed Plan.

7. The council notes that sites F79 and F117 were both explored as technically feasible alternative options at the Main Issues Report stage. Nevertheless, they were subsequently rejected in favour of the preferred proposals set out in the proposed Plan – including those for Ellon in the first plan period and at Balmedie and other settlements towards the southern end of the Ellon-Blackdog corridor for the second plan period. The F79 and F117 development proposals have in common that they are located west of the section of the A90 road that is programmed for upgrading to dual carriageway status. Accordingly, the council is correct in concluding that no matter which of the two suggested schemes was chosen and progressed it would result in a major mixed use development that would be physically detached from the existing area of Balmedie. That would create an unavoidable split between the existing community and whichever new one was created to the west of the A90. Furthermore, as discussed under Issue 56, the council has identified and selected other strategically preferable development options at Ellon in the first plan period, as well as opportunities to develop Blackdog at the southern end of the Ellon-Blackdog corridor in the second plan period, along with selected other sites at Balmedie. In combination these provide a range of site opportunities and meet the overall development requirements set for this corridor in the approved structure plan. Accordingly, there were sufficient and robust reasons for the council to reject the alternative packages of proposals for sites F79 and F117 when evaluating the most appropriate way to address the strategic needs in the area for the first and second plan periods.

Site F166

8. A case was put forward in one representation for allocating this site for housing. Whilst acknowledging that this was one of the site options considered to the east of the A90 road at the Main Issues Report stage, the council puts forward persuasive arguments to justify its decision to then reject this site in favour of the preferred proposals set out in the proposed Plan. In summary, whilst the site in question may be readily developable, the key local factors that do not support its allocation in the plan are its relative remoteness from the main core area of Balmedie and the likely impact on the neighbouring woodland area. Against that background the council was justified in allocating the sites on the southern edge of Balmedie that, on balance, are more suitable for development. Furthermore, there is already sufficient housing land allocated along the Ellon-Blackdog strategic growth corridor to fully meet the requirements set out in the approved structure plan for this corridor in both the first and second plan periods. There is, therefore, no need or justification to allocate this site in addition to the allocations set out in the proposed Plan.

Land at Balmedie

9. The council points out that the representation seeking reallocation of some of the proposed Plan's allocations from Blackdog to Balmedie is unclear as to the locations concerned. Accordingly,

the council is correct in concluding that the strategic issues of concern in this case are dealt with in Issue 56 – which is reported under that heading elsewhere in this report.

**Reporter's recommendations:**

No modifications.

<b>Issue 64</b>	<b>Blackdog</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Schedule 2, Table 4, (p31) Volume 3f, Supplementary Guidance, Settlement Statements, (p6-8)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ian Nicol (135)                  Belhelvie Community Council (561)                  Stewart Milne Homes (910, 915)                  Scottish Government (1247)                  Bancon Developments (1417, 1422, 1428, 1448, 1449)                  Archial Planning on behalf of Stewart Milne Homes (1583, 1637, 1944)                  Knight Frank LLP on behalf of Colin &amp; Esther Tawse (1816, 1817, 1818, 1819, 1821)                  Ryden LLP on behalf of Mr &amp; Mrs Buchan (1896, 1897)                  Howard Kershaw (2311)                  Sid Robertson (2515)                  PPCA Ltd on behalf of Tor Ecosse Ltd (2675)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at M1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Site M1 Blackdog</u></b></p> <p><u>Phasing of allocation</u>  <b>1816, 1817, 1821:</b> Support for the allocation. However, changes to the phasing are requested to bring forward a proportion of residential development into the first phase of the plan in the period 2007-2016. It is accepted that the Aberdeen Western Peripheral Route is a key piece of infrastructure which requires to be in place. However, it is contended that a Development Access Review (supporting document attached) has shown that the current junction is capable of accommodating up to 600 residential units. Therefore, it is contended that bringing forward 140 units for development is realistic before improvements are required. It is contended that there is capacity available for immediate release of up to 140 housing units, which can be delivered and would help address the shortfall in housing land supply in the Aberdeen Housing Market Area (see issue 25 "Schedule 1 Housing Land"). Early delivery of houses in the first period of the plan will ensure early delivery of affordable housing in the area.</p> <p><u>Specialist Retail Centre</u>  <b>1818, 1819:</b> Support for identification of a specialist retail centre at Blackdog. However, specific identification of the designation of the specialist retail centre is requested on the Formartine Proposals Map. Amendments are requested to Policy 2 and SG Retail 1 to ensure robust policy support and appropriate cross-referencing between the plan and the Supplementary Guidance (see issue 7 "Town Centres and Retailing")</p> <p><u>Long term strategy and sustainability</u>  <b>1422, 1428, 1448, 1449:</b> The site's allocation ignores the need for the long term strategy advocated for the strategic growth area by the structure plan (<b>1428, 1448, 1449</b>); and as it is not clear what infrastructure the Blackdog allocation would deliver, it is contended that the allocation conflicts with the aims of the structure plan for developing land to deliver major infrastructure (<b>1422</b>).</p>		

**135, 561, 1417, 1422, 1428, 1448, 1449, 1637, 1896, 1897, 1944, 2311, 2675:** Objections were raised in relation to the strategy for allocating the site and the lack of opportunities for future expansion. It is contended that the location of the Aberdeen Western Peripheral Route and A90 junction do not offer a reasonable justification for allocating a large development. (1422) which would bring little benefit to existing residents until the end of the plan period (1428, 1448, 1449). The allocation of housing in Blackdog does not consider the long term infrastructure planning of the area and would be to the detriment of future development in that part of Formartine. (1637, 1944) The focus of major development at Blackdog will bring little benefit to the community in terms of enhanced services and facilities (1896, 1897). Longer term development is constrained by adjacent land uses (1417), which may result in ribbon development (1897). Concern is raised that the allocation will create a small community with no facilities (2311). Greater benefits would accrue to Aberdeenshire and its residents if the scale of development were accommodated through the growth of an existing settlement (1897). One respondent states that the sequential approach has not been followed in the allocation of Blackdog (135).

**135, 1417, 1422, 1428, 1448, 1449, 1897, 2311, 2675:** Development at Blackdog is constrained prior to the completion of the Aberdeen Western Peripheral Route (1417, 1428, 1448, 1449, 2675), and its location will constrain future expansion of the settlement (1422). The Aberdeen Western Peripheral Route is under legal challenge and there is doubt whether this will be delivered leaving the site without a fundamental piece of infrastructure. Locating a new development at a road junction of the Aberdeen Western Peripheral Route is deemed unacceptable (135, 2311), would be contrary to Scottish Planning Policy 17 for Transport paragraph 21 (135); and will subject the new residents to heavy traffic, noise and nuisance (1897).

**135, 561, 910, 915, 1422, 1428, 1448, 1449, 1897:** Respondents contend that the proposed development at Blackdog is not sustainable. It is felt that developing the site would create a village with few facilities (561). The text of the proposed plan indicates a reliance on facilities in neighbouring settlements, which will encourage car travel (135). Until such time critical mass is achieved, existing and new residents of the initial phases of development will have to travel to access services and facilities, which is deemed to be unsustainable (1897). Reference is made to the Scottish Government's policy on nationally important land use planning matters and to the statutory requirement on development plans to contribute to sustainable development (135).

**910, 915, 1583, 1637, 1897, 1944, 2515, 2675:** It is contended that Blackdog has no facilities, and a limited amount of housing. It does not represent an ideal settlement for expansion (1583, 1637, 1944). Whilst new development may provide some of these it will be a number of years before these are delivered, if at all, and will only benefit a limited number of people (1897, 2675). It is contended that a viable and sustainable settlement requires core facilities (2675).

**561:** Concern is raised that the level of development (and density) would change the character of the area and pose infrastructure issues.

Promotion of a different strategy

**561, 910, 915, 1417, 1422, 1428, 1448, 1449, 1583, 1637, 1896, 1897, 1944, 2311, 2675:** Respondents promote alternative settlements to replace the allocation at Blackdog (see Issue 62 Balmedie and Issue 72 Other Formartine Land AHMA). It is felt that the community would be better served by allocating development to other settlements (561).

Deliverability and effectiveness of allocation

**2675:** One respondent raised concern in relation to the deliverability and effectiveness of the allocation at Blackdog, due to uncertainty in relation to the Aberdeen Western Peripheral Route and unknown investment levels to provide education facilities, water supply and drainage, and contamination mitigation costs. It is contended these costs may affect the financial viability for their provision in the early stage of the development process.

Secondary School Provision

**1417, 1422, 1428, 1449, 1637, 1944:** It is contended that the allocation at Blackdog fails to consider the requirement for, and is incapable of accommodating, secondary school provision in south Formartine. Respondents state that there is a requirement for consideration of schooling provision as part of the identification of new housing sites; and that the allocation of housing in settlements such as Blackdog will not allow the opportunity to create a settlement of the scale required to accommodate a new academy (**1637, 1944**). The approach taken by the planning authority does not consider the longer term education issues which are predicted to affect southern Formartine, and is likely to increase future school travel patterns via unsustainable modes. The requirement for a new secondary school within southern Formartine has been highlighted in the current plan preparation process (extract attached), and as such the decisions to identify houses within settlements in this part of Aberdeenshire should consider those which are best placed in land use planning terms to accommodate a new academy (**1637, 1944**).

Constraints and impact on area, environment and landscape

**561, 910, 915, 1422, 1428, 1448, 1449, 1583, 1637, 1944, 2311, 2515, 2675:** Land is constrained by neighbouring land uses to the north (rifle range), east (North Sea), south (undevelopable land) and west (A90). This suggests that Blackdog is not the appropriate settlement for the scale of development proposed (**1583, 1637, 1944**). Concern is raised in relation to the landfill site to the east of the proposed site in terms of contaminated land, public safety, security and effect on residential amenity (**561, 1428, 1448, 1449, 1583**). Residential use and landfill sites being coterminous is not desirable (**1583**) and limits the extent to which an attractive residential development can be created (**1637, 1944**). Landfill sites should be dealt with prior to further development in the area (**2515**). Landfill sites create marketing constraints to development in this location (**910, 915**).

**561, 2515, 2675:** Several representations raised constraints in relation to the site. Concern was raised in relation to flooding and the need for a flood risk study (**561**). It is contended that there are existing problems at Blackdog which need resolved before extensive development takes place to resolve drainage and electricity supply problems (**2515**). Contamination is an issue on the site and it is considered unacceptable that the Proposed Plan seeks to allocate land for residential land in close proximity to a former landfill site without knowing what detailed remediation is required to that site in advance (**2675**).

**135:** One respondent stated that the location of the proposed development would be environmentally poor due to its topography and would rely on artificial embankments to screen the noise and blend the development into the landscape. In relation to the impact of housing on the surrounding landscape it is contended that impact on the local landscape impact and sense of place has not been taken into consideration (reference made to paragraph 27 of Planning Advice Note 44 – Fitting New Housing into the Landscape), nor has consideration of landscape capacity. In terms of design the proposed development in the LDP would be contrary to Scottish Planning Advice Notes.

Green belt and coastal zone

**135, 561, 1428, 1448, 1449:** Blackdog is unsuitable for development as part of the land is currently zoned as green belt. Opposition is raised to the lifting of the greenbelt status (**561**), as this would be contrary to Scottish Planning Policy 21 for Green Belts (see issue 11) (**135**). The erosion of green belt to facilitate the M1 site is both undesirable and unsustainable (**1428, 1448, 1449**).

**561, 1428, 1448, 1449:** Blackdog is an unsuitable location for development as the site is part of the coastal zone. The scale and location of the site would be liable to contravene the Council's policy on coastal strip development in relation to coalescence of developments between Blackdog and south Balmedie (**561**). The erosion of the coastal zone to facilitate the M1 site is both undesirable and unsustainable (**1428, 1448, 1449**).

**Site R1 Blackdog**

**1247:** One respondent was supportive of the designation.



**Modifications sought by those submitting representations:**

**Site M1 Blackdog**

**1816, 1817, 1818, 1819, 1821:** Amend the phasing of site M1 to include 140 houses for the period 2007-2016 and 460 houses for the period 2017-2013. Transfer part of the allocations in the first period of the plan from M1 at Ellon and M1 at Foveran to M1 at Blackdog. Identify the specialist retail centre within M1 in the Formartine Area Proposals Map.

**135, 1428, 1448, 1449:** Proposals for development at Blackdog M1 should be deleted and allocated to alternative settlements. The land should be reinstated as green belt (**135**) and coastal zoning (**1428, 1448, 1449**).

**561, 910, 915, 1417, 1422, 1583, 1637, 1944, 2311, 2675:** Delete site M1 and reallocate units to alternative settlements.

**1896, 1897:** Delete site M1. Reallocate all 600 units and employment land to alternative settlements.

**561:** Preferred site for the primary school (if required) should be to the west of the A90.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Blackdog is located within the Ellon to Blackdog Strategic Growth Area as set out in the Structure Plan. The allocations made are already appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Development in Blackdog helps meet the demand for need for new housing in the Strategic Growth Area, provides opportunity for employment in the Strategic Growth Area and to support the “Energetica” framework, and provides local facilities.

The adequacy of the housing land supply is addressed through Issue 25 Schedule 1 New Housing Land Allocations.

Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the ‘Issues and Actions Paper Volume 4 Formartine’ (May 2010) Blackdog pages 21 – 23 and ‘Issues and Actions Volume 1 Objectives, Policies and Strategy’ (May 2010) Issue 130 – Settlement Strategy Ellon to Blackdog pages 109 – 111.

**M1 Blackdog**

Phasing of allocation

Support for the allocation is welcomed. Development at Blackdog is dependent on the provision of a major new junction on the A90 and the Aberdeen Western Peripheral Route, and could not be contemplated in advance of those major engineering works, despite limited existing capacity (see Issue 56 Spatial Strategy – Ellon to Blackdog). Development in Blackdog is therefore phased to the second plan period, although the proposed plan contains a mechanism to allow housing land allocations to be drawn down from second phase allocations, should first phase allocations prove ineffective or undeliverable.

Specialist Retail Centre

Whilst the proposals maps show the general location of land set aside for housing, the masterplanning process is the most appropriate process to identify where in the site specific uses should be located. The settlement statement for Blackdog highlights that a specialist retail facility will be permitted within the site, which is sufficient and provides flexibility for changing circumstances.

Long term strategy and sustainability

The Planning etc (Scotland) Act 2006 (section 3E) requires the planning authority to contribute towards sustainable development and as stated in the proposed plan (page 4), “Sustainable

development is an essential part of the policies that we will take forward” and “Sustainability is in every policy and proposal in the plan”. The proposals within the plan accord with the requirement to contribute towards sustainable development through the spatial strategy, policies, associated supplementary guidance and land allocations. It is not accepted that the allocation at Blackdog is unsustainable, due to its location at the most southern point of the strategic growth area and in an area where major transport improvements are proposed.

The strategy for allocations in Blackdog is addressed through the council's response to Issue 56 Spatial Strategy - Ellon to Blackdog. In accordance with the Structure Plan (page 10, paragraph 3.9) until the necessary infrastructure is in place, including the Aberdeen Western Peripheral Route, development in the southern part of the corridor will be limited. The Scottish Minister's decision to proceed with the Aberdeen Western Peripheral Route was approved by the Scottish Parliament on 3 March 2010. Despite the current judicial review the Aberdeen Western Peripheral Route remains a committed project.

In accordance with the Structure Plan (page 25, paragraph 5.7 and 5.8), the local development plan promotes development at a scale that makes the most efficient use of major improvements to roads, schools, sewers and other infrastructure that are required for any development. Development at Blackdog capitalises on the opportunity for a regionally significant economic development opportunity (a regional food market) and will provide key facilities for the existing community in addition to providing opportunity for development in the strategic growth area and to support the “Energetica” framework. Development at Blackdog will be in close proximity to proposed employment allocations in Aberdeen City to support the “Energetica” framework. The settlement statement for Blackdog and Schedule 3 of the proposed plan specify the likely infrastructure requirements which will be required as a result of development. The health centre which has been identified as required infrastructure will serve a wide catchment area, therefore it does not require to be located within Blackdog and its location in Balmedie does not render the allocation unsustainable.

The length of time it takes to bring services and facilities to the site may result in a delay to the site's development. However, this does not affect the suitability of the site for development in the period 2017-2023.

Adjacent land uses do not constrain future development, as the proposed plan does not allocate land for development post 2023 and therefore the strategy for future development has not yet been determined. The deliverability statement received confirms that community facilities will be provided as part of the development and the masterplan for the site will be required to demonstrate this. Facilities will be provided for a village of 600 dwellings, and further expansion would prejudice this. Furthermore, the Action Programme will set out the timetable for delivery of the site and the required infrastructure.

In relation to the retail proposal, the sequential approach is satisfied. No sites either within town centres or adjacent to town centres in the area can be identified. Impact on existing town centres will be limited by the special nature of the retail use.

The proposed allocation at Blackdog accords with Scottish Planning Policy (paragraphs 165 – 167) (that replace SPP17) in that development has been proposed which makes use of committed transport projects which will reduce reliance in private car usage and provide opportunities for public transportation, walking and cycling routes. Furthermore, the deliverability statement submitted by the developer's agent includes the provision of walking and cycling connections both within the site and beyond, and the site has the potential to deliver a Park and Ride facility.

#### Promotion of a different strategy

The strategy for allocations in Blackdog as opposed to other settlements in the area is addressed through the council's response to Issue 56 Spatial Strategy Ellon to Blackdog.

#### Deliverability and effectiveness of allocation

As stated in the response to the objections on long term strategy and sustainability above, the

allocation at Blackdog is sufficient and appropriate despite the judicial review on the Aberdeen Western Peripheral Route as it remains a committed project. In relation to the deliverability, the developer's agent advised in February 2010 that the site is deliverable (see attached Deliverability Statement) in relation to the concerns raised regarding costs of providing education facilities, water supply and drainage and contamination costs.

#### Secondary School Provision

As stated in the 'Issues and Actions Volume 1 Objectives, Policies and Strategy' (May 2010), Issue 130 – Settlement Strategy Ellon to Blackdog pages 109 – 111, the issue of the need for, or location of, a new academy in addition to the proposed replacement Academy at Ellon is not one that this plan has to address due to the spatial strategy that has been adopted for the corridor.

#### Constraints and impact on area, environment and landscape

The developer's agent advised in February 2010 (see attached Deliverability Statement) that discussions with the Ministry of Defence and a specialist appraisal of the potential risks from nearby landfill have confirmed that there are no issues which will affect deliverability of the proposals. The length of time it takes to bring services and facilities to the site may result in a delay to the site's development. However, this does not affect the suitability of the site for development in the period 2017-2023.

Scottish Environment Protection Agency have not raised concern in relation to flood risk at the site.

The deliverability statement states that the landscape has been a fundamental consideration in the preparation of the masterplan for the site. Furthermore, the proposed plan and its policies promote a high level of design in new development and 40% open space provision. Consideration of design and layout issues will be dealt with during preparation and consultation on the masterplan required for the site.

NOTE: Whilst not in response to a representation received on the proposed plan, it is pertinent to note that land adjacent to the site is designated as a local Site of Interest to Natural Science (SINS). Following a review undertaken by the SINS review board, a decision was taken to promote the extension of the SINS into land currently designated as M1 at Blackdog. However, the presence of the non-statutory designated site was already known prior to the allocation of M1. Whilst it is recognised that the site is of local importance for nature conservation, the proposed plan remains the settled view of the Council and the M1 allocation was made on the balance of social, economic and environmental concerns. The extension of the designation will be of relevance to the masterplanning of the site at a later stage.

#### Green belt and coastal zone

Scottish Planning Policy (paragraph 159) states that "the purpose of the green belt designation in the development plan as part of the settlement strategy for an area is to: direct planned growth to the most appropriate locations...". Therefore the removal of the green belt designation is apt to allow development to occur in a location considered appropriate and sufficient to meet the settlement strategy and wider spatial strategy of the proposed plan. The amended coastal zone and green belt boundaries allow for appropriate growth in settlements in accordance with Scottish Planning Policy (paragraph 100 and 160) and can be used to prevent coalescence of settlements. The site is located a considerable distance from neighbouring settlements and it is not accepted that its development will encourage coalescence. The economic and social merits of the development were judged to outweigh the benefits of keeping the land as green belt (see issue 11 Greenbelt Boundaries).

#### **Site R1 Blackdog**

Support for the safeguarding designation is welcomed.

#### **Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Blackdog are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. The overall adequacy of the allocations made in the proposed Plan for the Ellon to Blackdog Strategic Growth Area corridor and indeed across Aberdeenshire, in response to the requirements of the approved structure plan, is discussed elsewhere in this report under the heading Issue 25.
2. The scale and timing of the Blackdog allocations in the proposed Plan are matters that are directly related to the overall strategy for the Ellon to Blackdog Strategic Growth Area. Those matters are considered in more detail elsewhere in this report under the heading Issue 56. Within that corridor, in accordance with the structure plan, the strategy in the proposed Plan is to promote development at a scale and rate that makes the most efficient use of existing and planned new infrastructure. Most importantly, this takes into consideration programmed improvements to key components such as roads, schools, drainage and other necessary infrastructure. These encompass other services and facilities upon which existing communities and future developments depend, not only for promoting new housing but also for employment growth, including supporting the Energetica framework.
3. Accordingly, the council has justified its strategy for this particular corridor for the first plan period to focus most of the planned development growth around Ellon in association with a proposed new replacement secondary school. The strategy for the second plan period envisages much more development towards the southern end of the corridor, once the planned Aberdeen Western Peripheral Route (AWPR) is completed, including the new junction at Blackdog. It is against this background that the representations specifically concerning Blackdog sites in the proposed Plan – as well as other sites being suggested instead of or in addition to those – are now considered in turn below.

**Site M1**

Phasing of allocation

4. Whilst supporting the allocation and acknowledging that the AWPR is a key piece of infrastructure, some representations contend that 140 housing units of the M1 allocation at Blackdog should be brought forward for development in the first plan period. It is argued that this element could be implemented prior to the planned trunk road and associated junction improvements. In response, the council remains of the view that new development allocated at site M1 should all be in the second plan period, as it “cannot be contemplated” in advance of the major engineering works associated with the AWPR and the new junction for this to be provided at Blackdog. The council, however, does acknowledge that there is a mechanism for second phase housing land allocations to be drawn down earlier should the first phase allocation prove ineffective or undeliverable. Whilst that may generally be the case, this principle would not apply here if the council is correct in stating that the M1 developments cannot take place prior to the major engineering works of the AWPR and the associated junction at Blackdog, which are not expected to be completed before the end of the first plan period. That accords with the information from Transport Scotland, which the council relies on.

5. The council’s position in that regard is challenged in representations which contend that “there is capacity in the existing infrastructure for bringing forward housing development at Blackdog in the first period of the plan and it would also help address shortages in the effective housing land supply...”. That statement, however, does not appear to be substantiated by the deliverability statement lodged by the respondents’ consultants – which includes detailed reference to transport infrastructure requirements and consultations held with Transport Scotland and the council. The conclusions of that report make no reference to any scope for implementation of 140 houses at site M1 prior to the AWPR and Blackdog junction developments but instead “recognises the completion of the AWPR is critical to the delivery of the proposals at Blackdog.”

**Specialist Retail Centre**

6. The council is criticised for not identifying a particular site in the proposed Plan for the retail centre put forward as part of the package of mixed uses for the M1 site allocation. The council argues that the locations of those uses within the overall package to be developed should only be given detailed consideration at the masterplanning stage of the process. As these representations and the council responses concern matters set out in the supplementary guidance rather than the proposed Plan, they go beyond the remit of this plan examination. Meanwhile, the case being put forward for the proposed Specialist Retail Centre at Blackdog to be shown on the Proposals Map is a matter dealt with elsewhere in this report under the heading Issue 7: Town Centres and Retailing.

**Long term strategy and sustainability**

7. It was explained at the outset of these conclusions that the scale and timing of allocations being made for Blackdog in the proposed Plan are in accordance with the structure plan and tied to the availability of the required infrastructure provision to serve those new developments. This includes the requirement to await the development of the AWPR and the associated new road junction at Blackdog. It is in this context that the allocations for Blackdog are intended for implementation in the second plan period 2017-2023. Accordingly, representations contending that the M1 site allocation ignores the need for long term strategy and a lack of opportunities for future expansion are not substantiated. Indeed, those and related concerns raised are all satisfactorily addressed by the council in its statement above.

8. Furthermore, the council rightly draws attention to how the proposed plan meets all of the statutory requirements regarding the need for its strategy, policies and proposals (as well as associated supplementary guidance and allocations) to be deemed sustainable – and to contribute towards sustainable development. The fact that Blackdog is located at the southern end of a strategic growth area is not a sufficient reason to conclude that allocations made there will not be sustainable – particularly when that location is close to Aberdeen and in an area where major new transport infrastructure is committed.

**Other issues**

9. The council has satisfactorily addressed all of the other issues raised in representations concerning allocation of the site M1 – including with regard to deliverability and associated landscape considerations and secondary schools provision along the Ellon-Blackdog corridor. Furthermore, whilst it is necessary to amend both the coastal zone and green belt boundaries in the vicinity of Blackdog to exclude allocation sites, the council has fully justified this in the terms set out in Scottish Planning Policy regarding the need to allow for appropriate growth of settlements. Finally, there is no basis for the contention made in some representations that the M1 allocation would lead to coalescence of Blackdog and south Balmedie. As the council points out, even once the M1 site is developed there would remain an acceptable separation between the nearest points of these neighbouring settlements.

**Site R1**

10. The representation from the Scottish Government supporting the safeguarding of land shown as R1 for part of the new Aberdeen Western Peripheral Route (AWPR) is noted.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

Modify the green belt and coastal zone designation boundaries to reflect the allocations made – specifically by excluding those areas of Blackdog shown as allocations in the Plan from both the greenbelt and coastal zone designations shown on the Plan.



<b>Issue 65</b>	<b>Other Sites: Ellon Strategic Growth Area</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Schedule 2, Table 4, (p31) Volume 3f, Supplementary Guidance, Settlement Statements	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
D J & M Stewart (1575)		
<b>Provision of the development plan to which the issue relates:</b>	Development in other sites in the Ellon Strategic Growth Area.	
<b>Planning authority's summary of the representation(s):</b>		
<p><u>Drumhead, Belhelvie</u>  <b>1575:</b> Objection to the exclusion of site F135 from the local development plan. Drumhead is located within the strategic growth area as set out in the structure plan. Whilst the hamlet is part of the community of Belhelvie, it is contended that Drumhead could be considered a rural service centre in its own right as it contains a well defined grouping of houses and community facilities. It is contended that the local development plan does not allocate sufficient land to comply with the structure plan housing requirements (see Issue 25 housing land supply). The site promoted can contribute towards additional allocations, is a sustainable and accessible location and would deliver effective housing land. It is contended that the site is a mainly brownfield infill site opportunity bounded by buildings on 3 sides and that development of an infill site would conform to Scottish Planning Policy over the development of greenfield allocations. The site is capable of delivering up to 18 affordable housing units with added community facilities and scope to provide for employment use if required (site layout attached).</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>1575:</b> Inclusion of site F135 at Drumhead with scope for up to 18 affordable housing units and community facilities.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Drumhead, Belhelvie is located within the Ellon to Blackdog Strategic Growth Area as set out in the Structure Plan. The allocations made in the Ellon to Blackdog Strategic Growth Area are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. The issues raised were also raised in response to the consultation on the Main Issues Report (pages F3 – F5), and were considered in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Belhelvie pages 15 – 17).</p> <p>The proposed local development plan has not identified “rural service centres”, and therefore there is no avenue to designate Drumhead as a rural service centre.</p> <p><b>Alternative Site</b>  Site F135 was fully debated following its inclusion in the Main Issues Report, but following widespread community engagement the Council’s conclusion was to exclude it from the plan. As stated in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (page 16), the site is</p>		



located a considerable distance from the settlement of Belhelvie. Potential brownfield and infill development, as proposed for this site, would be better considered through Policy 3: Development in the Countryside. Whilst the proposal indicates provision of affordable housing, community facilities and scope for employment use, development in this location is not supported, due to poor transportation links and lack of services in the vicinity.

**Conclusions**

None of the modifications sought are supported. The development strategy and land allocations in the Ellon to Blackdog Strategic Growth Area are already appropriate and sufficient to meet the needs of the spatial strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. This site was put forward for consideration earlier in the plan process - and identified as sites F135 in the Main Issues Report. There is no disagreement that Drumhead, Belhelvie is located in the Ellon to Blackdog Strategic Growth Area corridor. Furthermore, it is evident that the site in question represents a potential infill opportunity, involving partly brownfield land with existing buildings on 3 sides of it. Nevertheless, these are not sufficient reasons to allocate the site within the proposed Plan, for housing and community development, irrespective of whether or not Drumhead was designated as a rural service centre.
2. Firstly, the council points out that the proposed Plan does not identify rural service centres in Aberdeenshire, so this is not a relevant consideration in the case of Drumhead. Secondly, whilst the representation is correct in stating that national planning policy in general supports brownfield developments in preference to release of greenfield land, this does not mean that all brownfield land is appropriate for allocation in the plan. Whilst the site adjoins existing buildings at Drumhead, that grouping does not form part of the built-up area of Belhelvie – instead it is within a rural area between Belhelvie to the west and Balmedie to the east. In common with many such rural areas of Aberdeenshire, site F135 is poorly served in terms of public transport and with regard to other community facilities and services. The Plan’s spatial strategy, in accordance with the structure plan and national planning policy, seeks to promote development in and around settlements that offer scope for the most efficient use of service infrastructure.
3. Based on all of these considerations, the council is fully justified in concluding that it would be inappropriate to allocate the site for housing, community or employment uses. Furthermore, the arguments put forward, suggesting that the proposed Plan does not allocate sufficient land for housing to meet the structure plan requirements, are not persuasive. These matters are explored in more detail elsewhere in this report under the heading Issue 25: Housing Land Supply. In that context, the council has rightly concluded that, without allocating site F135, the proposed Plan already makes sufficient allocations in the Ellon-Blackdog Strategic Growth Area to meet the needs of the spatial strategy and the detailed structure plan requirements for the plan period. Accordingly, the most appropriate means to explore the potential for development of site F135 would be through the lodging of a planning application, rather than by a formal allocation in the plan. Any such application would be assessed by the planning authority having regard to the policies of the development plan and in the context of national planning policy principles that apply to developments in the countryside, as well as taking into account other material considerations.

**Reporter’s recommendations:**

No modifications.

<b>Issue 66</b>	<b>Spatial Strategy; Local Growth and Diversification Area</b>	
<b>Development plan reference:</b>	Section 4 The spatial strategy (p6) Section 6 Proposals Maps (p19 - p24) Schedule 1 Tables 1-7 (p25) Schedule 2 Tables 1-7 (p30) Schedule 3 Table 1-3 (p35) Volume 3D to 3I Supplementary Guidance, Settlement Statements	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mr James Davies (83)                  Ryden LLP on behalf of Alexander Adamson Ltd (180, 182, 2651)                  Ryden LLP on behalf of Mr &amp; Mrs Skevington (286, 2271, 2654)                  Ryden LLP on behalf of Mrs L Pirie (370, 2124)                  Knight Frank LLP on behalf of Mr Abernethy (374, 375)                  William Lippe Architects Ltd on behalf of Michael Hunter (395, 397, 401)                  William Lippe Architects Ltd on behalf of L &amp; W Properties (396)                  William Lippe Architects Ltd on behalf of Mr Ian Douglas (400)                  William Lippe Architects Ltd on behalf of Ian Douglas (406, 409)                  William Lippe Architects Ltd on behalf of Patrick Sleigh (411, 412, 419)                  William Lippe Architects Ltd on behalf of Ed Dinnie (465)                  Inverurie Business Association (481)                  Mrs Susan Garven (488)                  William Lippe Architects Ltd on behalf of Neil Robertson (492, 493)                  Knight Frank LLP on behalf of Lesley Paterson (693, 694)                  David Fasken (703)                  Stewart Milne Homes (909)                  Knight Frank LLP on behalf of Bett Homes Ltd (922)                  Barton Willmore on behalf of Stewart Milne Homes (955, 1000, 1066, 1269)                  Knight Frank LLP on behalf of George Smith &amp; Sons (1147)                  John Blanksby (1198, 1202)                  Ryden LLP on behalf of McIntosh Plant Hire (1213, 1823, 1826, 2148)                  Wallace Planning Ltd on behalf of Barratt East Scotland and Dunecht Estates (1389, 1390, 1394, 1395, 1403, 1404)                  Halliday Fraser Munro on behalf of Mrs. S Ironside &amp; Mr C Laurie (1405, 1547)                  Bancon Developments (1417, 1425, 1427, 1430, 1435, 1451, 1453, 1461)                  Halliday Fraser Munro on behalf of Drumtochty Castle (1472, 1473, 1474)                  Halliday Fraser Munro on behalf of CHAP Homes (1479)                  Halliday Fraser Munro on behalf of Harper and Cochrane (1483, 1486, 1511)                  Halliday Fraser Munro on behalf of Mr and Mrs Dow (1527, 1530, 1535, 1540, 1542)                  Halliday Fraser Munro on behalf of Ms G Mitchell (1543, 1545)                  Halliday Fraser Munro on behalf of Ms. G Mitchell (1546)                  Paull &amp; Williamson LLP on behalf of Mr Irvine Christie (1566, 1572, 1582)                  Halliday Fraser Munro on behalf of Cushnie Farming Company (1568, 1574, 1577)                  Archial Planning on behalf of Stewart Milne Homes (1599)                  Halliday Fraser Munro on behalf of John Martin Assets (1605, 1606)                  Halliday Fraser Munro on behalf of Mr and Mrs A P George (1651, 1653)                  Halliday Fraser Munro on behalf of Frank Burnett Ltd (1657, 1658)                  Archial Planning on behalf of Bancon Homes (1669, 1680)                  Mr Ian Downie on behalf of Hill of Kier Ltd, Irvine Christie, Blairythan Partnership, Whitecairns Estates Ltd, Mr and Mrs S Ged (1688)                  Paull &amp; Williamsons LLP on behalf of Scotia Homes Ltd (1712, 1713)                  Halliday Fraser Munro on behalf of CALA Management Ltd (1840, 1846)</p>		

Ryden LLP on behalf of Mr A F Buchan (1855, 1928)  
 Ryden LLP on behalf of Stewart Milne Homes (1858, 1859, 1883, 1884)  
 Ryden LLP on behalf of Kirkwood Homes Ltd (1906, 1907, 2661)  
 Ryden LLP on behalf of Mr and Mrs Goodwin (1916, 1930)  
 WYG Planning & Design on behalf of GL Residential Ltd (1955,  
 Knight Frank LLP on behalf of Kirkton Development (2096, 2174)  
 Knight Frank LLP on behalf of Kirkwood Homes Ltd (2143, 2173)  
 Ryden LLP on behalf of Mr R Ironside (2144)  
 Ryden LLP on behalf of Mr R Thorne (2149, 2150)  
 Miss Claire Martin (2176)  
 Cllr Paul Johnston (2327, 2389)  
 Mrs Gillian West (2345)  
 Prof Roy Bridges (2352)  
 Halcrow Group Ltd on behalf of A C Reid (2669)  
 PPCA Ltd on behalf of Tor Ecosse Ltd (2674)

<p><b>Provision of the development plan to which the issue relates:</b></p>	<p>Principles for, and application of, the distribution of development between settlements the Aberdeen and Rural Housing Market outwith the Strategic Development Areas according to local needs and diversification.</p>
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**Planning authority’s summary of the representation(s):**

General Approach  
 There should be a greater focus towards directing development within and around existing settlements to make effective use of existing infrastructure, to service capacity and to support local communities (**286, 370, 1405, 1527, 1530, 1535, 1540, 1542, 1543, 1545, 1546, 1547, 1568, 1574, 1577, 1651, 1653, 1906, 1907, 1916, 1930, 2124, 2149, 2150, 2271, 2654, 2661**).

Respondent **1605, 1606, 1657, 1658** suggests that there is scope to move allocations between differing areas without affecting the overall spatial strategy. The Structure Plan strategy would be more appropriately and sufficiently implemented by relocating some of these new greenfield releases to brownfield sites in more sustainable locations.

**1213, 1823, 1826, 2148:** Sufficient consideration has not been given to brownfield sites.

**703:** Development in country areas such as Forgue do not sit well with sustainable environment policies due to the distance from main employment centres.

Opportunity and Choice  
**1425:** There is little focus on delivering development in those parts of the Aberdeen Housing Market Area outwith the Strategic Growth Areas. This limits choice and does not make the best use of existing infrastructure.

**1479:** The strategy for the Local Growth Aberdeen Housing Market Area skews development between the administrative areas. The respondent suggests that there are no grounds for this diversity of provision and that it is not supported by the Structure Plan. Respondent **286** specifically comments that there are no allocations in the Garioch Rural Housing Market Area.

Transportation  
 Respondents **2327, 2352** and **2389** comment on the transport infrastructure requirements particularly in relation to the A947. They express concern about its provision to support the scale of development proposed (Newmachar, Oldmeldrum, Turriff and Banff) and also public transport opportunities. **83** more specifically comments that a bypass for Newmachar is a critical item of transport infrastructure and should be included within the plan.

Distribution of Allocations  
**1599:** Units should be re-allocated from settlements in the Local Growth and Diversification Area,

including Oldmeldrum and Kemnay, and those to be delivered through the housing in the countryside policy to Pitmedden.

**1483, 1486, 1511:** Units should be re-allocated from sites that are not deliverable in the first phase of the plan in the Local Growth and Diversification Area and from sites in this area that have been over allocated housing units to Foveran.

### **Aberdeen Housing Market Area**

Respondent **1417:** suggests that the spatial strategy in the Aberdeen Housing Market Area is fundamentally flawed. Suggests that the strategy aims to focus development where school rolls are falling to best utilise existing infrastructure, however some smaller sites such as Banchory, Lairhillock and Westhill East have been ignored in favour of a proposal at Newmachar.

**1906, 1907, 2661:** Allocations should be extended across a number of settlements in the Aberdeen Housing Market Area to minimise the likelihood of current allocated sites being undeliverable.

Respondent **2674:** More land should come forward in the Formartine Area to meet Structure Plan requirements and this should be allocated at Potterton as it is a sustainable and accessible location.

### **Auchenblae**

**1472, 1473, 1474:** Supportive of the strategy in the Main Issues Report that states development in Auchenblae is required to sustain local services and so sustain the community'. However they question whether adequate land is allocated.

### **Drumoak**

**1883, 1884:** Failure to identify further land release at Drumoak is at odds with the spatial strategy of the plan. Development in these areas should support local facilities and schools. As there is a new school proposed at Drumoak, the proposed allocations do not support this aim. Any identified shortfall in the housing land supply (see Issue 005) should be re-allocated to Drumoak.

### **Kemnay**

**955, 1000, 1066, 1269, 2176, 2345:** The scale of growth proposed for Kemnay is disproportionate to the size of the existing settlement, particularly as it is located outwith a Strategic Growth Area. **1269** comments that development here is also reliant on large scale allocations elsewhere to free up infrastructure capacity. **1599:** Kemnay and a number of other settlements in the rural growth and diversification areas contain existing allocations. Rather than allocate additional sites here, allocations should be made elsewhere in the Aberdeen Housing Market Area. This would provide a choice of sites across the housing market area in line with Scottish Planning Policy paragraph 80.

### **Newmachar**

**1198, 1202, 1390, 1404, 1417, 1425, 1430, 1435, 1451, 1453, 1461, 1479, 1855, 1928:** Respondents consider that the scale of allocation proposed for Newmachar is not justified, as it is located outwith a Strategic Growth Area and does not meet the aims of the Structure Plan for local needs. Respondents **1390, 1404** suggest that there is no evidence to suggest that existing problems will be removed by development of this scale, there are few facilities and no track record as an employment location. They further consider that Newmachar does not offer the same opportunities as Westhill. **1425** suggests that the requirement for a primary school means that it is contrary to the Structure Plan and strategy, as it is outwith the Strategic Growth Area.

**1928:** Makes specific reference to the scale of employment allocation proposed for Newmachar as too great, given the size of the settlement. There are no other settlements of comparable size in this strategy area, which have been the subject of a similar allocation.

**1394:** Newmachar is an unsustainable location.

**2173:** Respondent supports the spatial strategy, in particular, identification of Newmachar as a settlement for expansion. Respondent **1855** comments that although the scale is significant it is

required if the aspirations of Newmachar Community Council and Aberdeenshire Council for securing a bypass are to be realised and improvements to community facilities.

Oldmeldrum

**400, 406, 409, 465, 481, 693, 694, 1712:** Consider that additional growth should be directed to Oldmeldrum. There is educational capacity to accommodate growth (**406, 409, 481**).

**400, 406, 409:** The current proposed allocations are not sufficient to meet the key planning objectives for the settlement.

Respondent **1712** comments that any identified shortfall in the Aberdeen Housing Market Area land (see Issue 012) should be allocated to Oldmeldrum.

Westhill

Respondents **909, 1000, 1269, 1840, 1846** object to the lack of recognition of Westhill as a strategic location and the failure to provide significant new sites for housing or employment. It has a sufficient level of services and is located in close proximity to Aberdeen. **1846:** Westhill is one of the three main settlements identified in the Local Growth area along with Newmachar and Banchory. It is the most sustainable of these locations and should therefore be the focus for a significant proportion of development. It is a key employment centre.

**922:** Supports the strategy proposed for Westhill and considers that the scale of growth proposed is in line with the Structure Plan.

Rural Housing Market Area

General Approach

Reliance on unplanned windfall sites will put increased pressure on infrastructure to the detriment of local settlements and therefore growth in the Rural Housing Market Area should be planned (**180, 182, 286, 1916, 1930, 2144, 2651**).

Respondent **1417** supports the strategy for the Rural Housing Market Area through the concentration of growth to settlements to support local services.

Respondents **180, 182, 395, 397, 401, 2651** comments that if there is an identified shortfall in the Rural Housing Market Area (as considered under Issue 12: Housing Land Supply) then allocations/additional allocations should be made in the following settlements in the Rural Housing Market Area: Auchenblae (Issue 132), Daviot (Issue 128), Oyne (Issue 130), Roadside of Kinneff (Issue 139).

Respondents **1566, 1572, 1582, 1688** comments that if there is an identified shortfall in the Rural Housing Market Area land should be allocated in the following settlements in the Aberdeen Housing Market Area in the Local Growth and Diversification Area:- Arnage (Issue 73), Hattoncrook (Issue 73), Hill of Keir (Issue 73), Udney Station (Issue 69), Whitecairns (Issue 73), **1858, 1859:** Additional sites should be identified in the Aberdeen Housing Market Area to address the shortfall.

Respondents **396** If there is an identified shortfall in the Rural Housing Market Area land should be allocated in the following settlements elsewhere. These are within the Strategic Growth Areas:- Old Rayne (Issue 33), Foveran (Issue 59), Newburgh (Issue 72),

Alford

**2143:** The current strategy will not provide employment land for Alford and it should therefore be earmarked for additional growth to help deliver employment opportunities. The plan provides little guidance on how allocated employment land can be brought to the market.

**1713:** Alford is a significant settlement with a range of facilities and therefore it is appropriate for it to be allocated for further development.



Cruden Bay

**1147:** Support the identification of Cruden Bay as a settlement for significant development to meet local needs.

Fraserburgh

**2096, 2174:** Support the spatial strategy which identifies Fraserburgh as one of the main regeneration areas for major development in Aberdeenshire.

Gourdon

Gourdon should be recognised and included within the list of local needs and regeneration sites. It is located in both the Aberdeen City and Shire Structure Plan 'Local Growth and Diversification Area' and 'Regeneration Priority Area' (**2669**)

Mintlaw

Support for scale of growth directed to Mintlaw. It is logical given its accessible location and existing infrastructure, including under capacity secondary school (**1427**). The shortfall of allocation in the Rural Housing Market Area justifies the retention of this allocation (**1669, 1680**).

Rosehearty

Respondents **374, 375** suggest that the level of housing proposed for Rosehearty is excessive and will therefore fail to deliver the aims and objectives of the Structure Plan in respect of Regeneration Priority Areas.

Sauchen/Cluny

**465:** Object to the scale of housing proposed for Sauchen/Cluny. It is disproportionate to the size of the settlement and the community facilities available.

**1389, 1395, 1403:** Sauchen/Cluny is an unsustainable location.

St Cyrus

General support is given to the spatial strategy for Local Growth and Diversification Area and the identification of St Cyrus for significant development. This is consistent with the desire to promote infrastructure provision and support existing communities within the Rural Housing Market Area while meeting local needs (**1955, 2047**)

St Katherines

**395, 397, 401, 411, 412, 419, 492, 493:** Object to the scale of development in St Katherines due to the lack of facilities. This allocation should be reallocated elsewhere to Barthol Chapel and Daviot.

Turriff

**488:** Object to the scale of development proposed for Turriff. If this scale of development is required, then it would be better located in a new town.

**1425:** Development at Turriff is logical and compliant with the Structure Plan.

**Modifications sought by those submitting representations:**

**1858, 1859:** Additional sites should be identified in the Aberdeen Housing Market Area local growth and diversification area to address any shortfall from windfall sites.

**955, 1000, 1066, 1269:** Westhill could accommodate the housing allocations diverted from Kemnay.

**1198, 1202:** Delete sites H1 and majority of Site M1 at Newmachar, to provide a scale of new housing and employment that is proportionate to local needs.

**1390, 1389, 1403, 1404:** The allocation of 565 houses at Newmachar should be re-allocated to Westhill, with the Phase 1 allowance going to the proposal at Kirkton of Skene.



**1389, 1403:** The allocation of 50 houses (Site H1) at Sauchen should be deleted and re-allocated to Kirkton of Skene, Westhill.

**1425, 1430, 1451, 1453, 1461:** Development from Newmachar should be re-distributed to Banchory, Lairhillock and Westhill.

**1599:** Move allocations from Kemnay to Pitmedden.

**1840:** Additional land should be allocated at Souterhill, Westhill.

**2143:** Allocate land to the south-east of Alford for housing in addition to employment land.

**2327, 2389:** The proposed scale of development on the A947 corridor should be reduced or additional public transport provision should be made a condition of development.

**395, 492:** Land at Barthol Chapel should be reallocated from St Katherines.

**395, 397, 401, 412, 419, 492:** Land at Daviot should be re-allocated from St Katherines.

**286:** Housing allocations should be made across a range of sites in the Rural Housing Market Area for Garioch promoting a range of locations.

**Summary of responses (including reasons) by planning authority:**

Overview and General Approach

Aberdeen City and Shire Structure Plan promotes a strategy which plans for significant growth in a limited number of places, where there can be significant public and private investment in infrastructure. It identifies strategic growth areas where around 75% to 80% of the growth over the next 20 years or more will occur. It also identifies areas of “local growth and diversification”, where levels of growth should relate to local needs (Structure Plan paragraphs 3.5, 3.7 and 3.13). Over the life of the local development plan it is anticipated that 10,500 house sites are required to be allocated outwith the strategic growth areas, with 2,350 in the Aberdeen Housing Market Area, and 8,200 in the rural housing market area (Structure Plan, Schedule 1, p27).

Within these areas of local growth and diversification a strategy has been adopted that reflects the requirements of the structure plan. Major allocations have been made as extensions to significant settlements to reflect the demands that are likely to be generated for housing and employment land. These allocations have been made in scale with the size of these settlements, except in those circumstances where a significant infrastructure constraint requires sufficient development to overcome a threshold.

The plan generally promotes a “welcoming approach” to development in the countryside (Policy 3). It also respects Scottish Planning Policy (para. 80) insofar that development is directed to sites within existing settlements, where possible, to make effective use of existing infrastructure and service capacity and to reduce energy consumption.

An assessment to identify “need” for the 120 settlements outwith the strategic growth areas was undertaken. This need was based on three distinct elements which were used as proxies for wider needs. These were:

- Whether the Local Housing Strategy identified a specific need in the settlement for affordable housing (the housing need and demand assessment only considers need at a housing market area level).
- Whether there was a need for economic development opportunities (all settlements within the Aberdeen Housing Market area were judged to meet their employment needs within the Aberdeen travel to work area and so this criterion would not apply in that area).
- Whether there was a specific need to support services in the community (Primary school provision was usually taken as a proxy for the viability of other services).

Allocations were specifically considered to meet identified social or economic needs. In some cases existing infrastructure constraints (such as the capacity of the primary school) resulted in no allocations being made. In other cases, as noted above, large allocations were made to overcome these constraints. To all intents and purposes the approach used was designed to make effective use of existing infrastructure, to support local communities and provide flexibility in the range of sites available.

#### Opportunity and Choice

Once the strategic growth areas are “stripped out” of the Aberdeen Housing Market area the difficulty in accommodating 2,350 houses over the life of the plan without huge impacts on character and quality of life has to be recognised. The requirement for significant growth to overcome lack of capacity in infrastructure (caused by past success in attracting development) limits choice. Wider opportunity is provided by the application of Policy 3 “Development in the Countryside”. As explained in Issue 8 this seeks to balance the scale of demand against the need for rural development in this area. There is no requirement to balance rural growth across different administrative areas, and to do so would not be in the interests of good planning

#### Transportation

Almost by definition development outwith the strategic growth areas suffers from poorer transport infrastructure. The existing distribution of development focused on the A93, A944 and A947 results in larger allocations in these corridors. This increases both road traffic and the viability of public transport services.

#### Distribution of Allocations

As outlined elsewhere in this response and as covered in Issue 67 (Oldmeldrum) and Issue 76 (Kemnay) the allocations and strategy to the local growth and diversification area is appropriate and sufficient therefore there is no requirement to alter the proposed strategy. Comment on the merits of the any allocation at Pitmedden are considered under Issue 73 (Other Sites Formartine Aberdeen Housing Market Area).

It would be contrary to the Aberdeen City and Shire Structure Plan strategy to re-allocate units from the local growth and diversification area to the strategic growth areas. Notwithstanding this the allocations proposed in the local growth and diversification area are deliverable.

### **Aberdeen Housing Market Area**

#### General Approach

The response to the comments raised about the approach to the spatial strategy in the Aberdeen Housing Market Area is covered above.

#### Auchenblae

As outlined in Issue 132 the scale of growth proposed for the settlement is appropriate to meet local needs.

#### Drumoak

As detailed in Issue 85 the scale of development sought by the representee is inappropriate for the size of the village. The new school is of a size appropriate for the existing residents and the new allocations. No exceptional need is identified, and consequently there is no conflict with the settlement strategy.

#### Kemnay

Kemnay locality consisted of 1407 households at the 2001 census. If all the sites were delivered as planned this would constitute a 15% increase in the number of households. This is an appropriate level of growth for the settlement. The allocations for Kemnay are identified for Phase 2 of the plan to allow infrastructure in the local area to come forward. In the meantime there is a range of allocations included within Phase 1 to provide suitable choice.

Newmachar

As explained in issue 81 the “local need” identified in Newmachar is the provision of a by-pass to relieve the village centre and overcome issues of separation between the two halves of the village. Allocations are proportionately large (representing a 65% increase in the size of the settlement) to overcome capacity thresholds at the existing primary school (forecast 115% of capacity at 2016). A second primary school in the village would be appropriate. Development of the Aberdeen Western Peripheral route will increase Newmachar’s attractiveness to business, and the village does not have the same issues associated with coalescence or capacity as Westhill.

Oldmeldrum

As explained in issue 67 allocations have been made in Oldmeldrum within the capacity of the education estate. Meldrum Academy receives pupils from a wide catchment, including villages in the area that will contribute approximately 50 pupils to the school. The scale of development proposed in Oldmeldrum brings the school to capacity.

Westhill

There is an acute affordable housing need in Westhill (see Schedule 4 “Affordable Housing Requirements, p43), but the town has neither additional economic nor service needs. Westhill has grown extensively in the past 6 years and with that growth have come acute traffic congestion issues. As explained in issue 80 the scale of development proposed is appropriate for the settlement.

**Rural Housing Market Area**

General Approach

The strategy towards allocations in the rural housing market area is appropriate and sufficient. The merits of particular proposed allocations are best considered under the specific issues.

Alford

Employment land opportunities have been provided in Alford and, as explained in issue 150, there are existing housing allocations which will meet needs over the plan period.

Cruden Bay

The comment of support is noted.

Fraserburgh

Comments of support are noted.

Gourdon

Gourdon is located within a regeneration priority area in the local growth and diversification area. Allocations have been made in the settlement to meet local needs.

Mintlaw

Comments of support are noted.

Rosehearty

As explained in issue 104, allocations have been made in Rosehearty to provide employment land and to meet local need for housing, so as to sustain existing local services. The scale of the allocations is consistent with the objectives for the regeneration priority area.

Turriff

The level of growth proposed for Turriff would result in a 25% increase in the size of the town over the next 10 years. The scale of growth proposed could not support a new settlement. (see issue 126).

Sauchen/Cluny

As explained in issue 77, the scale of allocations made to Cluny and Sauchen reflect the need to support the Primary school (forecast to be at 70% of capacity in 2016). The 50 houses proposed are

anticipated to bring this to 88% of capacity. This additional development supports the limited community facilities available.

St Cyrus

Comments of support are noted.

St Katherines

Allocations have been made in St Katherines to support the wider needs of the rural community. As explained in issue 127, development in this settlement supports Fyvie Primary School (forecast to be 59% of capacity in 2016). No other allocations are made within this school catchment due to deliverability and amenity issues at Fyvie and Woodside.

**Any further plan changes commended by the Planning Authority:**

No changes are commended.

**Reporter's conclusions:**

1. Most of the concerns raised under Issue 66 are discussed elsewhere in this report, in the consideration of Issues 12 (housing land supply), 25 (new housing and land allocations), 29 (overall spatial strategy), and in the issues relating to the local spatial strategies and individual settlements. However it is appropriate to address some of the general points raised here.

**General approach**

2. In preparing a local development plan each planning authority is obliged to ensure that it is consistent with the strategic development plan. That means that the spatial strategy of the Aberdeenshire Local Development Plan needs to be consistent with the Aberdeen City and Shire Structure Plan. The proposed Plan is not an opportunity to 'improve on' or to provide a critique of the structure plan, as has been suggested in representations. Nor is it a vehicle to move allocations between local growth areas and strategic growth areas, or between housing market areas.

3. The structure plan spatial strategy sets a clear context for the Plan. It concentrates development in three strategic growth areas (SGAs) – Aberdeen City, Huntly to Laurencekirk, and Aberdeen to Peterhead.

4. Paragraphs 3.13 and 3.14 of the structure plan spatial strategy give a clear explanation of the role of local growth and diversification areas:

*"Levels of growth in individual settlements should relate to local needs, although the scale of this growth will vary from place to place... We need to give priority to mixed-use developments which respect the character of the landscape and local identity."*

*"In this area, there will continue to be pressure for housing in the countryside which is not connected to existing settlements. However, local development plans, in line with Scottish Planning Policy, should approach this by focusing new housing in, or as an extension to, existing settlements, particularly those which are well served by public transport."*

5. Section 4 of the Local Development Plan reiterates and interprets the structure plan provisions summarised above. It explains the Plan's approach to development in the SGAs, which concentrates development in certain locations and on a scale that will enable the provision of major improvements to roads, schools, sewers and other infrastructure. Allocations elsewhere aim to maintain or provide for community needs. Development opportunities are limited in the countryside, particularly in the green belt.

6. Section 4 of the Plan indicates that development in the local growth and diversification areas is to be concentrated on certain settlements, and that the scale of such development will be appropriate

to the size of the community and the ability to provide important infrastructure. Land allocations are made in areas with a particular need, mainly to support primary schools where the school roll is falling.

7. I am satisfied that the spatial strategy for the local growth and diversification area which is outlined in section 4 of the Plan is consistent with the structure plan spatial strategy referred to above.

8. The housing allowances in Schedule 1 of the structure plan reflect the spatial strategy quoted in paragraph 4 above. Specific allowances are made for the local growth and diversification areas in Aberdeenshire, split between the Aberdeen housing market area and the rural housing market area. The allocations which the Local Development Plan proposes to make in the local growth and diversification area are consistent with the structure plan allowances. There is no requirement to balance the allocations between the administrative areas within Aberdeenshire.

9. The council's approach to identifying the need for development in individual settlements was in accordance with Scottish Planning Policy and the structure plan strategy. The three indices used by the council – need for affordable housing, need for economic development and need to support services – are appropriate (though on occasion there may have been an over-reliance on the school roll as an indicator). The general concerns about the adequacy of transportation provision in specific parts of Aberdeenshire are understood, and have been taken into account in the distribution and phasing of development.

10. In addition to the allocations made in the Plan, there is scope for further development in the local growth and diversification area through the application of Policy 3: Development in the countryside and the associated supplementary guidance, which support development in the countryside in appropriate circumstances. The policy promotes small scale development, especially business development, in the less accessible areas. The Plan has also identified brownfield land for development, including 100 hectares at the former Edzell Woods airfield, and it is likely that other brownfield opportunities will emerge during the Plan period.

**Overall conclusion**

11. Overall, I conclude that the spatial strategy for the local growth and diversification area is coherent and reasonable, and is in line with the requirements of the structure plan and national planning policy.

12. The merits and adequacy of specific allocations at Alford (Issue 150), Auchenblae (Issue 132), Cruden Bay (Issue 109), Drumoak (Issue 85), Fraserburgh (Issue 96), Gourdon (Issue 137), Kemnay (Issue 76), Mintlaw (Issue 110), Newmachar (Issue 81), Oldmeldrum (Issue 67), Rosehearty (Issue 104), Turriff (Issue 126), Sauchen/Cluny (Issue 77), St Cyrus (Issue 136), St Katherines (Issue 127), and Westhill (Issue 80) are addressed elsewhere in this report.

**Reporter's recommendations:**

No modifications to the spatial strategy – local growth and diversification area.

<b>Issue 67</b>	<b>Oldmeldrum</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Schedule 2, Table 4, (p31) Volume 3f, Supplementary Guidance, Settlement Statements, (p25-26)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Kenny Monk (112) Wendy Probert (145) John Pirie on behalf of A C Watson (347) William Lippe Architects Ltd on behalf of Ian Douglas (400, 405, 406, 409) Knight Frank LLP on behalf of Lesley Paterson (693, 694) DDP LLP (Planning Consultants) on behalf of Church of Scotland General Treasurer (1180, 1182) Meldrum &amp; Bourtie Community Council (1253) Irene Dunbar (1254) Halliday Fraser Munro on behalf of Graeme Webster (1420, 1423) Archial Planning on behalf of Stewart Milne Homes (1599, 1937) Paull &amp; Williamsons LLP on behalf of Scotia Homes Ltd (1712, 1809) Ryden LLP on behalf of Baker Street Properties (1918, 1919) Scottish Environment Protection Agency (1979) Ryden LLP on behalf of Baker Street Properties (2151, 2152) Member of Meldrum Bourtie &amp; Daviot Community Council (2384)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at M1, H1 & H2.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Strategy</b> <b>693, 694:</b> It is contended that the strategy for growth of Oldmeldrum is flawed and objection is made to the scale of allocations for Oldmeldrum (see issue 66 Strategy – Local Needs).</p> <p><b>400, 406, 409:</b> Objection to small allocation of housing units to Oldmeldrum, which does not meet the key planning objectives for the settlement (see issue 66 Settlement Strategy -local needs). It is contended that Oldmeldrum is a sustainable location, with good facilities (including public transport), and capacity in education facilities to accommodate a higher allocation. Oldmeldrum should be allocated additional housing units in both plan periods, including units relocated from Newmachar (see issue 81 Newmachar).</p> <p><b>H1 Oldmeldrum</b> <u>Conditional support for allocation</u> <b>347:</b> Support for development at site H1 on the condition that development does not extend across the Meadows Burn.</p> <p><u>Original bid for development</u> <b>2384:</b> One respondent requested that the original bid for 500 houses be reconsidered. It would facilitate a new southern relief road to the north and west which would link with the existing relief road and relieve the current and increasing traffic congestion in the town centre.</p> <p><u>Capacity of facilities</u> <b>1253:</b> The respondent requests no further development in the settlement due to capacity constraints of the Academy and medical care facilities, and road congestion.</p>		



Constraints and impact on landscape

**145, 693, 694, 1253, 1599, 1918, 1919, 1937, 2151, 2152:** Objection to allocation at site H1. It is contended that the continued allocation of the site will be detrimental to Oldmeldrum (1918, 1919, 2151, 2152) and will have an adverse impact on the landscape setting of the town (693, 694). Concern is raised that the site is one of the few open grass areas left in the settlement which is used for recreational purposes (145). It is contended that there will be difficulty in providing the major infrastructure required to deliver the site, including the proposed link road, and that the site is no more accessible to the town centre and schools than sites to the north of Oldmeldrum (693, 694).

Impact on local road network

**145:** It is contended that development of the site will result in an increase in road traffic, which poses road safety concerns.

Flood risk

**693, 694, 1918, 1919, 2151, 2152:** Flood risk constrains the site. Concern is raised that the site has been allocated without being demonstrated as deliverable; and its allocation is inconsistent since other sites demonstrated as at risk from flooding have not been allocated (**1918, 1919, 2151, 2152**). The site's allocation is contrary to Scottish Planning Policy (paragraph 38), which states that development should be avoided in areas which are at significant risk of flooding (**1918, 1919, 2151, 2152**). It is contended that the site should not be developed, as it would increase the risk of flooding, reduce the area for water run-off and increase the likelihood of flooding. Doubt is raised as to how much of the site can be developed due to its proximity to an area subject to flooding.

**1979:** Scottish Environment Protection Agency have welcomed the mention of flood risk within the settlement statement for Oldmeldrum and as such have not objected to the proposed allocation. Additional text has been requested for insertion within the supplementary guidance.

Public opinion

**693, 694, 1599, 1937:** Development on the site is not supported by the local community.

Previous local plan designation

**1918, 1919, 2151, 2152:** H1 was protected in the extant local plan and Gordon District Local Plan and the protected status should remain.

**H2 Oldmeldrum**

Support for allocation

**347:** Support for development of site H2.

**1420, 1423:** Support for allocation of up to 10 houses in the first phase of the plan. The site has no constraints on its deliverability: it is a brownfield site on the edge of the existing settlement with little infrastructure investment required to deliver it. It is contended that support from the community has been given. The development will not set a precedent for development west of the B9170 bypass, as it is a stand-alone example of a previously used brownfield site in the area. The site's development has the potential to deliver enhancement of a path around the site as part of historic routes in the area.

Capacity of facilities

**1253:** The respondent requests no further development in the settlement due to capacity constraints of the Academy and medical care facilities, and road congestion.

Constraints

**405, 693, 694, 1253, 1254, 1918, 1919, 2151, 2152:** Objection to site H2. It is contended that no houses should be built across the Oldmeldrum bypass (**1254**), and that its development would set a precedent for development on the western side of the Oldmeldrum bypass (**693, 694, 1918, 1919, 2151, 2152**). The site is prominent in the landscape (**693, 694**). The site is disjointed from the settlement (**405**), situated away from the services and facilities of the settlement, which is

unsustainable (**1918, 1919, 2151, 2152**). The location of the site poses safety issues for residents accessing facilities in the settlement (**693, 694**). The site is not supported by the community, and its continued allocation would be detrimental to Oldmeldrum (**1918, 1919, 2151, 2152**). The site is currently brownfield land and it is considered that a continuation of employment use would be more appropriate (**693, 694**).

### **M1 Oldmeldrum**

#### Support for allocation

**347, 1180, 1182:** Support for M1, and its continued allocation for residential and associated community facilities

**1182:** The allocation of effective land complies with Scottish Planning Policy and will assist in ensuring a minimum 5 year housing land supply. There are no known constraints to the development of the site. The development of the site provides a logical natural extension to the established housing area within Oldmeldrum, would have well defined boundaries and is effectively infill development. The site is located within the existing settlement in close proximity to existing services and will enable provision of new facilities. The development will respect the character and scale of the surrounding area. The masterplanned approach will enable delivery of a sustainable and integrated development.

**693, 694:** The site is centrally located and considered well placed (alongside alternative sites at Newbarns (F113) and at Chapelpark (F134)) to offer an alternative location for an expansion to the north rather than the south.

#### Objection to allocation

**112, 693, 694:** Objection to site M1.

#### Phasing of development

**1180, 1182:** Objection is raised to the proposed phasing of the residential site, which is considered onerous and restrictive to the provision of the community facilities and particularly the new Church. Whilst it is contended that the allocation should be retained, it is requested that the site is brought forward in its entirety within the first phase of the plan, to enable the associated Church and community facilities to be delivered early in the development.

**693, 694:** It is contended that provision of access to service the new housing may be difficult, due to the developer not owning the land. It is recommended that the first phase allocations are moved into the second phase of the plan.

#### Capacity of facilities

**1253:** The respondent requests no further development in the settlement due to capacity constraints of the Academy and medical care facilities and road congestion.

#### Impact on neighbouring property/lack of demand for facilities

**112:** It is contended that the development will have a negative impact on the respondent's property in terms of views and privacy. It is also contended that the settlement does not require a community centre, as despite recent development in the settlement the church attendee numbers have not increased and a modern community centre would not be the location of choice to attend for church. It is not clear how access to the site will be achieved.

### **BUS2 Oldmeldrum**

**1979:** <20% of the site is affected by 1 in 200 year flood risk and may reduce the area of the site which can be developed. Object to the site, unless the issue of flood risk is highlighted in the plan or supplementary guidance text as required by the Scottish Planning Policy and in a design statement to inform future design layout of the site, along with highlighting the possible need for a drainage assessment to inform the development area and layout.

## **Alternative Sites Oldmeldrum**

### Site BUS1

**347:** BUS1 site is more suited to accommodate future demand for houses on part of the area.

**1918, 1919, 2151, 2152:** Objection to failure to allocate BUS1 for mixed use development. It is welcomed that BUS1 has been identified for employment use. However, BUS1 should be redesignated as site M2 for a mixed use development. The BUS1 site has been marketed with no interest in it for employment use, and therefore it is deemed appropriate to allocate the site for mixed uses. The site is well related to Oldmeldrum: It has close proximity to school services, including the proposed new primary school site; and a location next to the bypass is ideal for access to employment uses outwith the site. The development of BUS1 for housing would complement the existing housing scheme to the east of the site, demonstrating a natural extension of infill development contained by adjacent developments. It would ensure that development of the settlement is maintained within the settlement's natural boundaries and provide a strong defensible boundary. Development of the site would facilitate access to the town's services and facilities, which demonstrates the sustainability of the development, reducing reliance on car usage. It is contended that a 50/50 split of residential (with 50 housing units transferred from H1 and H2 allocations) and employment use could be created, with the addition of a small village centre, to benefit the local community, and retail provision if required.

### Site F113

**405, 409:** An alternative site at F113 is promoted for residential development. It is contended that development to the east of Oldmeldrum will balance the settlement and bring improvements to sports and recreation facilities.

### Site F134

**693, 694:** An alternative site at Chapelpark (F134) is promoted for development in the first phase of the plan. It is contended that a greater level of growth should take place on the north eastern side of Oldmeldrum. Sites to the north are better placed to deliver infill development or rounding off the settlement boundary and can deliver a more centrally located new primary school if required. The site is a sustainable and logical extension to the settlement boundary with excellent accessibility to public transportation, town centre facilities, employment sites and school provision. The site would sit well within the landscape, is deliverable, there are no major constraints and the land is under single ownership. The site at Chapelpark involves a small scale extension to Oldmeldrum of around 50 houses and associated open space provision which is well integrated within the settlement. It is capable of being a small stand- alone extension to Oldmeldrum or as part of a larger growth scenario for the town. The development would be sensitive to the listed buildings nearby with the potential to create a gateway feature. The scale of development will not have a detrimental impact on the local road network.

### Site F50 and F150

**1712, 1809:** Promotion of additional sites at F50 and F150 for mixed use development (including up to 1000 residential units, business, retail, leisure and community uses) phased over a 20 year period. It is contended that additional allocations are required in the local growth area of the Aberdeen Housing Market Area over and above the land allocated in the plan in order to meet the requirement set out in the structure plan (see Issue 25 Annex 1 Housing land). It is contended that the settlement is of sufficient size, with appropriate facilities, to accommodate further development which will facilitate enhancement of community facilities. The sites are well connected to the town centre, current employment land and schooling provision and would allow the creation of a southern link road onto the A947 (as aspired to in the MIR), which would alleviate traffic from the town centre. The link road is contended to be key to the required future development of Oldmeldrum and subsequently confirms that sites F50 and F150 are the appropriate locations for future development. Development of the sites would not impact on the landscape, would provide significant benefits in the form of a southern link road and gateway feature, the developer has agreement over the whole site and it is therefore deliverable, and there is no flood risk on the site.

**Modifications sought by those submitting representations:**

**H1 Oldmeldrum**

**2384:** Increase allocation at H1 for 500 houses to match the original bid.

**145, 1599, 1937:** Although not explicitly stated it is assumed the respondent wishes site H1 removed from the plan.

**693, 694, 1253, 1918, 1919, 2151, 2152:** Delete site H1 from the plan. Replace with protected status and transfer allocation to alternative mixed use site at BUS1 (1918, 1919, 2151, 2152).

**1979:** Request the following text is highlighted in the settlement statement and a masterplan for the site: "Part of this site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future planning application and an adequate buffer strip may be required adjacent to the Meadow Burn. Any morphological improvements made to the Meadow Burn will be welcomed."

**H2 Oldmeldrum**

**1420, 1423:** Retain the H2 allocation for up to 10 housing units in the first phase of the plan.

**405, 693, 694, 1253, 1254, 1918, 1919, 2151, 2152:** Delete site H2 from the plan and rezone as employment land (693, 694). Transfer allocation to alternative mixed use site at BUS1 (1918, 1919, 2151, 2152).

**1180, 1182:** Retention of allocation. Request moving the second phase allocations into the first phase of the plan.

**M1 Oldmeldrum**

**112:** Although not explicitly stated it is assumed the respondent wishes site M1 removed from the plan.

**1253:** Delete site M1 from the plan.

**BUS2 Oldmeldrum**

**1979:** Insert wording to the text and design statement in relation to BUS2: "Part of this site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment may be required to accompany any future planning application and an adequate buffer strip will be required adjacent to the Meadow Burn. Any morphological improvements made to the Meadow Burn will be welcomed."

**Alternative Sites Oldmeldrum**

**400, 406, 409:** Oldmeldrum should be allocated 165 housing units in the first plan period and a further 145 housing units in the second plan period.

**400:** 200 housing units should be allocated to Oldmeldrum from a reduction at Newmachar (see issue 80 Newmachar).

**347, 1918, 1919, 2151, 2152:** Redesignate BUS1 to a mixed use development site with allocation of 50 housing units transferred from H1 and H2 sites.

**405:** Allocate F113 for residential development of 10 units.

**409:** Allocate F113 for residential development.

**693, 694:** Allocate new H3 site at Chapelpark (F134) for 50 housing units in the first period of the plan.

**1712, 1809:** Allocate sites F50 and F150 for mixed use development.

**Summary of responses (including reasons) by planning authority:**

**Overview/Strategy**

Oldmeldrum is located within the Local Growth and Diversification Area and Aberdeen Housing Market Area. Allocations within Oldmeldrum are already appropriate to meet local needs and existing infrastructure capacity. The level of development proposed is also sufficient and adequate to meet the requirements of the structure plan. The settlement is subject to a high level of developer interest.

Allocations in the Aberdeen Housing Market Area are set by the Structure Plan. The overall strategy for allocations in the Aberdeen Housing Market Area, outwith the Strategic Growth Areas, is addressed through the council's response to Issue 66 Spatial Strategy: Local growth and diversification areas. As discussed in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Oldmeldrum pages 52 – 58) development to the south of the settlement was preferred due to proximity to key services and facilities, including employment land and education facilities. Housing allocations have been proposed in both phases of the Local Development Plan. There is sufficient capacity at Meldrum Academy to absorb pupils from an additional 55 housing units in the first phase of the plan, with current forecasts at 98% of capacity in 2011 and indicating it is likely to be at 91% of capacity in 2016. Grampian Health Board has not identified any issues regarding capacity in the health centre. A relief road and town centre management have recently minimised issues of congestion.

**H1 Oldmeldrum**

Conditional support for allocation

The proposed H1 allocation, as shown in the settlement statement for Oldmeldrum, does not extend across the Meadows Burn.

Original bid for development

The proposed allocation is significantly smaller than the original bid and as reported within the Main Issues Report. Following public consultation, it was considered appropriate to reduce the proposed number of units due to lack of public support and the cost of infrastructure required. The allocation no longer requires to provide the levels of infrastructure previously identified and this makes for a viable development.

Capacity of facilities

See overview above.

Constraints, impact on landscape and local roads network

The site is appropriate to contribute towards meeting the key planning objectives for the settlement particularly meeting the demand for new housing and sustaining existing services. The site is in close proximity to the services and facilities in the town centre in addition to land which has been safeguarded for employment uses. Whilst it is a prominent site on the approach to Oldmeldrum, the site will fit into the existing landscape, and local landscape character and open space provision is one of many issues to be taken into consideration during the preparation of the development brief required for the site. The development brief will also provide the opportunity to manage issues relating to road safety and increased traffic as a result of the development.

Flood risk

In relation to flood risk and flood constraints the site is proposed as an allocation in full cognition that Scottish Environment Protection Agency's flood map highlights that the southern extremity is within 1:1000 to 1:500 year chance of fluvial flooding. Flooding issues can be avoided through the design of the development without compromising the ability to deliver the number of units proposed for the site. Text has been added to the settlement statement for Oldmeldrum highlighting the flood issue. Scottish Environment Protection Agency welcomed the mention of flood issues within the settlement statement for Oldmeldrum and as such have not objected to the site.

Previous local plan designation

Although the site was protected in the extant Local Plan and Gordon District Local Plan the economic and social benefits to development on the site were considered to outweigh the environmental benefit of carrying forward the protected status. The Community Council did not, when asked, identify this land as having a public function. There is no specific record of why it was protected in the past.

**H2 Oldmeldrum**

Support for allocation

Support for the site is welcomed.

Capacity of facilities

See overview above.

Constraints

The site was considered technically possible but not a preferred site at the Main Issues Report stage (page F14 – F15). However, it was progressed with a small scale allocation in the proposed plan following public consultation, despite perceived issues with access, as the site presented a brownfield development opportunity.

It is not accepted that the proposed allocation will set a precedent for development on the western side of the bypass, as the site proposed is brownfield and there are no other similar opportunities on the western side of the bypass. There is sufficient land which has been proposed to be safeguarded for employment use in the settlement without the need to retain the existing employment use at site H2.

**M1 Oldmeldrum**

Support for allocation

Support for the site is welcomed.

Phasing of development and access

Phasing has been considered to allow for necessary upgrades of the waste water treatment works to take place. Consequently, development phased over both plan periods is appropriate. Internal consultation with the Roads Authority has not raised any access issues relating to the site. Access details would be considered at the masterplanning stage and the detailed planning stage. The developer has confirmed deliverability (see deliverability statement), despite land assembly issues that may be required.

Capacity of facilities.

See overview above.

Impact on neighbouring property/lack of demand for facilities

Whilst it is accepted that privacy is a material planning consideration, a masterplan will be required for site M1, so there will be a further opportunity for engagement in relation to the detail of the site and its layout, siting and design for example.

Provision of improved community facilities is a key planning objective for the settlement and it is appropriate that site M1 delivers this.

**BUS2 Oldmeldrum**

Regarding potential flood risk on the site, text has been added to the Supplementary Guidance to state that a Flood Risk Assessment will be required and to consider the use of buffer zones adjacent to the Meadow Burn, which will satisfy the Scottish Environment Protection Agency's concerns. The Meadow Burn runs through the site, but the site is of sufficient size to accommodate development, and leave areas of flood risk as open space.



**Alternative Sites Oldmeldrum**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

Site BUS1

BUS1 is an allocation which was carried forward from the Aberdeenshire Local Plan allocations. The site was included as a bid (F107) for housing development and open space in the Main Issues Report (page F14 – F15). However, it was not taken forward as it would result in the loss of employment land. There are sufficient housing allocations to meet the key planning objectives for the settlement without the need for further allocations. Whilst support was given to the suggestion of retail development on the site at Main Issues Report consultation stage, the site has been allocated in the Aberdeenshire Local Plan for a number of years without retail provision being delivered. However, it is also recognised that the scale of growth in Oldmeldrum in recent years may give rise to a need for retail provision. Therefore, the BUS1 allocation effectively acts as a safeguard for potential retail use should the need arise in the future. Whilst it is agreed that the site provides an opportunity to “round off the settlement boundary” within the Oldmeldrum bypass, the employment use currently proposed will complement the existing allocations.

Site F113 and F134

Sites F113 and F134 were considered as alternative sites in the Main Issues Report (page F14 – F15), but were not recommended for inclusion in the Proposed Plan. The sites were fully debated in response to their inclusion in the Main Issues Report, however, following widespread community engagement, the Council’s conclusion was to exclude it. There was a lack of support for development at the sites due to the potential cumulative impact, their location on the edge of the settlement away from the town centre, employment land and education facilities and the possible barrier to development of an eastern bypass proposed as part of this bid. It was considered that the sites did not appear to have any benefits over the preferred sites promoted and would not deliver the critical mass to support new facilities.

Site F50 and F150

Site F50 and F150 were included in the Main Issues Report (page F14 – F15) as preferred sites for 540 housing units and community facilities. The sites in at the scale proposed were not recommended for allocation in the Proposed Plan due to issues raised in responses received to the Main Issues Report. There was lack of public support within the community of Oldmeldrum, the cost and impact on existing properties of connection of proposed relief road to the A947, and adverse impact on traffic in the surrounding area. Therefore, a smaller allocation was proposed (site H1) to meet the key planning objectives for the settlement. The proposed plan does not allocate housing beyond 2023, in conformity with guidance in Circular 1/2009. Scottish Environment Protection Agency have highlighted a 1 in 200 year flood risk on the site. Current proposed housing land allocations are sufficient to meet the structure plan requirements and the key planning objectives for the settlement.

**Conclusions**

None of the modifications sought are supported. The development strategy and land allocations in Oldmeldrum are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. As well as being in the Aberdeen Housing Market Area, Oldmeldrum is located within the Local Growth and Diversification Area – but it is not situated within one of the Strategic Growth Areas identified in the approved structure plan. The council reports the on-going debate as to whether or not the focus of growth for Oldmeldrum should be to the south of the settlement. The arguments put

forward encompass a number of factors – including reference to: accessibility to key services, facilities and support infrastructure, including school capacity; access to employment opportunities; flooding; and the benefits and disbenefits of a possible new link road to the south linking with the existing bypass.

2. Based on these and related considerations, at the time of the Main Issues Report the council, on balance, expressed a preference for expansion to the south and south-west of Oldmeldrum. Accordingly, at that stage it did not favour other sites to the north and north-east of the town centre that had also been put forward for consideration. Subsequently, in the light of public consultation and a review of infrastructure costs, the council reviewed its earlier position and the proposed Plan allocations now place less emphasis on new development to the south of the town. Nevertheless the council still does not favour technically possible sites to the north-east of the town centre that are discussed in more detail later. Another key factor guiding the council's current position has been its decision to now limit new housing allocations overall for Oldmeldrum to 55 units in the first phase of the local development plan and even less in the second plan period to reflect projected capacity constraints of Meldrum Academy.

3. Some representations argue that the relatively limited new allocations now proposed by the council for Oldmeldrum are insufficient to meet even local needs. The council's reasoning to limit the allocation totals, summarised above, is further justified by the fact that Oldmeldrum was allocated 405 new houses in the Aberdeenshire Local Plan (ALP) – almost all of which were to the north and north-west of the town centre, inside the new bypass. Most of those houses are now either built or under construction so there is less justification for a further major release of housing land for Oldmeldrum now, particularly given the school capacity constraints locally. It is against this background that the cases put forward in unresolved representations are considered in turn below.

#### Site H1

4. Whilst one respondent is seeking allocation of the original proposals for 500 houses on the F50/F150 sites, either side of Meadow Burn, another respondent supports the council's current proposal to now limit the development to H1 (for up to 40 houses) using only the land immediately to the north of the burn. Whilst the original, much larger proposal would have facilitated a new southern relief road to link with the newly completed bypass to the west and north, this is not sufficient reason to allocate 500 new houses here. This is particularly the case in the light of the major new housing developments that have recently been implemented through the Aberdeenshire Local Plan allocations summarised above – and given the fact that the concept of a southern link road has raised a number of concerns, including with regard to its likely impact on existing areas including the town centre.

5. Concern has been raised about possible flood risks associated with the more limited H1 site. That, however, has been addressed to the satisfaction of the Scottish Environment Protection Agency (SEPA). This has been achieved by the council stating that it would ensure that the design of any development here would fully meet SEPA's requirements with regard to flood risk management – and the council's undertaking to incorporate a suitable reference to flood risk in the settlement statement for Oldmeldrum. The site is shown as protected land in the extant plan. Nevertheless, the council has provided sufficient justification for its decision to now allocate this low profile site, whilst at the same time ruling out from allocation the more visually prominent arable farm land to the south of Meadow Burn. Indeed this burn provides an excellent, natural southern boundary for the built-up area – and should make it robust and defensible against future pressures for development on the open countryside areas to the south of it.

#### Site H2

6. The main justification for the allocation now proposed by the council for up to 10 houses on this elevated, former quarry land appears to be that the site in question can be categorised as brownfield – with no overriding infrastructure constraints impeding its delivery for some residential development. In support of this allocation, the council also states that the site is not required for employment uses as there is a satisfactory supply of sites for those uses elsewhere in Oldmeldrum. These, however, are not sufficient reasons to now allocate this particular site for housing

development – noting that it was not a preferred site at the Main Issues Report stage.

7. A number of representations draw attention to constraints and other factors affecting the suitability of site H2 for housing development. Firstly, the site in question, being part of a pronounced hillock, is prominent in the local landscape. In addition, whilst on close inspection there is evidence of a former quarry, in general the hillock is covered with vegetation that gives it a natural appearance rather than suggesting that it is a disused quarry site in need of redevelopment. Most importantly, the site is situated on the northern side of the recently completed Oldmeldrum bypass. This forms a busy and important part of the B9170 road, relieving pressure on Oldmeldrum town centre by carrying through traffic round the settlement edge. This road now not only provides a strongly defined boundary to the built-up area but it also means that the site now in question is even more detached from the town centre than it would have been before the new road was built. Any new housing development of site H2 would probably require an access off the bypass. Furthermore, if site H2 was developed for housing, residents there would have to cross this road to access the shops and services in the town centre as well as to reach other community facilities, such as the schools, elsewhere in Oldmeldrum.

8. Furthermore, there are currently no built developments on the north-west side of the new bypass, apart from a small waste water treatment plant that is not visible from most vantage points. The remainder of the land to the north-west of the bypass is undeveloped open countryside. Accordingly, the bypass itself provides a clearly defined edge to Oldmeldrum that would be breached by the proposed H2 allocation. In the above context, the statements made by supporters of the proposed H2 allocation, including the council, that this allocation would not set a precedent, are rightly challenged in representations lodged. Indeed, the contrary arguments presented in those representations questioning the merits of the H2 allocation are more persuasive than the council's case – for the reasons outlined above and summarised below.

9. In conclusion, the proposed H2 allocation would represent an unfortunate and unnecessary precedent on a highly prominent site. This would mean the other areas immediately to the north and west of the bypass would become more vulnerable to future pressures for built developments that in principle would not be desirable, but which would become much harder to resist. Accordingly, there is not a sufficient case to justify allocation of the H2 site for residential development, even if this was limited to 10 houses. Instead the site concerned, despite being technically categorised as brownfield should remain unallocated for any use in the Plan. It is not required for employment uses according to the council and is better remaining as part of the uninterrupted swathe of open countryside to the north and west of the Oldmeldrum bypass.

#### Site M1

10. There are a number of representations expressing support for this proposed allocation – pointing out amongst other things the advantages of the site's location close to the town centre and noting that it would represent an infill development. It is rightly concluded that these and related characteristics of the site are such that, through a masterplan, a logical and sustainable development can be achieved here that is well integrated with the rest of Oldmeldrum as well as offering scope for new community facilities. The main concerns raised in other representations lodged relate principally to the phasing of the proposed allocation – with some urging earlier development whilst others urge caution in the light of perceived capacity constraints at Meldrum Academy and roads congestion issues. One respondent is solely concerned about the negative impact on views and privacy at his own property.

11. In response, the council points out that its suggested phasing of development on this site has been carefully considered to reflect infrastructure capacity, and it notes that no access issues relating to the site's development have been raised by the Roads Authority. Based on the available evidence there is no reason to question the validity of the council's assessment in those regards. The council is also justified in pointing out that whilst privacy is a valid concern, this relates to siting, design and layout matters that can be looked at in more detail at the masterplanning stage – at which point there would be another opportunity for consultation and representations to be made. Based on all of these considerations, there are insufficient reasons to either delete the allocation M1

or to vary its phasing from that proposed by the council, in response to the representations lodged.

Site BUS2

12. The only representation in respect of this proposed allocation was from Scottish Environment Protection Agency concerning flood risk. It is understood that text is being added by the council to the settlement statement regarding flood risk assessment – and that this will be sufficient to satisfy the detailed wording issues raised by SEPA. Accordingly, there is no need or scope for further consideration of this particular matter as part of this examination. Indeed this is a matter for the council as the Reporters have no remit in this regard.

**Alternative sites**

Site BUS1

13. Representations question the continued allocation of the BUS1 site solely for employment uses, partly on the basis that in the period since this designation was first made in the Aberdeenshire Local Plan there has been no market interest expressed in the site for those purposes. The council does not dispute this but considers that its designation should remain unchanged to safeguard the site in case recent growth in Oldmeldrum might give rise to a need for retail provision on this site over the development plan period. The current examination of unresolved representations to the local development plan is concerned with the suggestion that the site be developed for housing and other uses (and not whether the site should be retained for business use). The representations put forward a strong case for this site to now be re-designated for mixed uses – with half being available for development of up to 50 houses. The BUS1 site adjoins an area of new housing immediately to the east. They point out that the remainder of the BUS1 site would remain available for employment uses – including potentially a village centre and other retail provision, if required. The council, in response, simply reiterates a general preference to retain this site for employment purposes and states that in its view there are sufficient sites already allocated for housing to serve local needs.

14. As well as adjoining an existing area of new housing, the BUS1 site is reasonably close to both the Meldrum Academy and the town centre. Furthermore, the whole site is situated within the cordon represented by the new bypass, which effectively defines the limit of the built-up area. Accordingly, in principle it should be preferred for appropriate developments over sites such as H2 that are located beyond the bypass. Its planned development should also take precedence over other sites on the outer fringes of the town that are situated beyond the built-up area – such as sites F113, F134 and F150 on the eastern and southern fringes of the town. The council has confirmed that a development for up to 50 houses on half of the BUS1 site could be satisfactorily served via a single access off the bypass, which satisfactorily addresses one of the concerns expressed by a respondent. Its possible development for more than 50 houses is not justified as this would require a second access road and would exceed the density of neighbouring housing developments, which would be inappropriate in the local context. Another concern expressed by one neighbouring resident was a perception that the boundaries of the BUS1 site had altered. The promoter of the site confirms that the boundaries here have remained unchanged from the time of the allocation made in the Aberdeenshire Local Plan. The principle of built development on the BUS1 site was established with its allocation for employment uses at that time. The neighbouring housing areas to the east are on higher ground so there should be no unacceptable losses of daylight for existing residents if half of the BUS1 site was now allocated for housing. In any event siting, design and layout matters would be explored in detail at the masterplanning stage – at which point there would be another opportunity for consultation and representations to be made.

15. In this context – and given its scale and the total lack of interest to date in its use for retail or other employment uses over recent years – the council has not provided sufficient justification for rejecting the concept of a 50/50% split of the 4 hectare BUS1 site. The provision of up to 50 houses on the eastern half of the site (as part of a new M2 allocation) would offset the deletion of allocation H2 and provide additional justification for rejecting the other sites now proposed for housing summarised above (F113, F134 and F150) where there are other arguments that, on balance, do not favour their allocation. Those are dealt with on their own merits on a case-by-case basis elsewhere in this report. Most importantly, the reallocation of this site for mixed development, if it

retained the western half of it (2 hectares) for retail or other employment uses, would still provide, in conjunction with BUS2, a significant amount of land for those other purposes.

Sites F113 and F134

16. Individual representations have been lodged in support of new housing allocations for two sites on the eastern fringes of Oldmeldrum. In each case the proposers have sought to argue that their sites should be preferred to one or more of the allocations proposed by the council. The merits of the allocations put forward by the council have been addressed above, as well as in respect of site BUS1. In summary, for the reasons outlined earlier the allocations H1, M1 and part of BUS1 are satisfactory locations for housing and in terms of location are preferred to sites F113 and F134. This is because the F113 and F134 sites are both areas of undeveloped paddocks and fields beyond the built-up area of Oldmeldrum – and it is unnecessary to allocate them for housing at this time. Allocations H1 and M1, together with the eastern part of BUS1 for up to 50 houses, in combination would provide 40 more houses than currently proposed by the council in its allocations for Oldmeldrum. Furthermore, the F113 and F134 sites are not particularly close to the town centre and separated from it by the busy A947 road. In addition, these sites are relatively remote geographically from important local facilities such as the new secondary school and employment opportunities on site BUS2. The council also draws attention to the fact that the sites in question may represent a barrier to a future eastern bypass for the town and do not offer benefits to justify them being preferred to the sites already allocated.

Sites F50 and F150

17. The arguments in respect of these sites were fully considered above in the context of allocation H1. In summary, for the reasons stated earlier there is no justification for allocating any land to the south of the Meadow Burn, which forms the southern boundary of site H1. Furthermore, this position is reinforced by the fact that for the plan period there is no need to seek alternative or additional sites for housing development to meet local needs beyond what is already available on more appropriate sites – in particular allocations H1 and M1, together with the eastern part of BUS1 for up to 50 houses.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

1. deletion of the H2 allocation (with no allocation made in its place on this site or elsewhere) – and consequential adjustment to the Table 4 entry and totals of Schedule 1.
2. Site BUS 1 to be reallocated as a new M2, so that the eastern half of it would be made available for up to 50 houses (up to 25 houses in the early plan period and up to 25 units in the later plan period) with the remainder (2.1 hectares) to the west of the new housing being allocated for retail or other employment uses – and consequential adjustments to the Table 4 entry and totals of Schedule 1 and to Table 4 of Schedule 2.



<b>Issue 68</b>	<b>Tarves</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Schedule 2, Table 4, (p31) Volume 3f, Supplementary Guidance, Settlement Statements (p31-32)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ryden LLP on behalf of Mathers (Inverurie) Ltd (290, 291)                  Andrew Robin (592)                  James Benton (1516, 1517, 1519)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at M1 & H1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Tarves</b>  <b>1516:</b> Objection to re-designation of site H1 from an employment allocation in Aberdeenshire Local Plan to housing in Aberdeenshire Local Development Plan. It is contended that there is no logical reason for the site's re-designation due to potential conflicts which may arise with neighbouring land uses to the north and east of the site. Site H1 currently forms part of the employment allocation for Tarves and should be carried forward to the proposed Aberdeenshire Local Development Plan. Objection would be withdrawn, if the site is redesignated to reduce potential conflicts with neighbouring land uses.</p> <p><b>1519:</b> Request redesignation of site H1 to ensure the settlement has sufficient employment land to last beyond the plan's lifetime.</p> <p><b>Site M1 Tarves</b>  <b>592:</b> The respondent stated that land for housing has already been allocated to the west of Tarves. To conserve the shape of the village, further developments should be to the north, east or south of the village rather than M1.</p> <p><b>1517:</b> Objection to the phasing of the units allocated to site M1. It is the respondents' view that all second phase units (2016-2023) should be advanced to the first period. Justification for the requested change in phasing is made in reference to contributing to a shortfall in the housing land supply in the AHMA (see Issue 25 New housing land allocations).</p> <p><b>1519:</b> Objection to allocation of 3 hectares of employment land to site M1. It is contended that the level of employment land is excessive given the redesignation of employment land to housing at site H1 and the existence of an additional site for employment land to the east of H1. The respondent believes that no more than 1.5 hectares of employment land on site M1 would be justified and proposes a reduction in the allocation (alongside redesignation of site H1) to ensure the settlement has sufficient employment land to last beyond the plan's lifetime.</p> <p><b>Alternative Site Tarves</b>  <b>290, 291:</b> Objection is made to the failure to allocate land identified as F70 at Main Issues Report stage. Site F70 is ideal for small-scale residential development of around 10 housing units to meet local needs. The site is a sustainable location which is well related to future employment land in Tarves and meets the needs of sustainable development. Development at site F70 would be well contained in the landscape and would be a logical expansion to Tarves, with minimal impact on the</p>		



amenity of the settlement. It is contended that the site is accessible, is served by public transport, has no major constraints (in terms of contamination, access, water capacity, waste water and flood risk), will support local services (including a falling school roll) and contribute to the organic and sustainable expansion of Tarves. It is contended that not all of the allocations and identified sites in the proposed plan will be deliverable due to underlying constraints. Therefore provision should be made in the LDP with emphasis on sites which can be easily developed to meet the structure plan housing land requirements and ensure a minimum 5 year housing land supply is maintained.

**Modifications sought by those submitting representations:**

**1516:** Redesignate H1 for housing with workshop units suitable for small businesses.

**1519:** Redesignate H1 to housing/workshop units.

**592:** Although not explicitly stated it is assumed the resposdee wishes site M1 removed from the proposed plan with preference to development in other locations in the village.

**1517:** Change phasing of site M1 with at least 30 of the second period units advanced into the first plan period (2007-2016) of the Local Development Plan.

**1519:** Request employment allocation of site M1 is reduced to 1.5 hectares.

**290, 291:** Include site F70 for 10 housing units in the first phase of the local development plan (2007-2016).

**Summary of responses (including reasons) by planning authority:**

**Overview**

Tarves is located within the Local Growth and Diversification Area and Aberdeen Rural Housing Market Area. Allocations within Tarves are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. They reflect the level of development that it can adequately absorb whilst meeting the settlement's key planning objectives to provide for local housing and employment needs; and to support local services and facilities, including support for Tarves Primary School which is forecast to be at 67% in 2016. Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Tarves pages 74 – 75).

Both of the proposed plan sites (H1 and M1) were identified as preferred sites in the Main Issues Report (page F20) and, as stated in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Tarves pages 74 – 75), there was general agreement for the site's development, including from Tarves Community Council.

**Site H1**

Sufficient employment land has been allocated for development within the lifetime of this proposed plan, and to 2030, which meets the requirements of the structure plan. Therefore it is not accepted that the H1 site should be redesignated as employment land to ensure the settlement has sufficient employment land to last beyond the plan's lifetime. The plan will be reviewed within 5 years of its adoption, which will provide the opportunity to revisit employment land allocations if deemed necessary. The proposed plan allocates sufficient employment land to Tarves, despite the partial redesignation from the site's Aberdeenshire Local Plan EmpA site allocation. A bid was received for residential development on the site, which demonstrated an active interest for this use on the site, and the loss of employment land was offset through the allocation of 3 hectares of employment land at the M1 mixed use site. The 'Issues and Actions Paper Volume 4 Formartine May 2010' (Tarves pages 74 – 75) states that redesignating the site from its current EmpA allocation in the Aberdeenshire Local Plan to a housing allocation should not prejudice the remaining employment

land to the east of the proposed site. Outline planning permission was granted through appeal for residential development (APP/2006/0388) on the site to the north of H1, and therefore it is not accepted that the proposed residential use for the site will conflict with neighbouring land uses.

**M1**

No bids for development were received to the north, east or south of the settlement. The development of M1 will continue the pattern of development to the west of Tarves which was considered appropriate following public debate on the site’s inclusion in the Main Issues Report and where there was general agreement for development on the site (see ‘Issues and Actions Paper Volume 4 Formartine May 2010’ Tarves pages 74 – 75).

Issues relating to the specific allocation of sites and their effect on the housing land allocations are dealt with in Issue 25 New housing land allocations. The phasing has been considered in the context of the size of the current settlement and the scale of allocations proposed, in addition to the requirement for infrastructure upgrades. Development phased over both plan periods is sufficient to deliver housing at a scale appropriate to the growth of Tarves, in addition to meeting the needs of the settlement in relation to provision of community facilities, supporting the school roll and provision of roads infrastructure upgrades (as identified in the Tarves settlement statement Proposed Supplementary Guidance Settlement Statements Formartine, page 31). Therefore it is not appropriate to alter the phasing of the housing units. The proposed plan contains a mechanism to allow housing land allocations to be drawn down from second phase allocations, should first phase allocations prove ineffective or undeliverable.

The allocations are in line with Scottish Planning Policy (paragraph 80) in the context of directing development towards sites within existing settlements where possible, to make effective use of existing infrastructure. Provision of appropriate employment opportunities is a key consideration in the creation of sustainable mixed communities, as is reducing reliance on private car usage in accordance with Scottish Planning Policy (paragraph 77) and the structure plan (paragraph 4.30, page 21). The employment land allocation proposed at the site is sufficient given the size of the site, the scale of housing allocation proposed, the settlement’s key planning objective to meet local employment land needs, and the need to provide new or improved community facilities as part of the development of the site. Therefore it is not accepted that the allocation should be reduced.

**Alternative Site**

As the allocations discussed above are appropriate and sufficient, there is no requirement to consider alternative sites.

Site F70 was fully debated in response to its inclusion in the Main Issues Report (page F20), and following widespread community engagement the Council’s conclusion was to exclude it. The site was considered to be incapable of being developed due to its distance from the settlement centre and potential issues with contaminated land ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Tarves pages 74 – 75). Appropriate and sufficient land allocations are proposed at Tarves to meet local housing and employment needs whilst supporting local services and facilities, without the need to identify additional sites.

The Action Programme will ensure that potential impediments to the effectiveness of the sites proposed at Tarves are identified, and opportunity for review of the status of the sites will be available in advance of the next Local Development Plan.

**Conclusions**

None of the modifications sought are supported. The development strategy and land allocations in Tarves are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. As the council points out, Tarves is within part of the Aberdeen Rural Housing Market Area that is identified for local growth and diversification. The allocations in the proposed Plan and proposals for alternative or additional allocations for Tarves are considered below in that context and with reference to the strategy, aims and associated requirements set out in the approved structure plan. Firstly, it is noted that Tarves is situated outwith a Strategic Growth Area. Accordingly, the overall strategy for Tarves and other settlements not in Strategic Growth Areas is a matter dealt with elsewhere in this report under the heading Issue 66: Spatial Strategy: Local growth and diversification areas – and matters related to the general sufficiency of housing land supply are considered under Issue 12: Housing land supply. Secondly, it is noted that the housing allocations made at sites H1 and M1 would help to support the future viability of the local school that is not operating at full capacity.

Site H1

2. The H1 site proposed for allocation for up to 10 housing units in the proposed Plan was part of a larger area allocated for employment use in the Aberdeenshire Local Plan – that is being replaced on site M1, as discussed below. Planning permission has been granted for 18 housing units on the site immediately to the north of H1 and this is now under construction. The council has set out a persuasive case for rejecting contentions that, as well as promoting housing, site H1 should also still include provision for employment uses in the form of workshop units aimed at small businesses. The council points out that the loss of site H1 from employment uses is being offset by 3 hectares of employment land now allocated at site M1. In its view, this means that there are still sufficient allocations made in the proposed Plan to provide for local needs in Tarves – as well as meeting the overall requirements set out in the structure plan for the plan period. The basis of this contention has not been challenged in the representations. Furthermore, there is no evidence to suggest that allocation of the H1 site for housing would prejudice the delivery of appropriate uses on the neighbouring land to the east of it – or indeed on site M1 immediately across the road to the south of it.

Site M1

3. This is a continuation of an allocation proposed in the Main Issues Report – at which time no alternative directions of growth for Tarves were put forward for consideration. The council provides a robust justification for retaining the phasing for this site, which is linked to the scale of development being promoted in the context of the existing settlement and infrastructure capacity considerations, in particular concerning the roads and school provision. The council points out that the proposed Plan includes a draw-down mechanism to enable second plan period housing land allocations to be brought forward in the event that first phase allocations prove ineffective or undeliverable.

4. The concerns expressed about the scale and disposition of employment land here and on site H1 were dealt with earlier. In summary, the council has provided sound reasons for the scale of employment designations now proposed alongside housing within the M1 site, based on the principle of creating sustainable mixed communities that are less dependent on private cars. This is achieved by directing development towards existing settlements, such as Tarves, where best use can be made of existing infrastructure. This accords with national planning policy principles set out most recently in Scottish Planning Policy (paragraph 80).

Alternative site

5. A site shown as F70 was put forward for consideration at the Main Issues Report stage of plan preparation. The council is not fully justified in rejecting this generally level site as a possible candidate for allocation for 10 housing units simply based on it being “considered to be incapable of being developed due to its distance from the settlement centre”. This site adjoins another site that has been granted planning permission for 18 houses, which are now under construction. Similarly, the council’s contention that the site raises “potential issues with contaminated land” is not substantiated. Nevertheless, based on the conclusions set out elsewhere in this report under the heading Issue 25, the council is justified in asserting that there are already appropriate and sufficient sites allocated for housing in the proposed Plan to meet local needs and fully accord with the

requirements of the structure plan for this area. Accordingly, there is no need at this time to allocate further new land for housing in or around Tarves – at site F70 or elsewhere – in addition to those site allocations shown in the finalised plan.

**Reporter's recommendations:**

No modifications.

<b>Issue 69</b>	<b>Udny Station</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Schedule 2, Table 4, (p31) Volume 3f, Supplementary Guidance, Settlement Statements (p39-40)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ryden LLP on behalf of Baker Street Properties (1219, 1915, 1917)                  Paull &amp; Williamson LLP on behalf of Irvine Christie (1561, 1566, 1572, 1582)                  Ian Downie on behalf of Hill of Keir Ltd, Irvine Christie, Blairythan Partnership, Whitecairns Estates Ltd, Mr &amp; Mrs S Ged (1688)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocation M1 at Udny Station.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1 Udny Station</b>  <b>1219, 1915, 1917:</b> Objection is made to the allocation of site M1 at Udny Station. It is illogical to allocate housing to support a primary school which is not in the same settlement. This is unsustainable as it would increase car travel and it is contrary to Scottish Planning Policy (para 165) in this regard. Alternative site proposed at Cultercullen (see issue 128 Other Formartine Land RHMA).</p> <p><b>1561, 1566, 1572, 1582:</b> Supportive of development at Udny Station to meet the need for housing in the area. However, objection is raised in relation to M1/F44. It is contended that M1 cannot accommodate the scale of housing and employment land development allocated to it, due to the shape of the site and requirement for open space. Site M1 has limited access and is located further away from facilities (particularly the school at Cultercullen) than the alternative site proposed, and has poor connectivity as shown by the Site Accessibility Appraisal (see Appendix 6). It is contended that at the main issues report stage the assessment by the planning authority incorrectly scored F44 above the alternative site. Relocation to alternative site at F87 is requested.</p> <p><b>1688:</b> It is contended that in order to meet the Structure Plan objectives a generous supply of effective housing land needs to be delivered through the Aberdeenshire Local Development Plan with immediate effect. All allocations should be reviewed and constrained allocations including the M1 allocation should be replaced or added to with effective allocations (see Issue 25 Schedule 1 Housing Land).</p> <p><b>Alternative Site Udny Station</b>  <b>1688:</b> The respondent seeks the inclusion of additional effective housing land supply at site F87 which can be delivered in the first phase of the plan (see Issues 12 Housing Land Supply and 25 Schedule 1 New Housing Land Allocations).</p> <p><b>1561, 1566, 1572, 1582:</b> Site F87 can accommodate the allocation currently proposed at M1 Udny Station including the open space requirement and can deliver the P2 designation which has failed to be delivered in previous plans. F87 is closer to key facilities including Cultercullen Primary School. Site F87 would provide direct linkages to key facilities and can provide unrestricted flexibility in terms of access with two points possible within the settlement boundary. It is contended that the scoring sheets are incorrect and that if redone F87 would score higher than M1 Udny Station (see appendix 5).</p>		

<b>Modifications sought by those submitting representations:</b>
<p><b>1219, 1915, 1917:</b> Reallocate units from M1 to alternative site at F69 Cultercullen (see issue 128 Other Formartine Land RHMA).</p> <p><b>1561, 1566, 1572, 1582, 1688:</b> Allocation of site F87 in addition to, or through deletion and replacement of, site M1.</p>
<b>Summary of responses (including reasons) by planning authority:</b>
<p><b>Overview</b></p> <p>Udny Station is within the Local Growth and Diversification Area and Aberdeen Housing Market Area. The key planning objectives for Udny Station are to meet local need for housing and to support local services and facilities, including the school roll at Cultercullen Primary School, which is forecast to be at 45% capacity in 2016. Allocations in Udny Station will support the school roll at Cultercullen in absence of suitable alternatives within Cultercullen itself. The allocation made is already appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report (pages F25 - F25), and were considered in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Udny Station page 83).</p> <p>Support for development at Udny Station is welcomed.</p> <p><b>Site M1</b></p> <p>M1 was identified as a preferred site in the Main Issues Report (page F25), due to its close proximity to the centre and the opportunity to improve access links to existing facilities. As stated in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Udny Station page 83), there was general agreement (including from Scottish Natural Heritage) that the site would provide the best option for development within the settlement as it fits within the settlement, envelope and for the reasons stated above.</p> <p>The scale of housing proposed is appropriate for the size of the site, but it should be noted that the figure provided is a maximum figure and detailed design may result in fewer units being promoted.</p> <p>Issues relating to incorrect technical assessments were addressed in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Udny Station page 83), where a further review of the assessment concluded that the decision to prefer M1 over other sites did not change. Technical assessments of the site did not raise any issues in relation to the site's size or proximity to facilities. Furthermore, internal consultations with the Roads Authority have resulted in no issues being raised in relation to connectivity or the access which is to be taken from the public road.</p> <p>There is no known impediment to the delivery of the site. In any case, the Action Programme will ensure that any potential impediments to the effectiveness of the site are identified.</p> <p>Cultercullen is not an appropriate alternative location for development (see overview above and Issue 73 Other Formartine Aberdeen Housing Market Area).</p> <p><b>Alternative Site</b></p> <p>As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.</p> <p>Site F87 was identified as a technically possible site at the Main Issues Report stage (page F25). However, it was noted that the site was located further away from the centre than the preferred site, M1 (F44), and had limited access linkages to the existing services. The site was fully debated in consideration of the representations at the Main Issues Report stage. Following widespread community engagement the Council's conclusion was to exclude it, as there was general agreement</p>



for development on the preferred site M1 (F44). Thus sufficient housing allocations will be provided through M1 (F44) to meet local needs without need for additional allocations at F87.

**Conclusions**

None of the modifications sought are supported. The development strategy and land allocations in Udney Station are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. As the council points out, Udney Station is within part of the Aberdeen Housing Market Area that is identified for local growth and diversification. The allocation in the proposed Plan and proposals for an alternative or additional allocation for Udney Station are considered in turn below in that context and with reference to the strategy, aims and associated requirements set out in the approved structure plan. Firstly, it is noted that Udney Station is situated outwith the Ellon to Blackdog Strategic Growth Area. Accordingly, the overall strategy for Udney Station and other settlements not in Strategic Growth Areas is a matter dealt with elsewhere in this report under the heading Issue 66 – and issues related to the general sufficiency of housing land supply are considered under Issue 12. Secondly, it is noted that the housing provision within the M1 allocation – and indeed any other housing allocations at Udney Station – would support local services including helping to secure the future viability of the local Cultercullen school that is operating well below its full capacity.

**Site M1 and alternative/additional site F87**

2. The representations mostly give some general support for the allocation of the M1 site in the proposed plan. The main concerns expressed are that the shape or configuration of this particular site is such that there is uncertainty as to whether or not it would be capable of delivering the 1 hectare of employment land and up to 35 houses indicated in the proposed Plan. Furthermore, some representations argue that this allocation should be replaced or supplemented by another site (F87) put forward for consideration in the Main Issues Report. It is suggested that site F87 is less constrained and more effective than the M1 site and on this basis should be preferred.

3. In response the council points out that at the Main Issues Report stage both the M1 site (then known as F44) and the F87 site were considered. Following consultations on these, there was general agreement (including from Scottish Natural Heritage) that the M1 provides the best option for development of Udney Station. The detailed arguments are explored below.

4. The council acknowledges that its initial technical assessment of the site M1 was incorrect, pointing out that this was subsequently corrected in the Issues and Actions Paper Volume 4 in May 2010. It notes that this revised assessment did not alter the basis of the overall conclusion that the M1 site remained the preferred choice over other alternative site options. In particular, the council points out that the revised assessment raised no issues with regard to the scale or location of this site and its proximity to existing facilities – and the Roads Authority has no concerns about access to serve the M1 site. Whilst the council concludes that there is no known impediment to the delivery of the M1 site, it does concede that the scale of housing proposed in the allocation is a maximum figure and that detailed design may result in fewer units being promoted. This seems quite possible given the sloping nature of the site at its northern end. Accordingly, it can be concluded that in overall terms the council’s updated position statement represents a reasoned and balanced revised assessment in response to the concerns raised in the representations.

5. Most importantly, based on the conclusions set out elsewhere in this report under the heading Issue 25, the council is justified in asserting that there are already appropriate and sufficient sites allocated for housing in the proposed Plan to meet local needs and to fully accord with the requirements of the structure plan for this area. Accordingly, there is no reason at this time to

consider allocating new land for housing in or around Udney Station – at site F87 or elsewhere – in addition to the allocation shown in the proposed Plan, to meet either local needs or to satisfy the requirements of the structure plan.

6. Based on local considerations the council is also fully justified in rejecting the F87 option as an alternative to the M1 site. Whilst the F87 site is relatively flat and technically capable of being developed, it is located further from the village centre than site M1 and so is more remote from most local services and facilities. Furthermore, the council is correct in pointing out that site M1 provides the better fit in wrapping round the eastern edge of the existing village envelope. In contrast site F87 would only have a relatively limited contact with the eastern edge of the village. Indeed it would represent a large scale and more prominent new extension of the village eastwards into the countryside, albeit in the direction of Cultercullen school but still more than 1km from it. In summary, its deliverability and relative proximity to the local school are not sufficient reasons to merit allocation of site F87 either in place of or in addition to site M1, based on the other factors outlined above.

**Reporter’s recommendations:**

No modifications.

<b>Issue 70</b>	<b>Methlick</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Volume 3f, Supplementary Guidance, Settlement Statements (p21-22)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Taylor Design Services on behalf of J Catto (250)                  Deborah Gray (483)                  William Lippe Architects Ltd on behalf of Messers S Purdie (495)                  Paul Hourston (563)                  Wayne Gray (564)                  Owen Ball on behalf of Mr &amp; Mrs Brian Gray (565)                  Methlick Community Council on behalf of Brian Gray (2250)                  Hugh Stuart (2315)                  Elizabeth Stuart (2360)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocations at H1 & H2.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>H1 Methlick</b>  <b>250:</b> One resposdee states that the site is steep with greater depth than width. It is suggested that development of the site will not be straightforward and achieving a figure close to 20 housing units appears unlikely.</p> <p><b>564:</b> Concern is raised for local residents who wish to stay in the village but cannot purchase an affordable home. Developing site H1 (F31 within Main Issues Report) will not retain the local communities as families from outside the village will be attracted to the site causing difficulty for young local people who wish to buy a house to stay in the village. An alternative site is proposed.</p> <p><b>H2 Methlick</b>  <b>495:</b> Support for allocation of H2 for up to 5 houses.</p> <p><b>250:</b> One resposdee states that the site is steep with greater depth than width. It is suggested that development of the site will not be straightforward and achieving a figure of up to 5 housing units appears unlikely.</p> <p><b>564:</b> Concern is raised for local residents who wish to stay in the village but cannot purchase an affordable home. Developing site H2 (F119 within Main Issues Report) will not retain the local communities as families from outside the village will be attracted to the site causing difficulty for young local people who wish to buy a house to stay in the village. An alternative site is proposed.</p> <p><b>565:</b> Representations contend that selection of site H2 has no advantages in relation to an alternative site at F173, as there is no pavement along its boundary, the topography of site H2 is higher than the B9170 which will result in access issues, and it will require a longer road network and increased earthworks. An alternative site is proposed.</p> <p><b>2315, 2360:</b> Representations commented on the level of the site being above a road where speed of traffic and road layout is an issue. It is contended that access from the site will exacerbate the issue and safety concerns were raised.</p>		

**Alternative Site Methlick**

**250, 483, 563, 564, 565, 2250:** Support for inclusion of site F173 as identified in Main Issues Report, as the existing property and site are part of the existing village stock with a close relationship with the village centre. It would be a modest extension and could not be considered ribbon development. Design would ensure consistency with the village and protection of the skyline without having an adverse impact on the landscape. The site is suitable for development and benefits from existing infrastructure. There has been little development north/east of the river in recent years and development would benefit the community and provide housing opportunities for local people in accordance with the key objectives for the village.

**564:** There is concern that allocations in Methlick are used up, thereby limiting the possibility of future growth on the F173 site.

**Modifications sought by those submitting representations:**

**250, 483, 563, 564, 565, 2250:** Include site F173 and modify village boundary accordingly.

**495, 2315, 2360:** No specific change stated.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Methlick is located within the Local Growth and Diversification Area and Aberdeen Housing Market Area. The key planning objective for Methlick and strategy for this area is to provide local housing opportunities and support local facilities, including the school which is forecast to be at 81% capacity by 2016. The allocations already made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. The developments are required to deliver 25% affordable housing to provide opportunities for those wishing to stay in the village but currently priced out. Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Methlick and Street of Monteach pages 45 – 46).

**Site H1**

H1 was identified as a preferred site in the Main Issues Report and, as stated in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Methlick and Street of Monteach page 45) wide-ranging agreement was given for the site's development during the period of public debate, including from Methlick Community Council. The scale of housing proposed is appropriate for the size of the site, but it should be noted that the figure provided is a maximum figure, and detailed design will determine the actual number of units appropriate. Technical assessments of the site did not raise any concerns in relation to the size or topography of the site.

**Site H2**

Support for the site is welcomed.

H2 was identified as a technically possible site in the Main Issues Report and, as stated in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Methlick and Street of Monteach page 45) general support was given for the site's development during the period of public debate, including from Methlick Community Council, and it was progressed as an allocation in the proposed plan. The scale of housing proposed is appropriate for the size of the site. Technical assessments of the site did not raise any concerns in relation to the size or topography of the site at this density.

The key planning objective for the settlement is to provide local housing opportunity. However, the local development plan can only allocate land to assist in the delivery of this opportunity, it cannot influence who purchases the houses that are built. Policy 6: Affordable Housing and its associated Supplementary Guidance in the proposed plan outline the requirement for affordable housing contributions which will be required of all development.

Whilst the Roads Authority have highlighted that there may be issues with access from the B9170, the site is within the settlement boundary and in recognition of the need for an engineering solution for access issues and the site's prominent position, a development brief is required. The development brief and planning application will resolve issues related to landscape impacts, access, pavement provision, road provision and layout, and the issues raised are not considered to alter the site's suitability for development.

**Alternative Site**

As the allocations discussed above are already appropriate and sufficient there is no requirement to consider alternative sites.

Site F173 was identified as a technically possible site at Main Issues Report stage, but it was noted that the site was prominent in the landscape. The site was fully debated in consideration of representations at the Main Issues Report stage. Following widespread community engagement the Council's conclusion was to exclude it, as the site was not required for development at this time and it would risk over-development in the settlement if it were to progress as an allocation. The next local development plan review will be the appropriate avenue to consider future land allocations for Methlick on site F173.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Methlick are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. As the council points out, Methlick is within part of the Aberdeen Housing Market Area that is identified for local growth and diversification. The allocations in the proposed Plan and proposals for an alternative or additional allocation for Methlick are considered below in that context and with reference to the strategy, aims and associated requirements set out the structure plan. Firstly, it is noted that Methlick is situated outwith a Strategic Growth Area. Accordingly, the overall strategy for Methlick and other settlements not in Strategic Growth Areas is a matter dealt with elsewhere in this report under the heading Issue 66 – and issues related to the general sufficiency of housing land supply are considered under Issue 12. Secondly, it is noted that the housing allocations for Methlick are made on the basis of a 25% affordable housing contribution.

**Site H1**

2. The only issues raised in representations about this allocation relate to the topography of the site restricting the number of houses that might be built there and concerns about the lack of provision of affordable housing to meet local needs here or elsewhere in Methlick. In response, the council has drawn attention to the fact that this was the preferred site for development identified in the Main Issues Report and its allocation received the support of the local community council. The general concern about providing for local affordable housing needs has already been addressed above.

3. The council rightly acknowledges that whilst the H1 site is appropriate for up to 20 houses, this is a maximum and it is only at the detailed design stage that the number of units that are achievable here will be determined. Nevertheless, based on a site visit, there is no reason to take issue with the council's statement that technical assessments of this sloping site have not raised any concerns to date in relation to the size or topography of the site. It is noted that similar, albeit slightly flatter, land to the north-west of H1 is also being developed for new housing – and that scheme, known as Cottonhillock, is already under construction.

**Site H2**

4. This site on the north side of Methlick comprises an elevated paddock set above a steep slope leading down to the B9170 road that forms its south-eastern site boundary. This explains why the council has specified no more than 5 houses on this site (even though it is similar in area to site H1). Secondly, the council in this case rightly requires a development brief to ensure that any proposals on this prominent site will fit into the landscape and can be satisfactorily accessed. It is noted that the selection of this site, which is effectively an infill opportunity, emerged from general support given to it by the local community council and others following its inclusion for consideration at the Main Issue Report stage. Furthermore, despite the concerns expressed in the representations, there have been no detailed arguments put forward to challenge the council's assertion that the site is expected to be technically capable of delivering 5 houses, allowing for the difficulties of the local topography. The general concern about providing for local affordable housing needs has already been addressed above.

**Alternative site F173**

5. Whilst this small site was put forward for consideration at the Main Issues Report stage, it was subsequently dropped in favour of the allocations H1 and H2, following widespread public consultation. In that context, the council has rightly concluded that whilst the site is technically capable of being developed there is no requirement for it be allocated to meet local needs or structure plan requirements. The council also points out that the site in question is prominent in the local landscape. It is set on a hill, alongside a minor road, on the north-eastern edge of the settlement. It adjoins one large isolated detached property that already stands out incongruously, so demonstrating the conspicuous nature of this particular location. Furthermore, there is insufficient justification for the assertions made in the representations that this site is part of the "village stock" and that it has a close relationship with the village centre. Based on all of these considerations the council is justified in concluding that this site is neither required nor justified for allocation in the proposed Plan to meet local or wider strategic housing requirements.

**Reporter's recommendations:**

No modifications.



<b>Issue 71</b>	<b>Ythanbank</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Volume 3f, Supplementary Guidance, Settlement Statements (p43-44)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Ythanbank Community Council (706) Stephen Tate (932) Stephen Tate on behalf of Monymusk Estate (2109) John Hay (2894)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Allocations at H1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Ythanbank</b>  <b>932, 2109:</b> The current proposals indicate ribbon development for Ythanbank. This does not provide for long-term needs or make best use of the land. The community is expanding and will require adequate amenity facilities for its younger population (play and recreation areas). The community has no focal point and the current proposal will not provide this. An alternative site is promoted.</p> <p><b>2109:</b> The current allocation misses an opportunity to create a useful focal point in the settlement. An alternative site is promoted.</p> <p><b>2894:</b> Objection to proposed H1 allocation as there are existing problems with drainage in the village as a result of to the River Ythan's high water table.</p> <p><b>Alternative Sites Ythanbank</b>  <u>Site F199</u>  <b>706:</b> Promotion of alternative land at Ythanbank Fishery (presumed site F199) for residential development.</p> <p><u>Site F200</u>  <b>706:</b> Promotion of alternative site at land adjacent to Greenacres (presumed site F200) for residential development.</p> <p><u>Alternative Land</u>  <b>932, 2109:</b> Promotion of alternative land to create a central green with houses constructed in phases. Site layout attached.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>706:</b> Request inclusion of Ythanbank Fishery and land adjacent to Greenacres, Ythanbank as possible residential development.</p> <p><b>2894:</b> Although not explicitly stated it is assumed the resposdee wishes the H1 allocation removed from the plan.</p> <p><b>932, 2109:</b> Promotion of alternative land. Site layout attached to representation.</p>		

**Summary of responses (including reasons) by planning authority:****Overview**

Ythanbank is within the Local Growth and Diversification Area and Aberdeen Housing Market Area. The key planning objective for Ythanbank is to provide local opportunities for housing. The allocation made is already appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report (page F41), and were considered in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Ythanbank pages 86 – 87).

**Site H1**

As stated in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Ythanbank pages 86 – 87) the proposed site was considered the most logical position for new small scale development which would complement the existing urban form of the settlement. Public debate on the Main Issues Report (page F41) raised general agreement for the layout of the site to be of a single row of houses in keeping with the settlement which is as proposed in the plan (see 'Issues and Actions Paper Volume 4 Formartine May 2010' Ythanbank pages 86 – 87).

A critical mass of development in the settlement would be required before provision of additional amenity facilities could be provided. This would require a higher allocation of housing to Ythanbank and would result in overdevelopment of the settlement. A development brief will be required for the site, which will provide further opportunity for engagement in relation to provision of a focal point and the site's layout, siting and design.

Issues relating to flooding and the level of the water table were addressed in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Ythanbank pages 86 – 87), where it was confirmed that the Scottish Environment Protection Agency did not raise any issues in relation to flood risk for the site.

**Alternative Sites**

As the allocation discussed above is already appropriate and sufficient, there is no requirement to consider alternative sites. Ythanbank is a settlement identified for organic growth under the terms of Policy 3 "Development in the Countryside" and SG Rural Development 1 "Housing and business development in the countryside. Therefore, some small scale development will be allowed for, subject to other policy considerations.

Site F199

Site F199 was identified as a technically possible, but not preferred, site at the Main Issues Report stage (page F41). However, following widespread community engagement the Council's conclusion was to exclude it, as the site is partially located within a pipeline corridor and is located a considerable distance from the centre of the settlement. There is no need to identify further sites for housing development where a more suitable site has already been proposed in the plan (site H1) that provides local opportunities for housing, provides a balanced form of development complementary to that of the existing urban form, is centrally located within the settlement, and is outwith a pipeline corridor.

Site F200

Site F200 was identified as a technically possible, but not preferred, site at the Main Issues Report stage (page F41), as it was noted that the site has poor access. Following widespread community engagement the Council's conclusion was to exclude it, as there is a more suitable alternative proposed at site H1, which provides local opportunities for housing and provides a balanced form of development complementary to that of the existing urban form.

Alternative land

The alternative land adjacent to site H1 was not proposed at any previous stage so there has been no site assessment or public debate on the site. There is no guarantee that a site would come forward which would provide a central green. However, as Ythanbank is identified as a settlement suitable for organic growth, some small scale development will be allowed for, subject to other policy

considerations.

**Conclusions**

None of the modifications sought are supported. The development strategy and land allocations in Ythanbank are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. As the council points out, Ythanbank is within part of the Aberdeen Housing Market Area that is identified for local growth and diversification. The allocation in the proposed Plan and proposals for an alternative or additional allocation for Ythanbank are considered below in that context and with reference to the strategy, aims and associated requirements set out the structure plan. Firstly, it is noted that Ythanbank is situated outwith a Strategic Growth Area. Accordingly, the overall strategy for Ythanbank and other settlements not in Strategic Growth Areas is a matter dealt with elsewhere in this report under Issue 66 – and issues related to the general sufficiency of housing land supply are considered under Issue 12.

**Site H1**

2. The only site allocated for development in the proposed Plan is a long rectangular parcel of land alongside the B9005 road. H1 forms a small part of reasonably level agricultural fields that extend further westwards. The B9005 acts as the main spine of the village. This particular site emerged as the preferred choice for limited housing development from a number of sites in and around Ythanbank considered at the Main Issues Report stage. The intention was to promote a logical extension to the village that would complement its existing form. The original layout concept (site F37 in the Main Issues Report) to achieve this was a site which formed a right-angle to wrap round the only road junction at the heart of the village. Following public consultation regarding the sites put forward for consideration in the Main Issues Report, the council states that there was general agreement that the site to be allocated should instead be linear in form to accommodate only a single row of up to 10 new houses.

3. The H1 site, fronting onto the south-western edge of the B9005, is opposite an existing row of houses that run along on the north-eastern side of that road. On the south-western side of this road, approaching Ythanbank from Ellon there are only two existing built developments – Ythanbank Fishery which is set in countryside and no longer operating and (nearer to the village centre) a single detached house known as Orcadia set back from the road in the surrounding fields. The main concerns raised in the representations in response to the H1 allocation relate to the risk of ribbon development, the lack of a focal point for the village and drainage issues.

3. Firstly, there is no reasonable planning justification for the concerns raised about ribbon development in respect of site H1. This is because the site is directly opposite existing housing developments along the same road – and the new houses would not extend any further out of the village in the direction of Ellon than those existing houses. Similarly, concerns expressed about drainage matters have already been addressed satisfactorily by the fact that the Scottish Environment Protection Agency has not raised any issues regarding flood risk in respect of this site.

4. Whilst noting the concern raised in representations about the lack of community facilities or a focal point in Ythanbank, the council rightly points out that there is not a sufficient critical mass of development or population there to sustain additional amenities and services. Furthermore, the council is justified in concluding that a significantly higher amount of new housing than the 10 houses currently allocated in the proposed plan is not required to meet local needs – and indeed would result in overdevelopment of this small village. The council does, however, acknowledge the need for a development brief for the site in question, at which time there would be an opportunity for

public discussion not only on the site’s layout, siting and design but also with regard to the possible provision of a focal point.

**Alternative or additional sites**

Sites F199 and F200

5. No particular justification is put forward by the local community council for advocating allocation of either the former Ythanbank Fishery land (F199) or land adjacent to Greenacres (F200) for housing developments. Both of those sites were identified as technically feasible options at the Main Issues Report stage. The fishery site was subsequently dismissed by the council, in favour of site H1, for sound planning reasons. Not only is the fishery land situated in close proximity to a pipeline corridor, but its location is in open countryside away from the built-up area of Ythanbank. The F200 site, whilst more centrally located than F199, is situated at the rear of existing houses and only served via a narrow lane between two dwellings – raising concerns about access to any new development there. In comparison the H1 site is centrally located and without access or other constraints making it more appropriate for allocation and more deliverable than those other site options.

Land adjacent to site H1

6. This is a new suggestion for a large-scale housing development extending the H1 site westwards into open fields to form a much larger, broadly square site that would surround a proposed new “village green” focal point for the village. Whilst this may be another technically feasible option, as the council points out this was not previously put forward as an option at the Main Issues Report stage so it has not been formally assessed or been the subject of public consultation. Furthermore, as stated earlier, there is a general concern that large-scale new housing on this or any other site in or around Ythanbank would represent over-development that would be out of keeping with the scale of the existing village.

7. In summary, based on the available evidence there is no local need or strategic requirement for any of the suggested alternative sites that have been put forward to be allocated in addition to or in place of the site H1 allocation for up to 10 houses. Furthermore, in some cases the alternative site suggestions are in any event inappropriate for allocation because of their location and related development constraints.

**Reporter’s recommendations:**

No modifications.

<b>Issue 72</b>	<b>Newburgh</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Schedule 2, Table 4, (p31) Volume 3f, Supplementary Guidance, Settlement Statements (p23-24)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Graham McCombie (13)  Kay Stanbury (45)  Taylor Design Services on behalf of Mr &amp; Mrs M Stanbury (240)  Knight Frank LLP on behalf of Dr J W &amp; Mrs R M Dolman (859, 860)  Grampian Design Associates (1092)  Ryden LLP on behalf of Stewart Milne Homes (1858, 1859, 2063, 2064)  Ryden LLP on behalf of Sandham Developments Ltd (1898, 1899)  Martha Kennedy (2314)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at M1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>M1 Newburgh</b>  <u>Scale of allocation</u>  <b>1858, 1859, 2063, 2064:</b> Support for allocation. However, objection is taken to the scale of the residential allocation. Increasing the allocation would ensure a generous supply of housing is delivered in accordance with the aspirations of the Scottish Government in Scottish Planning Policy paragraph 66 and 71. The allocation should be increased to enable delivery of a logical expansion of the settlement. The settlement is in close proximity to the A90 which makes it an ideal location to accommodate development in accordance with the Structure Plan in relation to its strategy for the Local Growth and Diversification areas and for development of mixed use development which respects the character of the landscape and local identity. The settlement is well served by public transport and can help to maintain a successful and sustainable village. The settlement is also located within the Energetica corridor and is well placed to take advantage of the economic opportunities this will bring in addition to the A90 Balmedie to Tippetty dualling and Aberdeen Western Peripheral Route which will improve the settlement's accessibility, reduce commuting and traffic congestion, improve road safety and increase demand for housing in Newburgh. An increase in the allocation will support the falling school roll at Newburgh Mathers primary school and Ellon Academy, in addition to allowing for a greater level of improvement, and creation of, community facilities in accordance with the key planning objectives for the settlement (<b>1859, 2064</b>). Alternatively, if the allocation is not increased it is requested that part of the site is identified as future housing with capacity to provide units in the period 2024-2030 in line with the Structure Plan (see Issue 25 New Housing Land Allocations) (<b>1858, 1859, 2063, 2064</b>).</p> <p><u>Employment and community facilities</u>  <b>1858, 1859, 2063, 2064:</b> Clarity is requested in relation to the employment uses and community facilities required under the site's designation. It is important that the plan provide certainty to developers, thus the uses proposed need to be specified.</p> <p><u>Constraints and pattern of development and environmental impacts</u>  <b>13, 859, 860, 1092, 2314:</b> Objection to M1. The development will breach the current natural visual boundaries formed by the topography of Newburgh. The western boundary is contended to be</p>		

illogical and artificial, which will set precedent for future development, as there will be no natural boundary to constrain this (860). The village is at capacity in terms of infrastructure, services and amenities (13). Traffic congestion is an issue in the settlement which will be exacerbated by the development (13, 860, 2314). The site is subject to flooding (1092), and there is a considerable build up of surface water during heavy rainfall (2314).

**860, 1092:** The allocation is unsustainable as it will stretch the settlement, which could result in creating a suburban character located away from the settlement's amenities (1092), and encourage commuting due to its distance from the Park and Ride facility (860).

**13, 2314:** Concern is raised in relation to exacerbation of air pollution and other environmental concerns including the impact on the River Ythan and its estuary, increase in noise, disturbance, smell and impact on wildlife. The development will have a negative impact on the greenbelt, the character of the settlement and its landscape (13). The development is on greenfield land, which is unsuitable and unacceptable on the grounds of ecological, environmental and geological issues (13).

#### Impact on Category B listed building

**860:** It is contended that the allocation is contrary to the aims of the Structure Plan, as it would have a significantly adverse impact on the landscape setting of the settlement and the setting of a Category B listed building at Foveran House (860). Encroaching residential development may affect the long term viability of the listed building.

#### Loss of privacy/property value

**13, 2314:** The development will result in loss of privacy for residents in addition to loss of property value (13).

#### **BUS Site Newburgh**

**1858, 2063:** Objection to the site as it has been identified for employment since at least 2006 and it is contended that its non-development signals a lack of market for employment uses in Newburgh. Carrying this allocation over as part of a 300% increase in the employment land provision in Newburgh is therefore unjustified and should be revised.

#### **Additional Sites Newburgh**

##### Site F4

**45, 240:** Promotion of additional site at F4. Including F4 within the settlement boundary is logical and would improve the character/appearance of the village, as the site is currently derelict. It is contended that there are no flooding issues with the site. The site has well defined boundaries on the edge of the existing settlement boundary, was previously built on and the site is under single ownership (240).

##### Site F46

**240:** Promotion of additional land at F46. The site is under single ownership within the existing settlement boundary. Site F46 is contained within a protected area (P2) which is not justified for this use, and the site should be included within the plan to enable housing to be developed.

##### Site F48

**859, 860, 1092:** Promotion of alternative site at F48. It is contended that development to the north of Newburgh is logical. The site can accommodate development in line with the Structure Plan requirements for the strategic growth area, and will meet demand for housing which will be increased following the Aberdeen Western Peripheral Route and A90 Balmedie to Tippetty dualling (1092). Its development will have limited visual impact, sustain the school roll, and mitigate potential negative impact on traffic, with potential to facilitate a future bypass road (860, 1092). The site is in close proximity to existing services thus reducing reliance on car usage (860, 1092), is adjacent to the settlement boundary, deliverable, not subject to flooding and the settlement has sufficient waste water capacity.



**Site F71**

**1898, 1899:** Promotion of additional site at F71. Objection is taken to the failure to allocate site F71. The site is a logical area for the expansion of Newburgh and its development would complement that of the proposed M1 site. The settlement is in close proximity to the strategic growth area and can help deliver the housing and employment requirements in the corridor. The Aberdeen Western Peripheral Route and A90 Balmedie to Tippetty dualling will enhance the accessibility of the area and increase demand for residential development. The site can accommodate a range of uses, principally 125 residential units, community facilities and open space provision, and can improve accessibility to existing recreational facilities. Education provision is available to serve the scale of development proposed. The proposed P6 designation could be relocated to the south west of site F71 where a substantial area could be set aside to protect the setting of the expanded village. Developing the site will not result in ribbon development and will extend the settlement to the same western edge as M1. The allocation of both sites would enable a masterplanned approach enhancing the setting of the village and the provision of a gateway feature at the southern entrance to the village.

**Modifications sought by those submitting representations:**

**M1 Newburgh**

**13, 2314:** Although not explicitly stated it is assumed the resposdee wishes site M1 removed from the plan.

**1858, 1859, 2063, 2064:** Increased allocation at site M1 to 279 units. Clarification sought in relation to mixed uses (1858, 2063).

**859, 860, 1092:** Removal of site M1.

**BUS Newburgh**

**1858, 2063:** Revision of BUS site.

**Alternative Sites Newburgh**

**45:** Include F4 in the settlement boundary.

**240:** Include F4 and F46 in the local development plan to enable housing to be developed.

**859, 860, 1092:** Alternative site promoted at F48.

**1898, 1899:** Allocate site F71 for 125 housing units, community facilities and open space.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Newburgh is located within the Local Growth and Diversification Area and Aberdeen Housing Market Area. Allocations within Newburgh are already appropriate to meet local needs and existing infrastructure capacity. The level of development proposed is sufficient and adequate to meet the requirements of the structure plan in addition to the key planning objectives for the settlement.

The overall strategy for allocations in the Aberdeen Housing Market Area, outwith the Strategic Growth Areas is addressed through the council's response to Issue 66 Spatial Strategy: Local growth and diversification areas. There is sufficient capacity at Newburgh Mathers Primary School which is forecast to be at 61% of capacity in 2016. Issues relating to the general sufficiency of housing land supply are dealt with in Issue 12 Housing land supply.

Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Newburgh pages 49 – 51).

**M1 Newburgh**

Scale of allocation

Support for the allocation is welcomed.

As stated in the Main Issues Report (page F13) the scale of development is based on the need to sustain local services. The level of development proposed (100 houses, approximately a 20% increase in the size of the settlement over the plan period) is sufficient and adequate to meet the requirements of the structure plan. The allocation is in close proximity to the A90 trunk road network, is well served by public transport, is located in the Energetica corridor and will support the school roll whilst sustaining and providing new community facilities. However, a higher allocation of 279 houses is over and above the level of development required to meet the key planning objectives for the settlement and the wider spatial strategy for local needs and diversification areas.

Allocations in the Aberdeen Housing Market Area are set by the Structure Plan. However, the proposed Aberdeenshire Local Development Plan does not allocate land post 2023. The proposed plan contains a mechanism to allow housing land allocations to be drawn down from second phase allocations, should first phase allocations prove ineffective or undeliverable.

Employment and community facilities

As stated of the Proposed Plan “We will detail these requirements within development frameworks and masterplans, which will also be prepared as supplementary guidance”. The plan is clear, in Schedule 3 page 34, that a masterplanning process will be undertaken to determine the type of community facilities and employment uses appropriate/necessary on the site. It is not always possible to prejudge precisely which facilities and employment uses will be required and this approach provides flexibility for changing circumstances.

Constraints and pattern of development and environmental impacts

As stated in the Main Issues Report (page F13) development to the south of Newburgh was preferred over other available options due to access and traffic impacts within the settlement. One of the objectives referred to in the ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Newburgh pages 49 – 51), is to reduce traffic movements on the high street, and as part of the development a link road will be required from the B9000 to the A975, which will improve connectivity. Furthermore, the Balmedie to Tippetty A90 dualling is also expected to alleviate traffic related roads issues.

The masterplan required for site M1 will provide the main opportunity for engagement with the community in relation to the detail of the site and its layout, siting and design, which should address concerns regarding the natural visual boundaries of the site, impact on the landscape and the existing settlement. Whilst the allocation is on greenfield land, it is not on greenbelt. New development will have to adhere to all of the policies in the local development plan and should result in no adverse impacts on the local community, infrastructure or environment (including the level of air pollution and impact on the River Ythan). Masterplanning of the site will also ensure the flood risk is considered in full, and will result in a layout which mitigates any impact as indicated on in the Settlement Statement. Furthermore, protected land has been allocated on the southern part of the site and to the southeast of the site to safeguard the flooding area and protect the setting of the settlement.

A key planning objective for the settlement is to sustain existing services (including the primary school, which has a falling school roll – see overview) and to provide improved community facilities, which the allocation at site M1 will assist in delivering. Therefore, whilst there may be constraints in current service provision, an allocation for future development is the most appropriate way to alleviate the situation.

In accordance with Scottish Planning Policy (paragraph 80) the allocation at Newburgh is accessible and within an existing settlement. Therefore, due to its proximity to services and the A90 trunk road network, it is not accepted that the location is unsustainable. Furthermore, employment land is to be provided as part of the development which will facilitate local employment opportunities and will

support the “Energetica” framework.

Impact on Category B listed building

Technical assessments undertaken for the site did not raise any concerns in relation to impact on the setting of historic buildings and Historic Scotland have not commented on the site. Foveran House is bounded by ancient woodland which will protect the setting of the listed building. As mentioned above the masterplan required for site M1 will provide the most appropriate opportunity for engagement with the community in relation to the detail of the site and its layout, siting and design, which should address concerns and mitigate any adverse impact in relation to the listed building at Foveran House. Furthermore, protected land has been allocated on the southern part of the M1 site to safeguard the flooding area, therefore development on the site will be set back from the A975.

Loss of privacy/property value

Whilst it is accepted that privacy is a planning consideration, this is the kind of detailed consideration that it is most appropriate to deal with at the masterplan stage, when there will be a further opportunity for engagement in relation to the detail of the site and its layout, siting and design. It is not accepted that loss of property value is a relevant planning argument for determining where future development should take place.

**BUS Newburgh**

The site was carried forward from the Aberdeenshire Local Plan, so employment use on this site has been established. The site is safeguarded for employment uses and is not a new proposal or allocation, so it is not itself increasing the employment land provision in Newburgh. Furthermore, recent planning history on the site demonstrates a current interest in developing industrial units (APP/2009/1664 – approved and APP/2010/3859 – pending). Newburgh is located in close proximity to the A90 trunk road network, is well served by public transport and is located in the Energetica corridor. Therefore, it is appropriate to continue to safeguard the land for employment uses alongside the allocation of 4.5 hectares of employment land at the M1 site to facilitate local employment opportunities and support the “Energetica” framework.

**Alternative Sites Newburgh**

Site F4

Site F4 was identified as a technically possible, but not preferred, site at the Main Issues Report stage (page F13 – F14), due to its location on the edge of the settlement boundary on an area of low-lying ground adjacent to the River Ythan. The site was fully debated in response to its inclusion in the Main Issues Report. However, following widespread community engagement, the Council’s conclusion was to exclude it, principally as the Scottish Environment Protection Agency indicated that the site was located in a flood risk area and should be removed from the plan (see ‘Issues and Actions Paper Volume 4 Formartine May 2010’ Newburgh pages 49 – 51).

Site F46

Site F46 was identified as a technically possible, but not preferred, site at the Main Issues Report stage (F13-14), due to its protected designation in the current Aberdeenshire Local Plan. The site was fully debated in response to its inclusion in the Main Issues Report. However, following widespread community engagement, the Council’s conclusion was to exclude it, principally as the Scottish Environment Protection Agency indicated that the site was located in a flood risk area and should be removed from the plan (see ‘Issues and Actions Paper Volume 4 Formartine May 2010’ Newburgh pages 49 – 51). Its protected status is appropriate to conserve a play area and ponds in the settlement.

Site F48

Site F48 was identified as a technically possible, but not preferred, site at the Main Issues Report stage (F13-14), as developing the site would increase traffic movement through the main street exacerbating existing problems (see “Constraints and pattern of development and environmental impacts” above). The site was fully debated in response to its inclusion in the Main Issues Report. However, following widespread community engagement, the Council’s conclusion was to exclude it,

as development located to the south of the settlement was preferred in order to address issues relating to traffic congestion.

**Site F71**

Site F71 was identified as a technically possible, but not preferred, site at the Main Issues Report stage (F13-14), due to distance from key facilities and the settlement centre and because it did not promote provision of employment opportunities or community facilities. The site was fully debated in response to its inclusion in the Main Issues Report. However, following widespread community engagement, the Council's conclusion was to exclude it, as it would represent ribbon development and would impact on the setting of the settlement due to its topography. In recognition of the need to protect the setting of the settlement, the proposed plan has identified part of the site as protected land to fulfil this role.

**Conclusions**

None of the modifications sought are supported. The development strategy and land allocations in the Formartine part of the Aberdeen Housing Market Area are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. As the council points out, Newburgh is within part of the Aberdeen Housing Market Area that is identified for local growth and diversification. The allocations in the proposed Plan and suggestions that have been put forward for alternative or additional allocations for Newburgh are considered below in that context and with reference to the strategy, aims and associated requirements set out the structure plan. Firstly, it is noted that the council regards Newburgh as being situated outwith the Ellon to Blackdog Strategic Growth Area. The overall strategy for Newburgh and other settlements not in Strategic Growth Areas is a matter dealt with elsewhere in this report under the heading Issue 66: Spatial Strategy: Local growth and diversification areas – and issues related to the general sufficiency of housing land supply are considered under Issue 12: Housing land supply.

**Site M1**

Scale of allocation

2. One of the representations supports the M1 allocation but contends that its residential component should be enlarged to accommodate 279 housing units – to utilise its full potential. The illustrative master plan accompanying that representation also shows the southern section of the M1 site being extended westwards. In support of the case being made to increase the housing allocation for site M1, from the 100 units proposed in the proposed Plan, the same respondent contends that this would be a logical expansion of Newburgh. It is also suggested that this settlement is capable of absorbing further development of this scale, particularly given the proximity of Newburgh to the A90 road – and so to Ellon and indeed to the Aberdeen to Peterhead Strategic Growth Area generally. Furthermore, this respondent argues that even if Newburgh is not deemed to be part of the Strategic Growth Area, a significantly larger allocation could still be made here as part of the local growth and diversification strategy of the structure plan to meet housing requirements of the Aberdeen Housing Market Area.

3. In support of its own position, the council points out that the proposed allocation of up to 100 houses on site M1 represents a 20% increase in the size of the settlement over the plan period. It also argues that this allocation already reflects the proximity of Newburgh to the A90 trunk road network, as well as the fact that it is well served by public transport and forms part of the Energetica framework corridor. It also points out that the 100 houses – planned in two phases – would support the local school roll and other local community facilities. Based on the available evidence it is reasonable for the council to conclude that an allocation of 279 houses at this location exceeds the

level of development required to meet the key planning objectives for Newburgh and the wider spatial strategy for local needs and diversification areas – including with reference to the housing land allocations set for those areas by the structure plan. As the council points out, the proposed Plan does incorporate a mechanism to draw down second phase allocations if those set for the first plan period prove ineffective or undeliverable.

4. A number of other representations seek deletion of the M1 allocation altogether, in some cases contending that allocations would be better directed instead to sites further to the north or to the south-east of Newburgh’s built-up area. One of those respondents also argues that if an M1 allocation is to remain in some form it should be considerably reduced in scale and restricted solely to the northern end of the extensive area currently proposed as M1 by the council, for the reasons summarised below. He also points out that if the site was reduced in this way there would be no longer a need to build a new road to link through the site from the B9000 southwards to the A975 road.

5. That same respondent quite properly notes that the M1 site, as currently proposed by the council, can be considered as two distinct topographical blocks – the northern part, nearest to the B9000 road, which consists of rolling fields and grass paddocks, together with the southern part that slopes down towards the alluvial flood plain alongside the A975 road. As this respondent points out, careful limitations on development to date have ensured that the natural visual boundaries of the town have been safeguarded when viewed by those approaching Newburgh from the south along the A975 road, which follows a valley bend. This has been achieved by restricting the extent of housing development to the south of the B9000 road in order to avoid breaching the brow of the ridge that overlooks the A975 road below and to the south.

6. Most importantly, the respondent is correct in pointing out that the M1 proposal being advocated by the council would no longer respect the local topography. Instead new development, for the first time, would be allowed to breach the ridge and continue southwards onto the slopes forming the remainder of the M1 site. The resulting development on the southern part of the M1 site as now being suggested by the council, would be clearly visible from the A975, irrespective of any masterplanning of the layout and design of the M1 site as a whole – or indeed whatever landscape treatment was introduced on the low-lying P1 site. Such built development, by breaching the brow of the hill and spilling southwards down towards the A975, would not respect the landscape setting of Newburgh. In particular it would be detrimental to the existing attractiveness of the approach to the town for those using the A975 road.

7. Accordingly, in principle the respondent is justified in seeking to safeguard the setting of Newburgh when approaching from the south, if at all possible. As stated above this could not be achieved solely through masterplanning or landscape treatment. Accordingly, it requires instead only the northern part of the M1 site to be allocated and the extent of built development there to be strictly controlled - as has been largely achieved to date on the adjoining site to the east – to ensure that it would not breach the ridge line. For these reasons it is important to restrict the extent of the M1 allocation site to include only the northern portion, rather than the whole area proposed by the council. This will mean a reduction in the amount of development that can be achieved there. Nevertheless, given the fact that one respondent contends that 279 houses could be accommodated on site M1 rather than the 100 proposed by the council, there should still be enough land allocated on the northern part to accommodate up to 40 houses as well as 1.5 hectares of land for employment and community facilities. It is appropriate to explore the scope elsewhere in and around Newburgh to provide some or all of the 60 new housing units no longer to be provided on the M1 site – and, if appropriate, for alternative sites to also make a contribution towards the 3 hectares of new employment/community land no longer achievable on the reduced M1 site. In that context, each alternative site put forward in representations has been considered on its merits below.

Employment and community facilities

8. Meanwhile, some representations call for more clarity and certainty regarding the employment uses and community facilities envisaged for site M1. In response, the council draws attention to Schedule 3 of the proposed plan confirming that these matters, together with detailed guidance on



requirements for developer contributions, will all be set out within development plan frameworks and masterplans to be prepared as supplementary guidance. Accordingly, the council proposes a masterplanning process to determine the type of community facilities and employment uses appropriate or necessary for the M1 site. This approach can be justified on the basis that it provides flexibility for changing circumstances as it is not possible now for the council to prejudge precisely what community facilities and employment uses will be required. In this regard, it may be sufficient for only 1.5 hectares of employment land to be created as part of a reduced M1 allocation.

Access, amenity considerations and loss of privacy

9. Whilst the M1 site is greenfield it is not designated green belt. The council states that the aim of improving access and relieving traffic problems affecting Newburgh were considerations in the selection of site M1 for allocation in preference to other possible sites put forward for consideration at the Main Issues Report stage. As stated earlier, if the M1 allocation is restricted solely to the northern part nearest to the B9000 road – and so offering less development land for new housing units and employment opportunities – there will be no longer a need or basis for introducing a new roadway to link through the site southwards to the A975 road. Turning from strategic to more local considerations, the council points out that the masterplan to be undertaken for the site, even it is reduced in its areal extent, will provide an opportunity for community engagement regarding the overall design and layout – including consideration of boundary issues, privacy concerns, landscape and amenity concerns affecting those in the existing settlement. Quite properly, the council states that there will be strict adherence paid to policies to ensure that the development here should result in no adverse impacts on the local community, its infrastructure or environment.

10. In reality, it is more appropriate to seek to ensure that any adverse impacts are minimised and kept within acceptable limits, as all such developments would inevitably have some impacts. Nevertheless, the council is rightly seeking to ensure that the concerns raised are fully addressed to safeguard the privacy of neighbours and where possible to improve the key features of Newburgh for the benefit of its wider community, whilst protecting the local environment. The council draws attention to the fact that the settlement statement includes a protection area to the south of M1 specifically aimed at flood prevention. It also contends that this would protect the setting of the settlement – particularly when approaching from the south along the A975. This however does not take into account the fact that any built development immediately to the north of that P1 area would be on higher ground leading up to the ridge line so would remain prominent in the landscape setting. Nevertheless, the council is correct in stating that development on site M1 would have the benefit of helping to improve local employment opportunities and sustain local community facilities for the benefit of existing as well as new residents. The M1 site, particularly its northern part, is close to the centre of Newburgh and to most existing local services. Based on all of these considerations, it is reasonable to conclude that the location of a reduced M1 allocation, if limited to the northern part adjoining the B9000 road (as discussed earlier), would be sustainable.

Potential impact on the setting of Foveran House – a B Listed building

11. Whilst concerns have been raised in one representation about the likely adverse impact on the setting of Foveran House to the south of M1, these matters have been fully addressed by the council. In particular it points out, firstly, that this listed building is bounded by ancient woodland which protects its setting. In addition, between the M1 site and Foveran House there will be a protection area P1 for flood prevention so any new built developments would be set back from the intervening A975 road. Furthermore, it is noted that Historic Scotland has not raised any concerns with regard to the potential impact of the M1 allocation on the setting of this listed building. The restriction of the M1 designation to only the northern part of the land proposed by the council would further ensure that the nearest new development was more remote from Foveran House and screened from it by no longer proceeding over the ridge line – for the reasons outlined above.

**BUS Site**

12. Issues are raised about the continued designation of this site, immediately to the west of Parkview, for employment uses when it has remained undeveloped despite being designated for such uses in the local plan since 2006. As the representations concern continuation of an existing allocation rather than an allocation in the proposed Plan, these are matters for the council to



consider and do not form part of this plan examination.

**Additional or alternative sites**

Site F4

13. The representation points out that in principle it would be beneficial for this prominent site on the northern approach to the centre of Newburgh to cease being a piece of overgrown and neglected waste ground. Indeed, the council acknowledges that this small, triangular site adjacent to the River Ythan was considered technically capable of development at the Main Issues Report stage. Following public consultation, it was later excluded from the proposed Plan “principally as the Scottish Environment Protection Agency (SEPA) indicated that the site was located in a flood risk area”. The fact that there was a smithy on the site in 1900 is of no relevance to its possible allocation now.

14. The representation puts forward some evidence to support the assertion that the F4 site, whilst low lying, presents no more of a flood risk than the land now used for the major recent residential developments at The Quay, immediately to the north. The concerns of SEPA, however, cannot be simply disregarded based on such anecdotal evidence. In any event, irrespective of any flood risk, the site in question is small and offers scope for only a very limited amount of development and may raise other potential issues such as access constraints, as it is located on the main A975 road leading southwards through the centre of Newburgh.

15. Based on all of these considerations, the council is justified in not formally allocating the F4 site in the proposed plan. Nevertheless, it would still be open to the landowner, or indeed anyone else, to put forward a scheme for development of the site through lodging of a planning application, supported by documentation addressing all relevant matters including the planning policies that are applicable at the time, as well as other issues such as access and flood risk. It would then be for the planning authority to determine whether a case for granting planning permission had been made satisfactorily, taking into account the development plan policy context and any other material considerations.

Site F46

16. This site is partly within the P2 area shown in the settlement statement, which is protected to conserve a play area and ponds. That whole area, set back from houses fronting onto the A975 road, is undeveloped. It features undisturbed woodland and includes a heronry overlooking the ponds. The council considered development of site F46 to be “technically possible” when it was put forward for consideration in the Main Issues Report. Following public consultation, however, it was excluded from the proposed Plan “principally as the Scottish Environment Protection Agency indicated that the site was located in a flood risk area”. No evidence has been lodged to challenge that. Based on all of these factors the council is justified in concluding that the P2 site is worthy of protection and that the whole of the F46 site is inappropriate for allocation in the proposed Plan.

Site F48

17. This broadly rectangular site extending to 26 hectares comprises part of gently sloping, arable fields adjoining the north-west edge of the built-up area of Newburgh. It has been considered by the council as technically capable of development and a possible alternative option to site M1. The council’s main concern relates to traffic generation implications of large-scale development on the F48 site. Nevertheless it is put forward by the respondent as an alternative to all or part of site M1 – on the basis that it should be recognised as a more appropriate location for accommodating growth. Attention is drawn by this respondent to the perceived shortcomings of the M1 site, as proposed by the council, including with regard to its landscape setting. There is some justification in the assertion made that site F48 – or at least the southern end of it adjoining existing housing areas on two sides – would have less visual impact in townscape terms than the southern part of site M1. Furthermore, the southern end of site F48 is closer to existing local services in the town centre, and offers better access to public transport than the southern part of site M1. The promoter of the F48 site notes that it scored higher than the M1 site when both were initially evaluated by the council at the Main Issues Report stage.

18. Whilst the southern end of site F48 site is reasonably centrally located and technically capable of development, the site does have two drawbacks. Firstly, its western edge is totally undefined, being part of a larger area of open fields. This, however, could be addressed through a suitable boundary treatment to provide a clear and defensible edge to any new built development. Furthermore, whilst reference is made in the representations to the scope for a new bypass for Newburgh, this is not currently a formal proposal. In the absence of such a means of relieving traffic congestion through the centre of Newburgh, the council is justifiably concerned that development of the F48 site as a whole would be likely to increase traffic movement through the town centre, exacerbating existing problems there and at the junction onto Main Street. Representations from local residents also point out the limitations imposed by the narrowness of Knockhall Road that currently serves the F48 site, noting that it is a fairly quiet route used by some children to walk to the local school. The carriageway width of Knockhall Road narrows significantly immediately to the north of the 8 existing houses on the west side of it. In response to all of these concerns, the promoter of the F48 site asserts that safe and compliant access can be achieved to serve new development here. Clearly all such access and related matters would need to be satisfactorily addressed at the planning application stage in respect of development proposals for any part of the site F48.

19. It is noted that the council has concluded that the scale of housing it proposes on the M1 site can be readily accommodated within local school capacities – so clearly this would remain the case if half of that planned new housing was delivered on the southern end of the F48 site instead. Whilst some residents of houses facing onto the southern end of the F48 site express concerns about any new development there spoiling their outlook onto open fields, this is not a valid planning reason to dismiss outright any development on land adjoining a built-up area. The existence of a drainage corridor along the southern edge of the F48 site will in itself help to ensure a degree of separation from existing houses to the south. Whilst privacy is a valid concern, this relates to siting, design and layout matters that can be looked at in more detail at the masterplanning stage – at which point there would be another opportunity for consultation and representations to be made. These would also be matters for detailed consideration at the planning application stage to ensure that the amenity of neighbouring residents was safeguarded satisfactorily. Concerns have also been raised in respect of drainage issues – in particular regarding flood risk and potential impact on the Ythan Estuary, Sands of Forvie and Meikle Loch Special Protection Area to the north-east of the site. These and related matters would all need to be addressed satisfactorily as part of the planning application process. Nevertheless, based on the available evidence, those potential concerns raised by local residents and the council, individually and cumulatively are not sufficient to rule out the principle of housing development on the southern end of the F48 site

20. Accordingly, taking into account the conclusions drawn earlier regarding the need to restrict the areal extent of site M1 and so limit the amount of development achievable on that reduced site – there is merit in the principle of the southern end of site F48 being also allocated in the Plan for some limited housing development. This, in tandem with a reduced M1 allocation, would form part of a balanced approach to the overall planned growth of Newburgh – to meet local needs and support local services as well as fulfilling Newburgh’s contribution to meeting overall structure plan requirements for the wider area for the plan period. In the longer term, particularly if there was a commitment to developing a bypass for the centre of Newburgh, it would be appropriate to re-evaluate the merits of the remainder of the F48 site for accommodating some further expansion, given its relatively accessible location with regard to existing local services. Meanwhile, allocation of the southern end of site F48 offers the benefit of counter-balancing the planned growth at the southern end of Newburgh on a much more restricted version of site M1. The location of the southern end of the F48 site is such that it would not be appropriate to allocate any part of it for employment land, but there should be scope to include some community facilities as part of any overall new development package here.

21. Accordingly, an area extending to no more than 5 hectares at the southern end of site F48 should now be allocated for up to 60 units of housing development together with some community facilities. The western boundary of the site to be allocated should be defined by a new landscape buffer to ensure that the new development does not extend west of the existing westernmost

boundary of the rear gardens of houses at the westernmost part of St Clair Wynd. The northern boundary of this new allocation would be broadly parallel to the B9000 road and no more than 50m north of the last of the existing houses situated on the western side of Knockhall Road. This should enable a suitable means of access to the site and a reasonable overall site layout to be achieved.

Site F71

22. This site is put forward for allocation in addition to, rather than in place of site M1. It is suggested that there is sufficient spare capacity in local schools and that the proximity of Newburgh to the Strategic Growth Area corridor justifies allocating this site as a logical expansion opportunity. It is proposed that the 8.7 hectare site would deliver an additional 125 housing units and employment uses, if required – as well as community facilities, landscaping and open space provision, linking to existing recreational provision. It is contended that all this would be best achieved in association with a relocation of the proposed P6 designation (in the settlement statement) to the south-west of site F71 to protect the setting of the village. It is argued that the attractiveness of Newburgh as a location and the case for the proposed F71 allocation is strengthened by the increased accessibility for the area that will be afforded by the Aberdeen Western Peripheral Route and the programmed A90 road upgrading between Balmedie and Tlpperty.

23. The council acknowledges that development of the F71 site is technically possible, and on that basis it was included within the Main Issues Report for further consideration and public consultation. The council, somewhat unreasonably, criticises the package of proposals put forward for the site on the basis that they did not include new employment opportunities or community facilities. Nevertheless, and most importantly, the council concluded quite properly that the site in question is inappropriate for allocation due its distance from key facilities and the settlement centre. It is also rightly concerned about the risk that the proposal poses with regard to ribbon development on the periphery of Newburgh. Furthermore, the council draws attention to the fact that part of the site concerned is shown in the settlement statement as protected land (P6), with a view to conserving the setting of the settlement.

24. In summary, these are robust and sufficient reasons not to allocate site F71 – particularly since the reduced housing land allocations at site M1, combined with the shortfall there being made up at the southern end of site F48 – would be sufficient to meet local needs, as well as fulfilling Newburgh’s contribution to meeting overall structure plan requirements for the plan period. As stated earlier, the council has confirmed that the proximity of Newburgh to the Special Growth Area and to the major trunk road network have already been taken into consideration when determining the scale of allocation for site M1. Accordingly, these same factors do not justify significant further allocations for Newburgh – and certainly do not provide justification for adding an additional 125 houses at site F71, with or without employment uses and community facilities. Accordingly, the fact that the proposals offer links to a local golf club and the scope for some landscaping in association with a suggested repositioning of the P6 designation are not sufficient reasons to justify site F71 being allocated in the Plan.

**Reporter’s recommendations:**

Modify the proposed Plan by:

- Reducing the area of site M1 so that it would be restricted to only the northern part of the area proposed in the Plan – such that it would now only extend southwards from the B9000 road as far as a boundary forming a continuation of the rear line of the back gardens of the houses on the south side of Haddo Crescent – to provide up to 40 houses (in two phases of 20 houses in the early and late plan periods respectively) as well as 1.5 hectares of land for employment opportunities and community facilities – with consequential changes to Table 4 of Schedule 1 and Table 4 of Schedule 2, respectively
- A new allocation H1, limited to a maximum of 5 hectares at the southern end of the site F48 shown in the Main Issues Report be allocated for up to 60 units of housing development, (in two phases of 30 houses in the early and late plan periods respectively). The western boundary of the site to be allocated should be defined by a new landscape buffer along a line that would

continue northwards the existing westernmost boundary of the rear gardens of houses at the westernmost part of St Clair Wynd. The northern boundary of this new allocation would be broadly parallel to the B9000 road and no more than 50m north of the last of the existing houses situated on the western side of Knockhall Road – with consequential changes to Table 4 of Schedule 1.

<b>Issue 73</b>	<b>Other Sites in Formartine Aberdeen Housing Market Area</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Schedule 2, Table 4, (p31) Volume 3f, Supplementary Guidance, Settlement Statements Formartine	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Taylor Design Services on behalf of William Fraser Potato Merchants (225)            Knight Frank LLP on behalf of Mr Russell (230, 1948, 2879)            Taylor Design Services on behalf of Mr &amp; Mrs Bruce (239, 248)            William Lippe Architects Ltd on behalf of Michael Hunter (395)            William Lippe Architects Ltd on behalf of Patrick Sleight (411)            William Lippe Architects Ltd on behalf of Neil Robertson (492, 493)            Knight Frank LLP on behalf of G Presly (509, 510)            Belhelvie Community Council (561)            Kevin &amp; Helen Strachan (702)            Knight Frank LLP on behalf of Mr Presly (857, 858)            Stewart Milne Homes (910, 915)            Ryden LLP on behalf of Baker Street Properties (1219, 1221, 1915, 1917)            James Irvine (1257)            Bancon Developments (1428, 1448)            Archial Planning on behalf of Stewart Milne Homes (1583, 1599, 1637, 1937, 1944, 2869)            Halliday Fraser Munro on behalf of Chap Homes Ltd (1619, 1622, 2888)            Ian Downie on behalf of Hill of Keir Ltd, Irvine Christie, Blairythan Partnership, Whitecairns Estates Ltd, Mr &amp; Mrs S Ged (1688)            Ryden LLP on behalf of Kirkwood Homes Ltd (1906, 1907)            Highland Estates Leisure Ltd on behalf of The Macrobert Trust (2103)            Graham Mitchell Architects Ltd on behalf of James Irvine (2299)            Howard Kershaw (2311)            David Murray Associates (2359, 2462, 2887)            PPCA Ltd on behalf of Tor Ecosse Ltd (2674, 2675)            Scottish Environment Protection Agency (2858)            Alistair Drummond (2860)            Andrew Stewart (2861)            Dr Diane Stewart (2862)            Archial Planning (2870)            Udney Community Council (2886)            Ian Tough (2891)            Brian McDougall (2927)            Brian McDougall on behalf of Hunters Rise Residents Association (2928)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations in other settlements within the Formartine Aberdeen Housing Market Area.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Arnage</b>  <b>1688:</b> Insufficient effective housing sites have been identified to provide a minimum 7 year effective supply and the land supply should be augmented to include site F94 at Arnage (see issue 25 New Housing Land Allocations). The site is immediately deliverable in the first period of the plan.</p> <p><b>Barthol Chapel</b>  <b>395, 411, 492, 493:</b> 5 housing units should be directed to Barthol Chapel and other settlements from</p>		

a reduction of housing units in the allocation at St Katherines M1 (see issue 127 St Katherines and Issue 128 Other Formartine Land RHMA). Barthol Chapel is in close proximity to existing facilities and schooling, the school roll is falling and it would be prudent to allocate 5 houses here to allow the settlement to grow in a sustainable manner and support existing facilities.

**Berefold**

**239, 248:** Objection to exclusion of site F38 within the proposed plan. Berefold was a rural service centre in ALP and it is contended that a specific allocation is justified within the final Local Development Plan. A housing allocation made within the Aberdeenshire Local Plan has been successfully developed and it is contended that a similar sized extension would enable a degree of physical balance to be achieved, improve the appearance of the settlement and give support to local rural schools and services.

**Craigdam**

**509, 510, 857, 858:** Objection to failure to include site F66 at Craigdam. The site is a logical extension to the existing settlement and can deliver up to 10 houses during the lifetime of the plan to help meet local demand for housing in the rural area.

**Cultercullen**

**1219, 1221, 1915, 1917:** Promotion of housing land at site F69 Cultercullen. It is contended that the proposed Aberdeenshire Local Development Plan aims to allocate a 12 yr land supply and a strategic approach to growth of Cultercullen is required. Failure to allocate areas for sustainable growth in Cultercullen will result in a lost opportunity to support services and provide infrastructure to the local community (**1221, 1917**). Development of F69 would meet current and anticipated demand, would be located on a public transport route and is in close proximity to the A90, the Aberdeen Western Peripheral Route and the local primary school (**1219, 1915**). Upon completion of the Balmedie to Ellon A90 dualling, and adoption of the Energetica corridor (**1221, 1917**), demand for housing in Cultercullen will be enhanced (**1219, 1221, 1915, 1917**). It is contended that Cultercullen is ideally located to take advantage of the opportunities that this corridor offers (**1221, 1917**). The housing allocation for F69 Cultercullen should be transferred from Udney Station M1 (see issue 69 Udney Station), to provide a sustainable development which would support the primary school which has a falling school roll (**1219, 1221, 1915, 1917**). It is contended that although there is a watercourse to the south of the site, the SEPA flood map does not indicate any flooding within the area (**1219, 1915**). In addition mains drainage has been installed as part of a previous development in the settlement, which has capacity to allow development of site F69 (**1219, 1915**). It is contended that the scale of the development proposed at site F69 would be in line with current growth figures of the extant local plan, in keeping with the area and it would form a logical expansion to the settlement due to its location adjacent to the settlement boundary (**1219, 1221, 1915, 1917**).

**2870:** Promotion of additional land at Cultercullen. There is sufficient capacity at the primary school and its roll is predicted to fall: therefore Cultercullen is a clear example of a settlement which would benefit from additional housing allocations to ensure ongoing survival of the school. It is contended that it is overly ambitious to rely on the development in the countryside policy to deliver the shortfall in units allocated to the Aberdeen Housing Market Area, as the nature of the policy and associated supplementary guidance is deemed to be restrictive. Instead, it would be preferable to give clear allocations to deliverable sites within settlements such as Cultercullen. It is contended that the proposed development could be delivered without adversely affecting existing levels of amenity in accordance with the planning objective for the settlement. The current aim for the settlement is deemed too narrow and an appropriate level of growth should be aimed for in order to ensure the ongoing viability of the local school. The site is well served by public transport, an infrastructure report confirms its suitability for development and its allocation would contribute to the necessary housing numbers required by the structure plan.

**2891:** Promotion of additional housing land at Cultercullen for inclusion within the plan. Proposal for 8-10 housing units with access taken from the existing local road network. It is contended that the site is not utilised as agricultural land, is ideally situated in at the border of the village and is bounded by a stream. Concerns regarding road safety for children can be addressed through provision of a



path. It is believed that mains sewage is available in the village to serve the development. Respondee believes development on the site will contribute to the expansion of the village and support the school. Map attached.

**Hattoncrook**

**1688:** Insufficient effective housing sites have been identified to provide a minimum 7 year effective supply and the land supply should be augmented to include site F122 at Hattoncrook. It is contended that site F122 is not incapable of being developed due to proximity to pipeline. Development of the site and the adjacent employment site proposal on the F121 bid site can be developed outwith the safety corridor associated with the pipeline. The site is immediately deliverable in the first period of the plan (see issue 25 New Housing Land Allocations).

**Hill of Keir**

**1688:** Insufficient effective housing sites have been identified to provide a minimum 7 year effective supply and the land supply should be augmented to include site F90 at Hill of Keir. The site is immediately deliverable in the first period of the plan (see Issue 25 New housing Land Allocations).

**Kingseat**

**230, 1948, 2879:** It is contended that consideration should be given to growing Kingseat over the next 5 to 10 years; and as there is an existing business park in Kingseat, further development of the settlement would meet structure plan objectives to provide new housing that is well related to commercial/employment development and achieve sustainable mixed communities. There is high demand for housing in the area as it is in close proximity to sources of employment, Aberdeen City and the airport with good accessibility which will be enhanced following completion of the Aberdeen Western Peripheral Route. The development of land at Kingseat for housing and community facilities will provide the critical mass to attract and enhance local services that are currently not available in the village, providing a better balance and mix of uses to enable the village to become self-sustaining. Kingseat currently has no readily accessible community facilities and the proposed development could provide these. The site (F60) has a clear physical relationship with the existing settlement and would round off the eastern end of the village. It is well contained in the landscape, its development would have minimal visual impacts and there are no constraints to the delivery of the site. It is suggested that planning gain contributions could be used to run a subsidised bus service to Newmachar. Whilst a small area of land at Kingseat is within the pipeline corridor, initial discussions with the Health and Safety Executive indicate that there would be no impediment to its development. It is contended that a more pragmatic approach should be taken in relation to development near pipeline corridors to avoid unnecessarily sterilising good sites.

**Pitmedden**

**2886:** Pitmedden requires to be allowed to develop steadily, over time, with good design and in accordance with a masterplan. Its development should be balanced around its current centre where facilities are located.

Site EH1

**1619, 1622, 2888:** The allocation of EH1 should be carried forward with an increased allocation of 24 units. It is contended that the allocation of 14 units proposed in the Aberdeenshire Local Plan was not based on any specific requirement or density and the Reporter had indicated that 20 units better reflected the capacity of the site. This was rejected by Councillors to allow community facilities to come forward. However, the lower allocation made the provision of community facilities unviable. A current planning application seeks approval for 24 units to allow the release of land for a village hall. The site is immediately deliverable and provides the opportunity for a range of housing in a sustainable location within the existing settlement. It is contended that the current allocation of 14 units makes the site undeliverable. An increase in the allocation would make a modest contribution to a contended shortfall in effective housing land supply in the Aberdeen Housing Market Area (see Issue 25 New Housing Land Allocations), and to enable the release of land for the community facility the residential element must be viable. As there is no residential allocation in Pitmedden, it is contended that suitable land should be delivered to ensure that local facilities and services are supported.

**2858:** Flood risk may severely reduce the area of the EH1 site that can be developed. Objects to the site unless: a flood risk assessment has been carried out and it is stated in the plan or supplementary guidance that development shall only take place outwith the established flood plan or the issue of flood risk is highlighted in the plan or supplementary guidance text for Pitmedden as required by the Scottish Planning Policy. The respondent also highlights the possible need for a drainage assessment to inform the development area and layout.

Site BUS1

**2858:** Objection to allocation of BUS1. The site lies almost entirely within the 1:200 Indicative Flood Map and its allocation does not comply with Scottish Planning Policy since flooding has not been highlighted as a constraint, it does not demonstrate safeguarding of the flood storage and conveyancing capacity of the functional floodplain and it has not demonstrated that the development will not increase the risk of flooding elsewhere. A detailed flood risk assessment must be undertaken prior to the site being allocated in the Local Development Plan, which demonstrates that the flood storage and conveyancing capacity of the function floodplain is safeguarded, and development of the allocation will not increase the risk of flooding elsewhere. Subsequently the flood risk constraint should be highlighted in the final plan or supplementary guidance text.

Site BUS2

**2860:** The respondent contends that the development would have a major impact on quality of life. Noise from the existing business site already impacts on the respondent and further commercial premises would exacerbate this. Concern is raised in relation to adverse visual impact in addition to increased level of vehicular traffic and subsequent affect on junctions onto the B9000. It is contended that better use should be made of the rarely used works site to the west of the proposed site and other brownfield sites, which are better suited to commercial enterprise, before prime farmland is built on.

**2861, 2862:** It is contended that development of BUS2 would have a detrimental effect on the respondent's property value and saleability due to proximity to their property, in addition to subsequent personal disruption as a result of the development.

**2927, 2928:** Objection to BUS2. Site is currently used for agricultural uses and it is contended that there is no justification for a change of use as there are sufficient sites in the area which can support employment usage. The existing employment site to the west is contended to be underutilised which shows that there is no requirement for additional allocations in the next 5 years. Further commercial development close to residential area would have a detrimental effect on the quality of life of all residents at Hunters Rise. An increase in vehicular traffic on this part of the B9000 would pose safety risk for workers to the east of the proposed site at Wood Recyclability.

Site P1

**2887:** Support for protection of the landscape setting of the village and of Pitmedden House and Gardens through P1 allocation.

**2869:** Objection to P1 allocation. P1 is not required to maintain the landscape setting of Pitmedden as the landscape setting of the settlement is already protected by Pitmedden House woodland. Due to the topography of the area, mature trees and pattern of land use P1 is not prominent, and therefore development could take place without adverse landscape impacts. It is considered that the P1 allocation is undermined by the BUS1 allocation and would create an incoherent pattern of development and with "elements of division" within the village creating an unsustainable layout. Protected areas have not previously been advocated in any earlier local plan and no requirement to protect the landscape has been identified in the past. It is contended that the P1 allocation is unnecessary and has no function in landscape terms. It is proposed that the P1 allocation be exchanged with a residential allocation of 150 units.

Alternative Sites Pitmedden

**1599, 1937:** Allocate housing on site F141. The settlement has a broad range of services and facilities which confirms that Pitmedden would be an ideal settlement to accommodate additional

levels of growth. Development would help sustain existing facilities and would be in accordance with the principles of growth identified for the Local Growth and Diversification Area. It is contended that Pitmedden lacks any established employment land, although there is an existing site allocated. Marketability of the existing site would be enhanced by the proposal. The potential for the site to be located next to an employment allocation reinforces the extent to which the proposal accords with the principles of expansion in the Local Growth and Diversification Area. Support for the site was given at Main Issues Report Stage and concerns relating to impact on Pitmedden House can be resolved through the provision of a protected area. Whilst it is accepted that there would be a modest increase in traffic on the existing road network, it is contended that road safety will not be compromised. It is contended that the shortfall in effective housing supply, identified in the Housing Land Audit 2010, is compounded by a failure to identify land beyond 2023, and that the reliance on 25% of housing from the Housing in the Countryside policy heightens the requirement for adequate land to be allocated in the short to medium term (see Issue 12 Housing Land Supply). It is contended that Pitmedden is a more suitable settlement for housing allocations than other settlements in the Aberdeen Housing Market Area, there is capacity at schools and the settlement is well served by an existing health centre and recycling facility, there are no infrastructure constraints identified in the Action Programme, and the site is in close proximity to employment sites.

**2887:** Support for exclusion of site F72 due to major access constraints.

**1906, 1907:** Objection to the failure to allocate F72. The site is the most suitable area for development, and would form a logical settlement boundary for the north east of Pitmedden. F72 would be ideal for organic expansion rounding off the settlement and restricting further growth due to the natural boundaries. Development would be well contained in the landscape and would not have a significant impact on the visual setting of Pitmedden due to the topography of the site. The site is in close proximity to the village centre and further development will support existing shops and services (including the primary school). There are no major constraints to development on the site, an upgrade to the WWTW could be achieved through development of F72, and issues with road access and areas at risk of flooding can be overcome. It is contended that a number of the allocated sites in the Aberdeen Housing Market Area will be undeliverable due to underlying constraints, and that therefore further allocation across a number of settlements should be made to meet Structure Plan requirements and ensure a 5 year land supply is maintained (see Issue 12 Housing land supply and Issue 25 New Housing Land Allocations).

**2886:** Support for balanced development involving areas to the south of the village along the B999 to Milldale involving land offered at the Mill of Allathan (presumed to be sites F53, F98, F99 and F100).

**2359, 2462, 2887:** Promotion of additional land at F53, F97, F98, F99, F100. Additional allocations should be made to Pitmedden to safeguard the future viability of the settlement (**2462, 2887**). Policy 5 states there is an intention to maintain a 7 year land supply for housing and to maintain at all times a 5 year supply in line with Scottish Planning Policy. However, Schedule 1 failed to achieve the necessary level of allocations, and specifically insufficient land is allocated in Formartine (**2359**). Sites F53, 97, 98, 99 and 100 have scope for mixed use development to alleviate the shortfall in the viable housing land allocations in the Aberdeen Housing Market Area (**2887**). It is contended that early release of phase two allocations would not alleviate the problem therefore additional allocations are required (**2359**). The community council have identified a need for controlled development within Pitmedden, the school is below capacity therefore there is capacity for extra development, the settlement is served by public transport, there is no identified flood risk within the sites and there is scope to develop a variety of allocations in pipeline consultation zones (**2462, 2887**).

### **Potterton**

#### Strategy for allocations

**702, 1257, 2299:** Concern is raised in relation to the lack of allocations at Potterton and that it is not identified as a settlement, given its location adjacent to the junction on the proposed AWPR.

**910, 915, 2675:** It is contended that the Local Development Plan does not conform with the Structure Plan, as it fails to allocate sufficient land to meet housing requirements (see Issue 12 Housing land supply), and development at Potterton can deliver effective housing land.

**1428, 1448, 2299:** Clarity is sought as to whether Potterton is within the Strategic Growth Area.

**910, 915, 1583, 1637, 1944, 2311, 2674, 2675:** Representations request that allocations from Blackdog (see issue 63 Blackdog) are transferred to Potterton. Expansion of Potterton is a far superior option in terms of the levels of amenity which could be provided (**1583, 1637**). See issue 56 Spatial Strategy Ellon to Blackdog.

**910, 915, 1637, 2674:** It is contended that Potterton is an ideal location for sustainable community expansion and is within the Ellon to Blackdog Strategic Growth corridor. Land at Potterton is an accessible location (**910, 915, 2674**). Potterton could be planned to accommodate longer term growth as there are no fundamental physical constraints (**1637, 2674**). The requirement for a new secondary school (in addition to Ellon Academy) in the southern Formartine Area is real and requires to be taken into consideration when identifying house sites (**1637**).

**910, 915, 1637, 2311, 2674, 2675:** Whilst Potterton benefits from existing infrastructure, facilities and services (**910, 915, 1637**), an appropriate mixed use development could deliver the critical mass required to deliver further local services and facilities to increase the sustainability of the settlement allowing it to become a sustainable place to live and work (**1637, 2311, 2674, 2675**). An allocation at Potterton would allow the Den Road to be upgraded which is essential to handle traffic heading to the Aberdeen Western Peripheral Route (**2311**). It is contended that Potterton meets all of the effectiveness criteria set out in paragraph 55 of PAN 2/2010 Affordable Housing and Housing Land Audits (**2674**).

#### Lack of justification for strategy

**1428, 1448, 2299:** The plan fails to make clear that expansion of the settlement is discouraged due to land use conflicts (landfill sites, Aberdeen Western Peripheral Route and B999), danger of coalescence with surrounding villages and that local opinion prefers green belt protection rather than major development of the village.

#### Menie Development

**561:** The respondent contends that the Potterton allocation was transferred to the Menie development, but that the Menie site should not be considered as a future allocation as it already has planning permission. Potterton has a potential infrastructure problem in relation to Den Road and the Aberdeen Western Peripheral Route. The cost of resolving this would need to be met through housing in the surrounding area, which was previously supported by the Belhelvie community council. It is considered that the original 650 houses would be too much for Potterton but that half of the original 650 house allocation could be readily accommodated.

#### Alternative Sites Potterton

**225:** Promotion of additional land at F47, Potterton for employment uses. It is contended that the site represents a natural expansion of an existing storage, distribution and light industry site, has good access and its development would provide local employment helping to sustain the existing settlement. It is considered unreasonable to consider this site along with more significant developments to the east and west.

**910, 915:** It is contended that the site promoted at Gourdieburn has no infrastructure constraints and is a logical extension to Potterton.

**2674, 2675:** Sites F26, F32, F49, and F65 should be allocated for 600 houses, employment land and community facilities. The site is not constrained by ownership, contamination or by education constraints. It is contended that Potterton is a highly marketable location and employment land allocations could help assist in the delivery of Energetica. A transport deliverability statement confirms that Potterton is an accessible site which is not reliant on the Aberdeen Western Peripheral

Route or access onto the A90. Potterton has an existing population that would provide immediate stimulus to a new primary school, which is necessary, and this would provide a focus for community activities.

**Tangland Triangle**

**2103:** Allocate land at Tangland Triangle for tourism uses, related rural business, holiday chalets and specialist garden/activity centre. The site is well screened with good access and is considered ready for phased development. Map attached.

**Whitecairns**

**1688:** Insufficient effective housing sites have been identified to provide a minimum 7 year effective supply and the land supply should be augmented to include site F86 and F95 at Whitecairns. The site is immediately deliverable in the first period of the plan (see Issue 12 Housing Land Supply and Issue 25 New Housing Land Allocations).

**Modifications sought by those submitting representations:**

**1688:** Allocate F94 Arnage, F122 Hattoncrook, F90 Hill of Keir, and F86 and F95 at Whitecairns for housing in the first plan period.

**395, 411, 492, 493:** Allocate 5 houses at Barthol Chapel.

**239, 248:** Include site F38 Berefold within the plan.

**509, 510, 857, 858:** Allocate site F66 Craigdam for up to 10 houses.

**1219, 1221, 1915, 1917:** Site F69 Cultercullen should be allocated for 22 houses.

**2870:** Allocate land at Cultercullen for 10 houses, with 5 houses constructed in the first period of the plan (2011-2016) and the remaining 5 developed in the second period (2017-2023).

**2891:** Allocate land at Cultercullen for 8-10 housing units with 3-4 in the first phase and 5-6 at a later date.

**230, 1948, 2879:** Identify land at F60 Kingseat for up to 50 houses.

**1619, 1622, 2888:** Increase allocation at site EH1 to 24 housing units.

**2858:** Depending on whether a flood risk assessment has been undertaken for site EH1 at Pitmedden, insert in the plan or SG "Part of the site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposal for this site and an appropriate buffer strip will be required adjacent to the existing watercourse. Realignment of the existing watercourse would be welcomed".

**2860, 2861, 2862, 2927, 2928:** Although not explicitly stated it is assumed the respoondee wishes site BUS2 Pitmedden deleted from the plan.

**2869:** Remove P1 Pitmedden allocation and exchange with a residential allocation for 150 units.

**1599, 1937:** Allocate site F141 Pitmedden for 150 houses within period 2017 to 2023.

**1906, 1907:** Allocate site F72 at Pitmedden for up to 132 housing units with 75 units in the first phase and 57 units in the second phase.

**2359, 2462, 2887:** Sites F53, F97, F98, F99 and F100 Pitmedden should be allocated for mixed use development.

**702:** Potterton should be allocated as a settlement to allow development to take place within 400m of the boundary of the built up area.

**1257, 2299:** Potterton should be allocated as a settlement to allow small incremental developments to be approved under the emerging development in the countryside policy.

**1428, 1448:** Clarify the role of Potterton as part of the strategic growth area, but as a protected settlement within the greenbelt.

**561, 2311:** Although not explicitly stated it is assumed the resposdee wishes an allocation of housing for Potterton.

**225:** Allocate site F47, Potterton for employment use.

**910, 915:** Include Gourdieburn, Potterton, as a mixed use development opportunity.

**1583, 1637, 1944:** Identify site at Potterton, for 600 houses, 4 ha of employment land, and 7 ha of strategic reserve with land for a new academy.

**2674, 2675:** A strategic mixed use allocation should be made at Potterton for 600 or more houses on sites F26, F32, F49, and F65.

**2103:** Allocate land at Tangland Triangle for tourism uses, related rural business, holiday chalets and specialist garden/activity centre.

#### **Summary of responses (including reasons) by planning authority:**

##### **Overview**

The allocations made in the Formartine part of the Aberdeen Housing Market Area are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. For settlements within the Local Growth and Diversification Area as set out in the Structure Plan the allocations have been based on local needs, taking into consideration the capacity of the settlement and its ability to absorb further development. Many of the issues raised in relation to the alternative settlements were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Paper Volume 4 Formartine May 2010'.

##### **Arnage**

Scottish Planning Policy (paragraph 80) states that development should be directed towards sites within existing settlements where possible to make effective use of existing infrastructure; and as stated in the Main Issues Report (page F43) there are no services associated with this site. Site F94 was fully debated in response to its inclusion in the Main Issues Report, and following widespread community engagement the Council's conclusion was to exclude it, as it is more appropriate to consider small scale development in the settlement through Policy 3: Development in the Countryside rather than through a specific allocation (see 'Issues and Actions Paper Volume 4 Formartine May 2010' Arnage page 8).

Issues relating to the general sufficiency of housing land supply are dealt with in Issue 12 Housing Land Supply and Issue 25 New Housing Land Allocations.

##### **Barthol Chapel**

The strategy for allocations in the Local Growth and Diversification Area is addressed through the council's response to Issue 66 Spatial Strategy Local Needs. As stated in the Main Issues Report (page F26), no specific needs were identified for the settlement and development may be better delivered through Policy 3: Development in the Countryside. The respondent has not indicated where the allocations proposed should be located, so it is unclear whether the site has been subject to site assessment or public debate. In light of this, it is not known if a site in this location would come forward for development. The 'Issues and Actions Paper Volume 4 Formartine May 2010'



(Barthol Chapel pages 13 – 14) discussed the issue of development supporting the Barthol Chapel Primary School roll and concluded that whilst the roll is currently under capacity it is forecast to remain stable in the period to 2016. Furthermore, the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Barthol Chapel pages 13 – 14) highlighted limited opportunity for employment, which would result in an increase of private car usage and ultimately impact the local roads network. It is more appropriate to consider small scale development in the settlement through Policy 3: Development in the Countryside.

### **Berefold**

The settlement's previous status within the Aberdeenshire Local Plan as a rural service centre is not sufficient argument on its own to receive an allocation in the Local Development Plan. The school roll at Auchterellon Primary School is forecast to rise from 78% capacity in 2011 to 89% in 2016, thus such development is not required to support the school roll. As stated in the Main Issues Report (page F26), no specific needs were identified for the settlement.

Site F38 was fully debated in response to its inclusion in the Main Issues Report and following widespread community engagement the Council's conclusion was to exclude it, as it is more appropriate to consider small scale development in the settlement through Policy 3: Development in the Countryside rather than through a specific allocation (see 'Issues and Actions Paper Volume 4 Formartine May 2010' Berefold pages 18 - 19).

### **Craigdam**

The Main Issues Report (page F28) identified site F66 as a preferred site for development, as it demonstrated a logical extension to the settlement despite no specific need being identified for the settlement. The site was fully debated in response to its inclusion in the Main Issues Report and following widespread community engagement, the Council's conclusion was to exclude it, as the settlement is constrained by lack of sewage facilities, the local road network and distance from key services and facilities. It was considered that the level of development proposed would not solve the aforementioned issues and may negatively impact on the setting of the settlement and the local road network. Tarves Community Council highlighted that general public opinion was against the preferred site status (see 'Issues and Actions Paper Volume 4 Formartine May 2010' Craigdam pages 26 - 27). Small scale development in the settlement will be considered through Policy 3: Development in the Countryside rather than through a specific allocation.

### **Cultercullen**

#### Overview

The Main Issues Report (pages F28 - F29) stated that existing allocations and planning permissions in Cultercullen represented 50% growth of the settlement, which suggests that there is little need for new housing provision. Furthermore, there are issues with waste water treatment, which would require to be resolved if further development were to take place. Additional allocations would represent over-development of the settlement. Issues relating to the general sufficiency of housing land supply are dealt with in Issue 25 New Housing Land Allocations. However, there is capacity in the school roll, and small scale development will be considered through Policy 3: Development in the Countryside rather than through a specific allocation.

#### Site F69

Site F69 was identified as a technically possible site, but not preferred for development. The site was fully debated in response to its inclusion in the Main Issues Report (pages F28 - F29). However, following widespread community engagement, the Council's conclusion was to exclude it. The proposed development would represent a large allocation to the settlement and it is not agreed that it would form a logical expansion to the settlement. Scottish Water confirmed that mains drainage was approved for the recent development referred to by the respondent; however the pipework has not yet been adopted by Scottish Water (see attached supporting information). Additionally, Scottish Water confirmed that 10 units were approved for the recent development leaving capacity for a further 2 units, however if Scottish Water's 5 point growth criteria was met then they could put an upgrade to the works into their investment programme (see attached supporting information). Drainage capacity is only one consideration in determining the location for future land use

allocations and, as stated in the overview above, existing allocations and planning permissions represent 50% growth of the settlement. Therefore, additional allocations would represent over-development of the settlement. Whilst the accessibility of the settlement may be improved by the dualling of the A90 from Balmedie to Tippetry, this is not sufficient argument on its own for additional allocation.

Additional land, Cultercullen

The additional land promoted at Cultercullen was submitted during the consultation on the Main Issues Report (see 'Issues and Actions Paper Volume 4 Formartine May 2010' Cultercullen pages 28 - 29). Consequently the land has not been subject to public consultation and there has been no site assessment or public debate on the site. As stated in the overview above, existing allocations and planning permissions represent 50% growth of the settlement. Therefore, additional allocations would represent over-development of the settlement.

**Hattoncrook**

Site F122 was identified as a site incapable of being developed in the Main Issues Report (page F32) due to its location within a pipeline corridor. The site was fully debated in response to its inclusion in the Main Issues Report. However, following widespread community engagement, the Council's conclusion was to exclude it. As stated in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Hattoncrook page 41) all potential development located in a pipeline corridor is treated as incapable of development due to the risk associated with these areas. In the absence of a specific need for housing in the settlement, no suitable sites being proposed for development, and with more suitable sites located in the Aberdeen Housing Market Area, no allocations have been proposed at Hattoncrook.

Issues relating to the general sufficiency of housing land supply are dealt with in Issue 12 Housing land supply.

**Hill of Keir**

Site F90 was identified as a technically possible site in the Main Issues Report (page F4 and F5), but not preferred for development due to the small scale and rural location of the proposals, which would be better considered through Policy 3: Development in the Countryside. The site was fully debated in response to its inclusion in the Main Issues Report. However, following widespread community engagement, the Council's conclusion was to exclude it, due to its distance from facilities (see 'Issues and Actions Paper Volume 4 Formartine May 2010' Belhelvie pages 15 - 17). Small scale development will be considered through Policy 3: Development in the Countryside.

Issues relating to the general sufficiency of housing land supply are dealt with in Issue 12 Housing land supply.

**Kingseat**

Site F60 was identified as a site incapable of being developed in the Main Issues Report (page F33) due to its location within a pipeline corridor. The site was fully debated in response to its inclusion in the Main Issues Report. However, following widespread community engagement, the Council's conclusion was to exclude it. As stated in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Kingseat & Whitecairns pages 42 – 43), whilst there is some validity in the arguments for development at Kingseat, the majority of the proposal is located within a pipeline corridor and therefore development should not be supported, when there are more suitable and unconstrained sites elsewhere in the Aberdeen Housing Market Area.

**Pitmedden**

Overview

The Main Issues Report (pages F15-F17) stated that no specific need had been identified for development at Pitmedden. The school roll is forecast to rise from 90% in 2011 to 100% in 2016, and therefore further development would put the primary school over capacity. As stated in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (see Pitmedden & Milldale pages 62 – 63), no proposed sites were progressed as allocations due to adverse impact on the existing

facilities, including the school and the health facilities, the impact on the local road network and pipeline constraints. Issues relating to the general sufficiency of housing land supply are dealt with in Issue 12 Housing Land Supply. Issues relating to the specific allocation of sites and their effect on the housing land allocations are dealt with in Issue 25 New Housing Land Allocations.

Site EH1

Site EH1 was carried forward from the Aberdeenshire Local Plan (see attached extract) forms part of the effective land supply and is appropriate to enable the provision of community facilities, as detailed in the development brief which was approved for 14 housing units on 22 April 2003 (see attached supporting information). No development bids were received for the site during the process of developing the new Local Development Plan, and therefore there has been no opportunity for public debate for a higher allocation. Whilst the reporter responsible for examining Pitmedden & Milldale during the Aberdeenshire Local Plan Inquiry (see attached extract) recommended that a higher allocation of 20 units was achievable, this was not accepted by the Council and it remains the settled view of the Council that a higher allocation is not appropriate considering the lack of need for development and potential constraints identified in the overview above.

Site BUS1

Site BUS1 was carried forward from the Aberdeenshire Local Plan (see attached extract), is safeguarded for employment uses and supports one of the key planning objectives for Pitmedden and Milldale to provide opportunities for local employment and as such its identification is appropriate. There is no specific proposal for the site, but it is protected for employment uses should an application be submitted. The planning application process for the site will ensure the flood risk is considered, and will result in a layout which mitigates any impact. Text has been added to the Supplementary Guidance to satisfy the Scottish Environment Protection Agency's concerns.

Site BUS2

BUS2 was carried forward from the Aberdeenshire Local Plan (see attached extract), is safeguarded for employment uses and supports one of the key planning objectives for Pitmedden and Milldale to provide opportunities for local employment and as such its identification is appropriate. There is no specific proposal for the site, but it is protected for employment uses should an application be submitted. The planning application process for the site will address the issues raised by the respondents and will result in a layout which minimises impact. Therefore, it is not accepted that development at this location will cause major impact on quality of life, visual impact, roads network, personal disruption, property value or saleability of property.

Site P1

Support for the protected land is welcomed.

Following public debate on the sites identified for possible development in the Main Issues Report, concern was raised about the impact of developing adjacent to the National Trust Gardens (see 'Issues and Actions Paper Volume 4 Formartine May 2010' (Pitmedden & Milldale pages 62 – 63). The Council took a view which placed greater weight on the perceived community benefit of protecting the landscape setting of the settlement. Protected areas have been identified in the Aberdeenshire Local Plan including for Pitmedden and have been subject to review during the preparation of the proposed local development plan. Therefore the addition of a further protected land allocation is appropriate, as it is related to a specific function. As stated above, BUS1 is a safeguarding allocation, with no specific proposal, and the planning application process for any development on that site will result in a layout which mitigates any impact on site P1.

Alternative Sites Pitmedden

The development strategy and land allocations in Pitmedden are appropriate and sufficient to meet the needs of the settlement strategy. As discussed in the overview above, no specific need was identified for Pitmedden, and therefore there is no requirement to consider alternative sites. Issues relating to the general sufficiency of housing land supply are dealt with in Issue 12 Housing land supply.

Site F141 was identified as a technically possible site in the Main Issues Report (page F15 – F17), but not preferred for development due to constraints relating to the National Trust Gardens. The site was fully debated in response to its inclusion in the Main Issues Report. However, following widespread community engagement, the Council’s conclusion was to exclude it, due to potential adverse impact on the National Trust Gardens (see ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Pitmedden & Milldale pages 62 – 63). Scottish Natural Heritage agreed that no development should take place on the site. As discussed above the primary school is forecast to be at 100% capacity in 2016.

Site F72 was identified as a technically possible site in the Main Issues Report (page F15 – F17), but not preferred for development due to access constraints. The site was fully debated in response to its inclusion in the Main Issues Report. However, following widespread community engagement, the Council’s conclusion was to exclude it, due to access constraints as the scale of housing proposed would require two access points, which would not be possible. The Roads Authority do not recommend the site for development due to access constraints related to there being no suitable location for a second point of access, and additional traffic flowing through the housing estate with only one point of access. Furthermore, the site is partially located within a pipeline corridor, and as discussed above in the overview the primary school is forecast to be at 100% capacity in 2016. Support for the site’s exclusion is welcomed.

Sites F53, F98, F99 and F100 were identified as sites incapable of being developed due to pipeline constraints in the Main Issues Report (page F15 – F17) and subsequently were not identified for development. The sites were fully debated in response to their inclusion in the Main Issues Report. However, following widespread community engagement, the Council’s conclusion was to exclude them, due to their location on pipeline corridors. Whilst Udney Community Council have indicated support for balanced development to the south of the village, during consultation on the proposed plan public opinion of residents in Milldale was against development in the area (see ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Pitmedden & Milldale pages 62 – 63). As discussed above in the overview the primary school is forecast to be at 100% capacity in 2016.

Site F97 was identified as a technically possible site in the Main Issues Report (page F15 – F17), but not preferred for development due to its distance from services and facilities in Pitmedden. The site was fully debated in response to its inclusion in the Main Issues Report. However, following widespread community engagement, the Council’s conclusion was to exclude it, due to distance from services and facilities at Pitmedden, which would encourage reliance on private car usage (see ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Pitmedden & Milldale pages 62 – 63). As discussed above in the overview the primary school is forecast to be at 100% capacity in 2016.

**Potterton**

Strategy for allocations

The Main Issues Report (page F17 - F18) identified Potterton as a location suitable for development, but only after the completion of the Aberdeen Western Peripheral Route. The Structure Plan (page 9) states that “the Aberdeenshire Local Development Plan will decide which settlements and sites are within a strategic growth area”. Whilst the Main Issues Report identified Potterton within the Strategic Growth Area, the Formartine Area Committee (see attached extract) concluded that Potterton was not located in the Strategic Growth Area, and this decision was ratified by the Infrastructure Services Committee (see attached extract). As stated in the ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Potterton pages 66 – 70), no proposed sites were progressed as allocations in Potterton, as they would need to be of a large scale to deliver the required new infrastructure and facilities needed for a sustainable community. Furthermore, there are better located places that can absorb large scale development with enhanced access and infrastructure facilities elsewhere. No development is now proposed for Potterton, as even some development would create significant problems in regard to increased traffic and pressure on local infrastructure. With regards to the requirement for a secondary school in the southern Formartine Area, the ‘Issues and Actions Paper Volume 1 Objectives, Policy and Strategy May 2010’ (Issue 130 - Settlement Strategy Ellon to Blackdog pages 109 – 111) confirms that it is for future local development plans to consider the issue (see attached extract). Therefore it is not accepted that an



allocation at Potterton is required to provide an additional secondary school. Issues relating to the general sufficiency of housing land supply are dealt with in Issue 12 Housing land supply. The strategy of allocations at Blackdog and Potterton is addressed through Issue 56 Spatial Strategy Ellon to Blackdog, Issue 66 Spatial Strategy Local Growth & Diversification Areas and Issue 63 Blackdog.

Lack of justification for strategy

It is not necessary or appropriate for the local development plan to state why development has not been proposed in settlements. There is potentially no end to the list of proposals and proposals that are not in the plan, and to attempt an explanation for each absence would be impractical. Nor would it produce a concise plan so it is not accepted that the plan should highlight the issues raised by the respondents.

Menie Development

It is not true that an allocation for Potterton was transferred to the Menie development. As discussed above, no proposed sites were progressed as allocations as they would have needed to be of a large scale to deliver the required new infrastructure and facilities needed for a sustainable community and there were better located places that could absorb large scale development elsewhere. The 2007 Housing Land Audit was the base audit used to set the Structure Plan housing requirement and its housing allowances. As the Menie development was granted planning consent after 2007 it is a windfall development, and has not been treated as a future allocation in the proposed plan. The Menie development numbers have been taken from the structure plan requirements for the Ellon to Blackdog Strategic Growth Area and this is highlighted in Schedule 1, Table 4 New housing land. Therefore, the 650 units referred to by the respondent do not require to be allocated in the proposed plan. The Menie development is also addressed through Issue 25 New Housing Land Allocations.

Alternative Sites, Potterton

Sites F26, F32, F47, F49 and F65 were identified as sites preferred for development in the Main Issues Report (page F17 – 18). The sites were fully debated in response to their inclusion in the Main Issues Report. However, following widespread community engagement, the Council's conclusion was to exclude them, due to the scale of infrastructure requirements needed should any development take place.

Part of the land promoted at Gourdieburn was not proposed at any previous stage so there has been no site assessment or public debate on the site. As discussed above no sites (including site F65 which is part of the land promoted at Gourdieburn) were progressed as allocations due to the scale of infrastructure requirements needed should any development take place.

**Tangland Triangle**

The site was not proposed at any previous stage so there has been no site assessment or public debate on the site. The proposed Local Development Plan has not allocated sites for the intended uses and it would be more appropriate for any application for such use to be considered against Policy 1: Business development and Policy 2: Town Centres and Retailing and relevant supplementary guidance rather than through a specific allocation.

**Whitecairns**

Sites F86 and F95 were identified as technically possible sites in the Main Issues Report (page F33) but not preferred for development as no specific need had been identified for development at Whitecairns. The sites were fully debated in response to their inclusion in the Main Issues Report. However, following widespread community engagement, the Council's conclusion was to exclude them, due to issues with poor drainage and the impact of placing relatively large scale development a considerable distance from a settlement (see 'Issues and Actions Paper Volume 4 Formartine May 2010' Kingseat & Whitecairns pages 42 – 43). The proposed plan has allocated development to more appropriate locations elsewhere in the Aberdeen Housing Market Area where a specific need has been identified. Small scale development will be considered through Policy 3: Development in the Countryside. Issues relating to the general sufficiency of housing land supply are dealt with in

Issue 25 Housing land supply. Issues relating to the specific allocation of sites and their effect on the housing land allocations are dealt with in Issue 25 New Housing Land Allocations.

**Conclusions**

None of the modifications sought are supported. The development strategy and land allocations in the Formartine part of the Aberdeen Housing Market Area are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. All of the smaller villages and hamlets covered under this issue are located within rural areas that form part of the Local Growth and Diversification Area, as defined in the approved structure plan. Accordingly, as the council points out allocations in such settlements should be based on local needs, as well as taking into account the capacity of the particular settlement to absorb further development. It is in this context that the unresolved representations are considered below.

**Arnage**

2. Arnage has a small local primary school but otherwise comprises simply a small, diffuse grouping of houses spread out on either side of a minor, unclassified road. It has no other community facilities, services or infrastructure – such as mains drainage or shops – and has no centre or focal point other than the school. The representation seeks to have a triangular site (labelled F94 in the Main Issues Report) allocated for housing. The site is a grazing paddock located at the junction of the minor road that runs through Arnage and a narrow lane that forms a spur off it. Both of these are lined with hedges that form the south-east and south-west boundaries of the site. Its northern boundary is marked by a simple fence.

3. The main reason put forward for allocating this site for housing – along with other sites proposed by the same respondent in and around other rural settlements of the area – is that there are insufficient effective housing sites identified under Issue 25 of the Plan to provide for an adequate and effective supply at all times in first plan period. It is also suggested that the local school has a falling roll. On its own this, however, is not a sufficient reason for allocating this or any other site for housing.

4. More generally, the council is correct in stating that there are already sufficient and appropriate sites allocated in Formartine to deliver the strategy and aims of the approved structure plan – discussed in more detail elsewhere in this report under Issue 25. The council also points out that there are no services associated with this particular site. Against this background it is justified in concluding that any small-scale development proposals for sites such as this one would be more appropriately taken forward not through formal allocations in the local development plan but as planning applications – to be assessed on their particular merits (on a case-by-case basis) in the local and strategic planning policy context, including with regard to Policy 3: Development in the countryside.

**Barthol Chapel**

5. The representations propose that 5 housing units should be allocated to this small settlement – and that similar allocations should be made in other rural settlements in the surrounding area – in place of the allocation put forward by the council in St Katherines, discussed elsewhere in this report under Issues 127 and 128. It is argued that the case is strengthened by the fact that Barthol Chapel is close to existing facilities and schooling – pointing out that the local school roll here is declining, and so would be boosted by such development. In summary, it is suggested that such an allocation for new housing here would be appropriate and sustainable.



6. Most importantly the representations do not specify where the allocation should be located – so, as the council points out, it remains unclear whether the proposal has been the subject of a site assessment or public consultation. Two adjoining sites, either side of the minor road running through Barthol Chapel, each labelled F160 were identified in the Main Issues Report for possible housing and playing field development - but the representations do not make specific reference to these or any other site. In any event Scottish Environment Protection Agency has indicated that a flood risk assessment may be required for site F160 and the council notes local concerns about protection of wildlife and safeguarding the woodland near the primary school. More generally, there are no employment opportunities locally and no public transport so any allocation would continue the reliance on private car usage from this dormitory village.

7. In summary, an insufficient case has been made to justify a new housing land allocation at Barthol Chapel. Against this background the council is justified in concluding that any small-scale development proposals for this settlement would be more appropriately taken forward not through formal allocations in the development plan but as planning applications – to be assessed on their particular merits (on a case-by-case basis) in the local and strategic planning policy context, including with regard to Policy 3: Development in the countryside.

### **Berefold**

8. Whilst Berefold was shown as a rural service centre in the Aberdeenshire Local Plan (ALP), this is not sufficient reason to justify a new housing allocation here – even if the allocation in the ALP was implemented. Today Berefold is no longer categorised by the council as a rural service centre and the Main Issues Report states that there is no identified need for additional housing here. The new housing on the site allocated in the ALP represented a growth of approximately 20% in the housing stock of this small settlement. A similar increase in housing provision for Bereford cannot automatically be expected through an equivalent housing allocation in the new local development plan. This is particularly so when local community facilities here are so limited and there is a lack of public transport – and the nearest school at Auchterellon is already forecast to reach 89% capacity by 2016. A further concern is that the proposed site F38, as defined in the Main Issues Report, forms part of a much larger field – and the northern and western boundaries of the triangular site are totally undefined by any natural or other features. Accordingly, allocation and implementation of the site in question for housing would be likely to lead to further pressures for future development into the remainder of the large field beyond, that would be more difficult to resist.

9. In this context the council is correct in arguing that those seeking to promote future development here should not rely on or be driven by allocation of the site in question in the new local development plan. Instead any new proposals for Berefold should be put forward as planning applications – to be assessed on their particular merits in the local and strategic planning policy context, including with regard to Policy 3: Development in the countryside.

### **Craigdam**

10. The representations seek allocation of the site shown as F66 in the Main Issues Report for up to 10 houses – arguing that this would represent a logical extension to the existing settlement of Craigdam. Whilst the council acknowledges that the site in question was identified in the Main Issues Report as a logical extension to Craigdam, it also points out that on further examination the site was excluded from further consideration. This was because Craigdam is constrained by its lack of sewage facilities and by the local road network – as well as its remoteness from key services and other community facilities. The council is justified in concluding that allocation of the site in question would not address those concerns and would be likely to impact adversely on the setting of the settlement and the local road network. Another concern, not highlighted by the council, is that the site in question, whilst having clearly defined boundaries to the north-east, south-east and south-west, is totally undefined by any natural or other features along its north-western boundary – which appears to be totally arbitrary, being part of a larger field. Accordingly, allocation and implementation of the site in question for housing would be likely to lead to further pressures for future development into the remainder of the large field beyond, that would be more difficult to resist.

11. In this context the council is correct in arguing that those seeking to promote future development here should not rely on or be driven by allocation of the site in question in the new local development plan. Instead any new proposals for Craigdam should be put forward as planning applications – to be assessed on their particular merits in the local and strategic planning policy context, including with regard to Policy 3: Development in the countryside.

### **Cultercullen**

12. There are three different suggestions for sites to be allocated in and around Cultercullen. Only one of these (site F69) was put forward for consideration in time to be included in the Main Issues Report for fuller assessment by the council and public consultation. At that time the council concluded that site F69, whilst technically capable of development, should not be preferred as it would represent over-development of the settlement. It was further noted by the council that existing allocations and planning permissions in Cultercullen at that time represented 50% growth of the settlement. On that basis the council is justified in concluding that there is insufficient need for even more allocations here in the plan period. It also points out that, in any event, local issues with waste-water treatment would need to be resolved before further development could take place here. It is against this background that the particular sites put forward now for allocation have been considered below.

#### Site F69

13. The representation seeks an allocation for 22 houses on this large triangular site at the eastern end of Cultercullen. This site which is bounded to the north and west by a road and lane, respectively, is not well defined along its eastern border which makes it vulnerable to further pressures for expansion eastwards into the open countryside beyond. The scale of the site and the amount of housing proposed here are disproportionately large in relation to the overall size of Cultercullen. Whilst the council acknowledges that drainage constraints could be addressed, this is not sufficient reason to allow such a major new allocation of housing at this location – particularly given the recent major growth already experienced here. Accordingly, the council is right in concluding that this proposal would represent over-development and cannot be justified, even though the western edge of the site in question is close to the settlement centre and the local school.

#### Alternative sites

14. There are two additional suggestions for allocations for housing development at Cultercullen – one seeking 10 houses and the other proposing 8-10 houses on another site. In each case the promoters of those sites set out some detailed justification for their proposed designation and phasing. Most importantly these sites only emerged for consideration in the period of consultation following the Main Issues Report. Accordingly, the council is justified in concluding that, given the timing of those submissions, neither of these particular site options has had the opportunity to be fully assessed or been the subject of public consultation. In any event, for the reasons outlined above, in particular given the recent growth of the settlement and constraints on further expansion, there is no local need or justification for either of these new sites to be allocated at this time – so they have not been considered further.

### **Hattoncrook**

15. The Main Issues Report shows the locations of sites F121 – in two distinct parts – and site F122. These parcels of land are all located to the east of the A947 road that passes through Hattoncrook. The representation contends that, even taking account of nearby pipeline corridors, these sites are capable of development for housing and employment uses. It is also suggested that allocation of site F122 for housing is justified as it would help address a perceived shortfall in effective housing sites for the plan period to meet structure plan requirements. The council has provided documentary evidence to support its position that site F122 is inappropriate for allocation in the Plan due to its location within a pipeline corridor – as stated in the Main Issues Report.

16. Detailed documentation provided by the council confirms also that the two parts of site F121 are (in one case wholly and in the other case predominantly) within a pipeline safety corridor. Furthermore, approximately half of the F122 site falls within the same pipeline corridor – with the

western part of that site bordering onto this safety corridor. Based on these considerations alone, the council is fully justified in not allocating sites F121 and F122 within the new development plan for the uses proposed in the representation.

### **Hill of Keir**

17. The representation contends that allocation of site F122 at Hill of Keir for housing is merited as it would help address a perceived shortfall in effective housing sites, to meet structure plan requirements for the plan period. It is also pointed out that the site in question is immediately deliverable in the first plan period. These, however, are not sufficient reasons, individually or in combination, to justify allocating this narrow strip of agricultural land for housing in the new development plan. Firstly the boundaries of the site are not readily defensible against pressures for further development on the open ground that adjoins the site in question. Secondly, the elongated nature and location of the site bears no logical relationship with the rest of the built-up area of Hill of Keir to the west. Furthermore, as the council points out, the site is in a rural setting, some distance from existing facilities, so whilst it may be technically capable of delivery it is not a preferred location for allocation.

### **Kingseat**

18. The representation seeks allocation of site F60 to the east of the small settlement of Kingseat. The submissions in support of this outline various reasons why such an allocation would be justified. The representation acknowledges that a small area of land at Kingseat is within a pipeline corridor but contends that in any event this need not be an impediment to its development, on the basis of initial discussions with the Health and Safety Executive. The council does not agree with this assessment and argues instead that this site, which is open pasture, is inappropriate for the development proposed due to its location within a pipeline corridor. The pipeline documentation supplied by the council for the whole plan area indicates that almost all of the F60 site falls within a pipeline corridor safety zone – only the extreme western part of the site is shown as being marginally outside that corridor. Based on this information, the council is fully justified in concluding that the site is not appropriate for allocation in the plan – particularly when there are sufficient other sites available for allocation that are not similarly constrained.

### **Pitmedden**

19. The council notes that the Main Issues Report identified no specific local need for new developments at Pitmedden or to meet structure plan requirements – as summarised elsewhere in this report under Issue 25. In support of its decision to not make any new allocations for Pitmedden in the local development plan, the council draws attention to the fact that the local school is already operating near to capacity, as are local health services. It also points out that other community facilities are in need of upgrading and highlights constraints on the local road network. Furthermore, it rightly draws attention to the limits imposed by safety zone corridors around pipeline networks passing either side of the settlement. It is in this context that unresolved representations concerning particular site proposals are considered in turn below.

### Site EH1

20. This is an allocation for 14 units made in the Aberdeenshire Local Plan on part of an arable field adjoining the southern edge of the built-up area of Pitmedden. The council is proposing to carry forward this allocation in Supplementary Guidance without alteration, whilst the representations are seeking its capacity to be increased. Since it relates to a proposal in the SG settlement statement, rather than in the proposed Plan, this is a matter for the council to resolve and so it has not been considered further as part of this examination

### Site BUS1

21. The only unresolved representation lodged in respect of allocation BUS1, carried forward from the extant plan, is from the Scottish Environment Protection Agency concerning flood risk matters. It is noted that text has been added to the Supplementary Guidance to satisfy SEPA's concerns. This is a matter for the council to resolve and so it has not been considered further as part of this plan examination.

Site BUS2

22. A number of concerns are raised by respondents with regard to the continued allocation of this site carried forward from the Aberdeenshire Local Plan. These are matters for the council to resolve and so these concerns have not been considered further as part of this plan examination.

Site P1

23. As the P1 designation is simply a safeguarding of land through the supplementary guidance rather than a local development plan proposal this is not a matter that is within the remit of the examination and so has not been considered further.

Alternative site F141

24. This site, identified in the Main Issues Report, wraps round the north-western edge of the built-up area of Pitmedden. Most importantly the site also adjoins the nearby historic designed landscape of Pitmedden Garden, whose garden walls and pavilions are statutorily listed category A, making this an outstanding feature of national importance. Whilst site F141 was put forward for consideration as a possible housing site at the Main Issues Report stage it was subsequently not preferred for that purpose, largely on the basis of its proximity to the Pitmedden Garden. Furthermore, it now forms part of the area designated in the settlement statement as P1, which is protected to safeguard the landscape setting of the settlement. These considerations clearly outweigh the arguments put forward in support of the F141 site being allocated for up to 150 houses.

Alternative site F72

25. Site F72 was identified in the Main Issues Report – but it was not preferred for development because of access constraints – as the scale of the proposal for 132 houses would require 2 access points. The site, which borders the eastern side of the built-up area, is a sloping field and its eastern edge is defined by a pronounced ditch. In the view of the respondents the site would be a natural extension to the settlement and is capable of development with none of the constraints affecting it, such as flood risk and access, being insurmountable. In response the council reiterates the concerns of the roads authority that there is no suitable location for a second access point that would be required to satisfactorily serve the site and this scale of development. Based on the available evidence, the council's position is justified in this case. Furthermore, the detailed information provided by the council on pipeline corridors in the area indicates that the eastern part of the site in question is situated within one of the pipeline safety zones. Based on all of these considerations – and given the constraints on local school provision and the lack of perceived local need for a housing development of this magnitude – there is not a persuasive case to justify allocating this site in the proposed Plan.

Alternative sites F53, F98, F99 and F100

26. It is argued that additional housing should be allocated on these adjoining sites to the south-east of the settlement as part of a mixed development. It is contended that this is necessary in order to help provide sufficient housing land supply to meet structure plan requirements and to ensure a 5 year housing land supply at all times during the plan period. Notwithstanding any merits that these sites might have in other respects, the council has rightly excluded them from further consideration because they are situated along a pipeline corridor. Indeed the detailed information provided by the council on pipeline corridors in the area indicates that these particular parcels of land of the site completely straddle one of the pipeline safety zones and on this basis it is inappropriate to consider them further for allocation.

Alternative site F97

27. This particular site, whilst outwith the pipeline safety corridor is also isolated from the main built-up area of Pitmedden – being in open countryside to the south-east of it. Accordingly, whilst the site may be technically capable of development the council is justified in excluding it from consideration for allocation as it is remote from the existing services and facilities of Pitmedden. This would mean that residents of new housing here would be totally dependent on private cars. In summary, allocation and subsequent development of this site for housing would not be sustainable or appropriate, when there are other more suitable opportunities for allocation in the same housing market area.

**Potterton**

28. The council's position has clearly changed in the period since the Main Issues Report (MIR) was issued. At that time, Potterton was confirmed, firstly, as being within one of the Strategic Growth Areas identified in the approved structure plan – and considered suitable for development once the Aberdeen Western Peripheral Route is completed. Furthermore, on that basis a preferred option (site F26) was identified in the MIR for major expansion of Potterton.

29. Since the MIR, the council has reviewed its position on Potterton, following consultations. It now concludes that this settlement is not in fact within a Strategic Growth Area. Whilst major new development at Potterton would deliver new infrastructure and facilities to benefit the local community, the council is concerned that the scale of new development needed to justify and provide the required new infrastructure for a sustainable enlarged settlement here would destroy the character of Potterton village.

30. In summary, the council now considers that there are other settlements better located to absorb large scale developments and concludes that smaller scale developments in Potterton would result in increased traffic and unacceptable pressures on local infrastructure. Accordingly the council no longer supports any new allocations for Potterton for the first or second parts of the local plan period – preferring such matters (as well as the case for a further secondary school for south Formartine) to be deferred for consideration in the next plan period. It is in this context that the unresolved representations have been considered below.

**Strategy for allocations**

31. The arguments lodged in representations, in response to the council's current position that Potterton does not fall within a Strategic Growth Area, are not persuasive. Issues concerning strategic housing land supply are dealt with in detail elsewhere in this report under Issue 12. This confirms that there are sufficient housing land allocations elsewhere to meet structure plan requirements and maintain a 5 year housing land supply. Accordingly, it is not necessary to make new allocations at Potterton in order to be consistent with the structure plan or to meet any shortfall across the Aberdeenshire Housing Market Area, within which Potterton is situated. In addition, many of the arguments relating to the respective merits of Potterton as a possible strategic alternative to Blackdog for strategic expansion are considered elsewhere in this report under Issue 56: Spatial Strategy Ellon to Blackdog and Issue 66: Spatial Strategy Local Growth and Diversification Areas – and also under Issue 63: Blackdog.

32. More locally, the council has drawn attention to the constraints imposed by the existing infrastructure serving Potterton. It has also highlighted the fact that the scale or critical mass of major new developments required to facilitate new road and other infrastructure development here would at the same time have adverse consequences by significantly changing the character of Potterton. In any event such large-scale development would have to await the implementation of the Aberdeen Western Peripheral Road. Furthermore, as stated above, additional allocations at Potterton are not required to meet structure plan requirements or to maintain a 5 year housing land supply for the housing market area. Based on the available evidence, therefore, the council is justified in concluding that the case for significant expansion of Potterton can and should be deferred until the local development plan is reviewed. At that time these local and strategic issues, as well as related matters including the greenbelt and settlement coalescence, can all be reconsidered on their merits.

33. Meanwhile, there is no reasonable basis for the suggestion that any possible allocation that would otherwise have come to Potterton has now been effectively diverted to the Menie estate, following the planning permission granted there. In any event, as the council points out, the planning permission in that case was post the 2007 Housing Land Audit, which was the base for setting structure plan allocations. Accordingly, that permission is categorised as a windfall development - rather than a plan allocation. Nevertheless, the council acknowledges that the 650 housing units granted at Menie have been deducted from the structure plan requirements for the



Ellon to Blackdog Strategic Growth Area in Schedule 1 as they no longer require to be allocated in the new development plan. This matter is also addressed elsewhere in this report under Issue 25 New Housing Land Allocations.

### **Alternative sites, Potterton**

#### Site F47

34. As the respondent points out, the merits of the case in respect of this site are independent of those regarding the unrelated proposals for strategic housing allocations on sites to the east of Potterton, which raise different issues that have been considered separately in this report. Site F47 is flat open pasture land on the southern edge of Potterton and the intention here is to provide some local employment benefits to help sustain the existing settlement. The employment proposals for this broadly rectangular site would form an extension southwards of an existing storage, distribution and light industrial area.

35. In the Main Issues Report the council considered this to be a preferred site for immediate needs, acknowledging it to be a “natural extension to the current employment land and would provide reasonable access links without use of the main (B999) route through the settlement.” The Issues and Actions report agrees that employment use on the site “has some merit” and acknowledges the local support for this particular site for employment uses with its good access links. Nevertheless, the Scottish Environment Protection Agency has indicated that part of the site may be a flood risk area. In addition, the council has concluded, following widespread community engagement, that site F47 should not be formally allocated in the Plan. In this context, based on the limited documentation lodged by the respondent in support of site F47, there is insufficient justification to merit its formal allocation in the Plan at this stage, especially bearing in mind the generous allocations of employment land elsewhere in the area.

36. This, however, does not prevent a planning application being lodged in respect of site F47 – at which time potential site flooding concerns, already raised by SEPA, would have to be addressed satisfactorily. Furthermore, any planning application would need to demonstrate to the satisfaction of the planning authority how the proposed development would accord with the relevant planning policies appropriate to the site in its local and strategic context, as well as taking into account any other material considerations.

#### Sites F26, F32, F49 and F65

37. These 4 sites, which form a ring of open countryside almost encircling the eastern part of the built-up area of Potterton, are proposed by the same respondent. In total the representation seeks their allocation for at least 600 houses, together with designations for some employment land and community facilities. The settlement today has a population of just under 1,000 so if this allocation was endorsed and implemented the population of Potterton would be likely to more than double in size. Indeed this scale of growth is considered by the respondent to be a positive reason for supporting it, as it would provide a critical mass of development to trigger new education facilities and other community infrastructure that would benefit the existing residents as well as those in the new housing. That, however, is not sufficient reason to justify such a large allocation at Potterton. Neither is the fact that site F26 is one of the 4 sites described in the Main Issues Report as a preferred site for a major development.

38. For the reasons outlined earlier, the council – following further assessment and public consultation – has updated its position in the period since the Main Issues Report. For the reasons outlined earlier and elsewhere in this report, in particular under Issues 25 and 56, on balance the council has provided a persuasive case for no longer supporting a major new housing allocation at this particular location or indeed elsewhere for Potterton – at least for the duration of the new local development plan period. It is noted that part of one of the sites in question (a section of site F65) was not previously put forward for consideration and so has not been the subject of a full site assessment or public consultation. It would be a matter for the next plan review to decide if the circumstances have changed to merit positive reconsideration of the case for a major new housing or mixed development on the east side of Potterton.



**Tangland Triangle**

39. The representation refers to a triangular area of woodland that is bounded by roads on all sides. The suggestion is that this site should be allocated for tourism and related rural business uses including holiday chalets and a specialist garden centre. The site concerned, which is alongside the B9005 road is in open countryside and is not part of adjoining any settlement. Furthermore, as the council points out that the proposal did not come forward in time to be included at the Main Issues Report stage so has not been the subject of a full site assessment or public consultation. Based on all these considerations the council is justified in concluding that it would be inappropriate for this site to be allocated in the new development plan.

**Whitecairns**

40. The sites F86 and F95 are agricultural paddocks on either side of the main B999 road that runs through Whitecairns. The case put forward for allocating them for housing development is based almost solely on the contention that there is a shortage of effective housing sites already allocated by the council to meet the requirements of the approved structure plan – and the assertion that the sites concerned are immediately deliverable. Even if this was the case, these are not sufficient reasons to merit their allocation. In any event, as discussed elsewhere in this report under Issue 25 New housing land and allocations, there is not a shortage of land allocated in the Aberdeen Housing Market Area, of which Whitecairns forms part.

41. In addition, the council points out that there are drainage issues with the land in question. It is also rightly concerned that it would not be appropriate for such a relatively large allocation of land to be placed at this location, particularly given the limited scale and rural nature of Whitecairns and its rural setting. Furthermore, as the council has confirmed there are sites at more appropriate locations elsewhere in the housing market area that have already been identified to provide the new housing sites required. Indeed without the two sites in question there are sufficient to meet local and strategic planning needs in accordance with the structure plan and other requirements, including to provide a 5 year housing land supply at all times during the plan period.

**Reporter’s recommendations:**

No modifications.

<b>Issue 74</b>	<b>Keithhall</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p29)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
William Lippe Architects Ltd on behalf of MTM Holdings (444, 496) Knight Frank LLP on behalf of Tor Ecosse Ltd (849, 852) DPP LLP (Planning Consultants) on behalf of Church of Scotland General Treasurer (1175, 1176, 1177, 1179)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Keithhall.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>H1 Keithhall</b></p> <p><u>Support for allocation</u>  <b>1175, 1176, 1177, 1179:</b> Support the allocation of site H1.</p> <p><b>1175, 1176:</b> The development of the site represents a logical natural expansion to the established housing area within Keithhall. There are no challenges in terms of the topography and gradient of the site, and it would reflect the pattern of development in the surrounding area. The site has excellent pedestrian and vehicular access with the required upgrading and maintenance also envisaged.</p> <p><b>1175, 1176:</b> The site is capable of accommodating development with no adverse visual impact and would not detract from the existing area. The proposed development would be in line with development and design principles within Planning Advice Note 44 'Fitting New Housing Development into the Countryside'. Developing the site will result in a sustainable and high quality development.</p> <p><b>1175, 1176:</b> The site is both available and deliverable. It is also suitable due to part of the site being allocated as an 'Area of Future Housing Land' suitable for five housing units in the current Local Plan.</p> <p><b>1176:</b> The proposed development will be designed having regard to the scale, colour, form and density of existing residential developments in the surrounding area, and will incorporate design features which will help create a sense of place and identity while meeting sustainability and energy efficiency demands. Development of the site will help to sustain and support local facilities and the local community.</p> <p><u>Level of development and density</u>  <b>444, 496, 849, 852:</b> The 15 houses proposed represent over-development and is considered inappropriate, as the density of housing is not in keeping with the existing characteristics of the settlement. A 100% increase within a five year period is not deemed to be small scale. This site is open, exposed and low lying in the west part of the field and goes against guidance provided by Planning Advice Note 72 on how development should fit into or nestle within a landscape, orientation, shelter and screening.</p>		

Drainage and flooding

**444, 496, 849, 852:** There is a history of drainage issues related to the existing houses at Keithhall. The Scottish Environment Protection Agency has identified that there is a potential flood risk associated with the site due to a watercourse running through it. To mitigate this flood risk there is significant cost involved and these resources would be of better use for other community benefits. This and the poor ground conditions of the site render the site unsuitable for development.

Deliverability

**444, 496, 849, 852:** The site is constrained due to the landowners being unwilling sellers and there is a large risk it will not come forward for development through the Local Development Plan, due to the landowner not putting forward part of the site when there was a “call for sites”. This was the case with the current Local Plan where the site was allocated for five houses but was never brought forward by the landowner. If the allocated site lies dormant again, the settlement will be unable to maintain the local school roll and bring affordable housing to the area.

Designed landscape and ancient monument

**849, 852:** The site is unsuitable for development as it lies in close proximity to a Historic Landscape and a Scheduled Ancient Monument. Development at this site will therefore require an extremely high standard of design and very careful siting which means that the allocation of 15 units may be too high and may not be feasible.

**Alternative Site Keithhall**

**1176, 1177, 1179:** Objection to not allocating the site to the North of Keithhall, part of G29 in the Main Issues Report. Keithhall is an appropriate location for accommodating new housing, and it can help meet the Structure Plan requirements in terms of need and predicted population growth. The site is in accordance with Scottish Planning Policy, as it supports small scale housing allocations in rural communities that help ensure their viability is maintained; and due to the land being effective or capable of being effective to meet the housing land requirement, it helps ensure a minimum five years effective land supply is maintained. The development of the northern part of G29 represents a logical natural expansion to the established housing area within Keithhall. There are no challenges in terms of the topography and gradient of the site and it would reflect the pattern of development in the surrounding area. The site is accessible to public transport and has excellent pedestrian and vehicular access with the required upgrading and maintenance also envisaged. Development of the site will help to sustain and support local facilities and the local community.

**Modifications sought by those submitting representations:**

**H1 Keithhall**

**444, 496:** The allocation for H1 Keithhall should be reduced to 5 houses with the remaining 10 from the allocation being relocated to Kinmuck H1.

**849, 852:** Site H1 should be removed and replaced with Tor Ecosse’s deliverable sites at Kinmuck, which will help maintain the setting of Keithhall as well as deliver new housing and associated community benefits to Kinmuck.

**Alternative Site Keithhall**

**1176, 1177, 1179:** Include the remaining part of site G29 as shown in the Main Issues Report, which lies to the north of the settlement, for up to 10 houses with scope to be developed throughout the full period of the Proposed Plan.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Keithhall lies to the east of Inverurie within the Aberdeen Housing Market Area and in the “local

growth and diversification area” identified within the Structure Plan. Keithhall primary school has a falling roll and is forecast to be operating at 84% in 2016. Focusing a larger allocation at Keithhall, as opposed to Kinmuck, allows pupils to walk to school.

Paragraph 94 of Scottish Planning Policy states that development plans should support more opportunities for small scale housing development in rural areas including extensions to existing clusters and groups. Therefore, the allocation at Keithhall is consistent with Scottish Planning Policy.

### **Site H1**

#### Support for allocation

The support for development of site H1 is noted.

#### Level of development and density

The level of development proposed takes into account existing service and infrastructure capacities, deliverability and local needs. The site proposed is a compact site with existing development to the north and west and is well related to the core of the existing settlement and close to the primary school. No further allocations are made in phase 2, limiting impact on the character of the settlement while still providing a viable site. Once the sites at Kinmuck and Keithhall are developed there is unlikely to be capacity for substantially more housing and new allocations are likely to be restricted.

There is no historic established density within the village, and whilst the density proposed may not be similar to the housing development to the north it would not be out of keeping. The density would equate to approximately 17 houses per hectare when taking into account the 40% open space requirement. This is well below the density of 30 houses per hectare expected within SG Housing1: Housing land allocations 2007-2016 and is more reflective of the rural location.

#### Drainage and flooding

There appear to be no significant issues with ground conditions that could not be addressed at the detailed planning stages.

Scottish Environment Protection Agency have identified that there is a small watercourse within the site that may be a flood risk. Given the size of the site and the open space requirements there is scope for mitigation and inclusion of a buffer strip along the watercourse edge. Appropriate text has been added to the supplementary guidance in respect of requirement for a flood risk assessment.

#### Deliverability

The bid submitted covered a larger area and also included a site to the north of Keithhall. Therefore, the entire H1 falls within the bid submitted by the landowner. The landowner has indicated an intention to bring the site forward and has confirmed deliverability.

#### Designed landscape and ancient monument

The site is not within the Keith Hall designed landscape and this designation ends on the opposite side of the road to the site. The impact on the designed landscape is mitigated by existing development within the designed landscape opposite the site H1. Historic Scotland advised at the main issues stage that some low key development could be absorbed without significant impact on the garden and designed landscape.

### **Alternative site - Northern part of G29**

This site was fully debated following consultation on the Main Issues Report and following widespread community engagement the Council’s conclusion was to exclude it, as in addition to the H1 site it would lead to over-development, and this site lies within the Keith Hall Garden and Designed Landscape.

### **Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Keithhall are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes to the plan are commended but the supplementary guidance has been changed to show the requirement for a flood risk assessment for site H1.

**Reporter's conclusions:**

**Site H1**

1. Site H1 is allocated for 15 houses in phase 1 of the proposed Plan. It extends in area and capacity the site shown for 5 houses in the adopted local plan (site fh1). The eastern boundary does not follow any physical feature on the ground and is arbitrarily drawn across the field located to the east of Woodlands Cottages. The allocation is supported by the landowner of the site, the Church of Scotland General Trustees, which has confirmed its deliverability. Indeed, the landowner has request that the whole field identified as MIR site G29 be included in the allocation. The whole field is shown as a site preferred for development in the MIR.

2. The site is open and exposed but strategic planting would mitigate the visual impact of any development. A small watercourse crosses the site but there is scope for mitigation measures. The proposed development would double the size of Keithhall. However, although there are objections to the allocation from rival developers who wish to see additional allocations in Kinmuck, there are no objections from the local community. Keithhall primary school has a falling roll and focussing housing at Keithhall rather than Kinmuck would allow pupils to walk to school.

3. The allocation of the whole of site G29, with clearly defined boundaries, would provide the opportunity for a quality development, incorporating landscaping and planting, open space and buffer strip alongside the watercourse that crosses the site. However, the site is exposed and prominent in the landscape and the development of the whole site would represent over-development. Any further development, above the 15 houses proposed in this Plan, would be a matter for the council to consider in the intended review of the local development plan.

**Alternative Site**

4. That part of the Glebe on the north side of Keithhall lies within the Keith Hall Garden and Designed Landscape. The allocation of a further 10 houses to Keithhall, which would amount to a total of 25 houses in this small community, would constitute over-development. Whilst site H1, as extended, could be considered as rounding-off, the additional site to the north would constitute a significant intrusion into open countryside.

**Reporter's recommendations:**

No modifications.

<b>Issue 75</b>	<b>Kinmuck</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p33)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
William Lippe Architects Ltd on behalf of MTM Holdings (444, 496) Castleglen Land Search Ltd (716) Knight Frank LLP on behalf of Tor Ecosse Ltd (848, 849, 852, 853)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Kinmuck.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>H1 Kinmuck</b></p> <p><b>716:</b> The proposed development will provide much needed smaller homes in a mix of sizes and tenures to allow local and lower income people to live in the village. This in will help encourage and sustain local services including the primary school and the pub. The inclusion of a village green will allow a place for people to undertake social and recreational activities and help build and sustain a sense of community. The scale and form of development is achievable as per the attached layout and there are no technical constraints preventing the development progressing.</p> <p><u>Level of demand</u></p> <p><b>444, 496:</b> There has been a proven steady demand for housing over the previous 15 years in Kinmuck compared to Keithhall. This means the 10 houses allocated to Keithhall should be removed and added to H1 in Kinmuck.</p> <p><u>Settlement form</u></p> <p><b>444, 496:</b> Site H1 as it is currently proposed is disjointed, protrudes significantly from the existing settlement boundary, does not relate well to the village, is on a north facing slope, and the northerly part of the site is isolated. The preferred site for any housing in Kinmuck is at Beltside, incorporating part of the H1 site.</p> <p><b>848, 853:</b> The site does not reflect the traditional built form of Kinmuck. It would break the back line of the settlement and would not be in keeping with the existing pattern of development.</p> <p><u>Site access</u></p> <p><b>848, 853:</b> The existing junction of the site has sub-standard visibility and is unlikely to be able to accommodate vehicles associated with a new housing development to the satisfaction of the Roads Authority.</p> <p><u>Other issues</u></p> <p><b>848, 853:</b> The site has poor soil conditions and there are doubts about the suitability of additional septic tanks in the village. Due to the site facing north, it may deter some forms of on-site renewable energy generation.</p> <p><b>Alternative Site Kinmuck</b></p> <p><u>Beltside (site G67)</u></p> <p><b>444, 496:</b> The preferred site for any housing in Kinmuck is at Beltside, incorporating part of the H1 site. It is a vacant and disused croft, in effect a brownfield site on the edge of a settlement. The site would utilise and incorporate the existing buildings in a cohesive manner.</p>		



**Site G122**

**848, 853:** Site G122 fits better with the existing form of the village than site H1. It will continue the traditional linear form of the settlement and round off the western end. The site can provide up to 40% affordable housing with a village green/formal sports area. The site has no access constraints and the landowner has committed to bringing it forward if allocated within the plan period. There are no wildlife designations or other natural designations that would act as impediments to the development of the site. Its development will protect the setting of the listed Friends Cottage through sensitive design and strategic landscaping. It will provide planning gain contributions towards improved provision of broadband in the area, as well as enhanced public transport, core paths, and cycle links between Kinmuck and Inverurie. There is also potential to provide a recycling area off-site. The site can incorporate a Waste Water Treatment Works (as opposed to the use of septic tanks proposed for site H1) to serve the development.

**849, 852:** The Scottish Environmental Protection Agency has stated they would like to see a new Waste Water Treatment Works located at Kinmuck. This is unlikely to happen if site H1 at Keithhall lies dormant over the next 5-10 years. Instead, this type of facility can be provided through planning gain contributions arising from the development of site G122 in Kinmuck.

**Modifications sought by those submitting representations:**

**H1 Kinmuck**

**444, 496:** Proposes two modifications: (1) the 11 houses proposed should be allocated in closer proximity to the existing settlement at Beltside. (2) Allocate 21 houses (11 from Kinmuck and 10 from Keithhall) with a denser layout over a larger area of ground at Beltside.

**848, 853:** Remove site H1 Kinmuck and replace with site G122 in Kinmuck, for an allocation of up to 20 houses over the lifetime of the Local Development Plan.

**849, 852:** Remove site H1 Keithhall and reallocate the housing units to site G122 in Kinmuck.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Kinmuck lies to the east of Inverurie within the Aberdeen Housing Market Area and in the “local growth and diversification area” identified within the Structure Plan. Nearby Keithhall primary school has a falling roll and is forecast to be operating at 84% of capacity in 2016.

**Site H1**

The support for site H1 and its ability to provide affordable housing and a village green/formal recreation space is noted. The developer has also confirmed deliverability of the site.

Level of demand

Kinmuck has grown rapidly for its size, and only very modest further growth is supported. Allocations are split between Keithhall and Kinmuck to ensure that neither village is overdeveloped. A slightly larger allocation is made in Keithhall as this is more sustainable allowing pupils to walk to school. There is no justification to remove the allocations at Keithhall to Kinmuck (see issue 74).

Settlement form

Development already extends back from the Keithhall/Hatton road, and the layout proposed reflects this. This allows growth without elongating the settlement and builds on the core of the settlement. Whilst the site does extend slightly further north than existing development, the site is bounded to the north-east by an existing tree belt which provides a defensible boundary and a backdrop for development. The site has sufficient space and depth to include a village green/formal recreation area which will provide a focus for the community. The layout, siting and design of the development should ensure the more northerly areas are not isolated.

**Site access**

The developer, having met with the Roads Authority, has confirmed that the road standards being requested can be met.

**Other issues**

There appear to be no significant issues with ground conditions that could not be addressed at the detailed planning stages.

The site does slope gently to the north but not to the extent that south facing aspects would not benefit from solar gain through careful location of the built development.

**Alternative sites**

**Beltside (G67)**

Amending the boundaries of H1 to include Beltside would encourage back-land development and would not allow for a functional village green/recreation area to be created, as there would not be sufficient depth. The site is not brownfield as there is no evidence of the land having previously been developed, with the exception of the small group of buildings to the north-east. There may be opportunities to develop the redundant buildings through Policy 3 Development in the Countryside.

**Site G122**

This site was fully debated following consultation on the Main Issues Report and following widespread community engagement the Council's conclusion was to exclude it, as development would be detrimental to the character of the village since it would continue elongation along the Keithhall to Hatton road. An allocation of 20 houses would lead to over-development, and the preferred option is to split development between Keithhall and Kinmuck. It is also desirable to protect the setting of the B listed Friends Cottage adjacent to the site.

The levels of development proposed are unlikely to provide sufficient planning gain contributions to provide a new waste water treatment works at Kinmuck. Inverurie Waste Water Treatment Works takes flows from Keithhall and whilst this has limited capacity there is no justification to move the allocation at Keithhall to Kinmuck where there is no existing waste water provision.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Kinmuck are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site H1**

1. Site H1 is allocated for up to 11 houses in phase 1 of the proposed Plan. It extends further to the north than site G7, which was identified as a preferred site for the development of 10 houses to support local services. The prospective developers of site H1 suggest that the site is a logical extension to the settlement. It would provide a development of 11 houses around a village green. Nevertheless, unlike site G7, site H1 protrudes northwards into open countryside and the development of the whole of this site would not reflect the traditional form of this essentially linear village. The site could not be considered as rounding-off, as suggested by the prospective developers.

**Alternative sites**

**Beltside (Site G67)**

2. The alternative proposal put forward is that site G7 should be extended eastwards over part of site G67 at Beltside. Two options are suggested: 11 houses on a site extending no further back

than the existing property 'Beltside' or 21 houses over a larger area and at a higher density (to include 10 houses displaced from Keithhall). The council considers that to include Beltside would encourage backland development and would not allow for a functional village green/recreational area. However, the scheme for 11 houses on the site identified on drawing 3959/LP02, which accompanies the response by William Lippe on behalf of MTM Holdings (444E), could incorporate such a facility. It is considered that the development of this site (site G7 plus the western half of site G67) would better reflect the form of the settlement. However, the deliverability of such a development is uncertain at this time and there will be an opportunity to reassess this proposal in the intended review of the local development plan.

3. As indicated in relation to issue 74, it is considered that the allocation of land for an additional 10 houses at Keithhall should be retained. There is no rationale for allocating further land for housing at Kinmuck, which has seen rapid growth in recent years and lacks community facilities. Further development in this location would not be consistent with the principles of sustainable development set out in the vision and aims of the plan and in the spatial strategy.

Site G122

4. This site is proposed for an allocation of 20 houses to replace the additional allocation of 10 houses at Keithhall and site H1 at Kinmuck. As indicated in relation to issue 74, it is considered that the allocation of land for an additional 10 houses at Keithhall should be retained. As indicated above, it is considered that a development on site G7, extended to include part of site G67, would better reflect the existing form of the settlement than the development of site H1. Site G122 occupies rising ground to the west of Kinmuck and the development of 20 houses on this site would be particularly visually intrusive and would bear no relationship to the existing form of the settlement. Also, as indicated above, it is considered that there is no rationale for the development of an additional 20 houses at Kinmuck, which has seen rapid growth in recent years and lacks community facilities,

**Reporter's recommendations:**

Modify the proposed Plan as follows:

Modify the boundaries of site H1 to only include MIR site G7. Amend the entry for Kinmuck in Schedule 1, Table 5 (p.28) by replacing the figure '11' in the Local growth (AHMA) 2007-2016 column by the figure '10'.

<b>Issue 76</b>	<b>Kemnay</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p29)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Kemnay Community Council (205, 222, 223)  Dorothea Adam (233)  Norman P. Lawie Limited on behalf of S Ross (266)  Ryden LLP on behalf of Barratt East Scotland (367)  Barton Willmore on behalf of Stewart Milne Homes (955, 1066)  Halliday Fraser Munro on behalf of Deveron Homes Ltd (1371)  Halliday Fraser Munro on behalf of Deveron Homes Ltd &amp; Aberdeenshire Housing Partnership (1373, 2158)  Archial Planning on behalf of Stewart Milne Homes (1599)  Halliday Fraser Munro on behalf of John Martin Assets Ltd (1601, 1602, 1605, 1606, 1608, 1609, 1614)  Scottish Environment Protection Agency (1979)  Miss Claire Martin (2176, 2183, 2212, 2362, 2446)  Gillian West (2345, 2408)  Dr James Piggins (2684, 2685)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Kemnay.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Kemnay - general</b>  <b>955, 1066:</b> Sites H1, H2, H3 &amp; H4 are too great for a settlement of Kemnay's size to accommodate. Development in Kemnay is entirely dependent on delivery at Kintore which is also scheduled to deliver in the second phase of the Local Development Plan. Any delay in development at Kintore will have a consequential and unavoidable effect on the delivery of the Kemnay sites. This places at risk the Council's ability to maintain an effective and deliverable housing land supply within the lifetime of the Local Development Plan. The sites are poorly located in relation to public transport and employment, resulting in increased car use, giving the site poor credentials in sustainability terms and making it potentially undeliverable. Sites H1 and H2 represent ribbon development of the settlement into the open countryside. There are no defensible boundaries in the fields on the edge of the settlement to halt this development creep.</p> <p><b>2176:</b> The proposed 212 houses in Kemnay seem rather excessive to provide for local needs, especially since the settlement is not in a Strategic Growth Area as per the Structure Plan.</p> <p><b>2685:</b> There is no evidence of the "local needs" that justify housing stated in the Key Planning objectives for Kemnay. Due to the late allocation of H4 Kemnay for 77 houses at Aberdeenshire Council's Garioch Area Committee, it allows for removal of one or more of the proposed housing sites in Kemnay itself, while still meeting the originally intended allocation for houses in Kemnay.</p> <p><b>H1 Kemnay</b>  <b>955, 1066:</b> Sites H1 and H2 represent ribbon development of the settlement into the open countryside. There are no defensible boundaries in the fields on the edge of the settlement to halt this development creep.</p>		

**1599:** Site H1 has been allocated but, is already an existing development site. Scottish Planning Policy encourages choice in the identification of sites for housing, and it would therefore be preferable if future housing allocations in the Local Growth and Diversification Areas offered the opportunity for proportional expansion in settlements which did not contain existing development sites.

**2685:** Construction of houses on site H1 would leave only a small, almost triangular field on the east side of the Place of Origin viewpoint. This is inadequate to protect the Place of Origin. It would ruin the view from the south-east and entrance into Kemnay, while also for visitors to the viewpoint who would be looking almost directly down on the roofs of houses on site H1, rather than enjoying the present rural aspect in that direction from the viewpoint.

**1371, 1373, 2158:** H1 is capable of contributing to the overall growth envisaged for the Kemnay area. The site can be developed so as to create a logical and sustainable extension to the existing settlement in conjunction with the two adjoining proposed developments to the south. It is in close proximity to the range of services and facilities the village has and this continued investment will ensure it continues to prosper. The allocation of 50 units to the site is supported. However the 40% reduction from the original site size is not supported. While the sensitivities of the Place of Origin and the views from that site are acknowledged, it is refuted that there is any necessity for the site to be almost halved in size. The Place of Origin is not in the Valued Views appendix of the Proposed Local Development Plan. Development to the south of H1 was designed to access site H1 in the future. The site is earmarked to deliver 50% affordable housing. If the Council insist on reducing the site area, it will threaten the site's overall development.

## **H2 Kemnay**

**367:** The allocation of 65 units at site H2 in Kemnay is welcomed. However, objection is taken to the fact that it has been allocated for development in the period 2017 to 2023. There is no impediment to the development of the site in the period 2007-2016. The site should be identified for development in the first period of the Local Development Plan in order to help address the shortfall in the housing land supply. Capacity issues at Kemnay Academy can be addressed through the provision of temporary accommodation. There are no technical constraints to the development of the site itself, with service connections being readily available.

**955, 1066:** Sites H1 and H2 represent ribbon development of the settlement into the open countryside. There are no defensible boundaries in the fields on the edge of the settlement to halt this development creep.

**1599:** Site H2 has been allocated, but is already an existing development site. Scottish Planning Policy encourages choice in the identification of sites for housing, and it would therefore be preferable if future housing allocations in the Local Growth and Diversification Areas offered the opportunity for proportional expansion in settlements which did not contain existing development sites.

**2684:** Development of H2 would greatly increase traffic along Bogbeth Road past the recreation ground, and impact on accessibility, congestion and safety, which would be a risk to young people playing there. The development of the site will be prominent from a large distance. It will impact on the amenity of Bogbeth Road. This site represents ribbon development, and does not contribute to a rounded development of the existing village. Site H2 is a significant distance from the centre of the village and the public transport route, resulting in residents using a vehicle for most of their journeys.

## **H3 Kemnay**

**233:** Does not consider site H3 Kemnay suitable for development for 20 houses due to its proximity to a main road, with the volume and speed of traffic on the road. It creates ribbon development of the settlement and will not enhance the sense of community or deliver an aesthetic appeal. The site is also prone to flooding.

**266:** In order to enable the reservation and subsequent provision of an area of ground for sports



pitches the adjoining site H3 requires to be allocated for more than 20 houses. The site is capable of accommodating around 50 houses together with sports pitches and facilities. The site will remain undeveloped unless a viable scheme for residential use is provided, which would allow the remainder of the ground to be handed over for community purposes. Unless this housing is provided in the first phase of development, the community facilities would be unable to be provided until the access to the housing area was undertaken.

#### **H4 Kemnay**

**205, 222:** At the Main Issues Report stage the Community Council previously supported the allocation of the range of sites and uses at Fetternear of which site H4 was a component. Within the Proposed Plan the proposal has now changed and only includes site H4. Unless it generates jobs and facilities for Kemnay, the respondent opposes the allocation on the grounds that it is an inappropriate development in a rural area which will increase pressure on Kemnay's facilities without any commensurate benefits.

**955, 1066:** Site H4 is visually and physically separated from the existing settlement by the River Don which provides a strong defensible edge to Kemnay. Breaching this edge could give rise to pressure for further development on the west side of the Don in the future representing an undesirable pattern of growth. Site H4 does not require to be allocated, as it would be able to come forward to enable the redevelopment of the Fetternear Estate, under the enabling development policy within the Proposed Local Development Plan.

**2183, 2446:** The Main Issues Report bid sites for site H4 were submitted as an enabling development proposal for multiple uses, now it is only a housing allocation but it still requires a strong business case to justify it. The Proposed Local Development Plan needs to be changed to reflect this.

**955, 1066, 2176, 2212, 2345, 2408:** Object to H4 as it lies outwith Kemnay's settlement boundary, is poorly connected with the village and with public transport. The respondent (**2212**) states it is also an area of landscape significance, bordered by ancient woodland and it is designated countryside. It is arable land that should not be developed upon. Previous planning applications APP/2008/3890 and APP/2010/2075 were refused as they were premature to the Local Development Plan and did not meet policy. It is not viable for the site to be assessed under enabling development. It is feared the developer will take advantage of the policy holes and want 77 houses on site H4 as well as all the other bid sites which appear in the most recent planning application.

**2362:** H4 is incorrectly classified as Local Growth Aberdeen Housing Market Area 2017 to 2023. The boundary line is not being questioned as it is correct and it clearly shows H4 to be in the Rural Housing Market Area. The change needs to be made to ensure that the correct policies are applied to the planning application i.e. Policy 3 Development in the Countryside, Policy 10 Enabling Development Policy etc.

**2345, 2408:** Object to site H4 as it appears difficult to justify the 77 houses when there are another 135 homes proposed in Kemnay, with a large number currently being built with many sites unfinished due to the recession. This allocation makes it not comply with the 2009 Structure Plan, due to this level of growth not relating to the local needs of Kemnay. Site H4 is not in accordance with the following sections of Scottish Planning Policy; Rural Development Paragraphs 94-96 due to being over 50 units; Trees and Woodlands paragraphs 146-148; Transport paragraph 168 as the nearest bus stop is 650m away. It is also in contravention with several Policies from the Aberdeenshire Proposed Local Development Plan including: Policy 3 Rural Development and the accompanying Supplementary Guidance Rural Development 1; Policy 9 and the accompanying Supplementary Guidance Developer Contributions 2: Access to new Development (as it is not well related to the existing settlement and does not create an impermeable barrier to further development); Supplementary Guidance Developer Contributions 4: Waste Management Requirements (as it will be hard for it to provide access and turning space for service and delivery vehicles). Site H4 has not demonstrated yet any of the criteria required in Policy 10: Enabling Development and Supplementary Guidance Enabling Development 1. It is difficult to see how



residential construction on this site complies with the intent of the above policies, as it would undoubtedly cause great harm and degradation to the natural environment in medium to long term as well as a short term loss of amenity.

**R1 Kemnay**

**1979:** Scottish Environment Protection Agency raises no objections to the provision of sports pitches providing there is no landraising, fencing or buildings on the site, but as site R1 is entirely within a floodplain, the Scottish Environment Protection Agency objects to the site unless additional text is added to the Plan or Supplementary Guidance highlighting the flood risk.

**Alternative Sites Kemnay**

**223:** Concerned that site P1 could not be developed for a swimming pool and recreational facilities with the present 'Protected' designation. The respondents wish to see this site afforded maximum protection from inappropriate development of a nature other than outlined above.

**233:** Land adjoining to site H2 should be allocated instead of H3 because the site is at the heart of the village and any development would be a natural extension of the village rather than looking like an add-on piece of ribbon development. This alternative site provides safe access to schools and amenities away from main roads. Recreational space is easily accessible. There are opportunities for ongoing development should the need for more housing arise.

**1601; 1602:** Site G112 from the Main Issues Report should be allocated for a mix of uses. This is due to the excessive amount of employment land which has been reserved in Kemnay.

**1605, 1606, 1614:** The local community suggested site G112 as an alternative location for the swimming/leisure facility. One respondent states this residential element will help fund the mixed-use proposal of the site and no more than 50 houses will be allocated there, (**1614**). There is a far greater case to allocate housing to a brownfield site with a piece of underused scrubland which is only 0.5km from Kemnay town centre rather than new greenfield sites in other areas of Aberdeenshire which would be more in line with the Structure Plan strategy. There was a mixed response from the community to the site, but more recent community views support the location of a new community Leisure/Swimming Pool at this location. The environmentally sensitive land is protected and public access improved into and across the site in this bid. The area of protected land to the west remains protected.

**1608, 1609:** Due to site G112 already being within the settlement boundary of Kemnay, a planning application for the site could therefore be determined under the provisions of the existing Local Plan. It could therefore, be delivered early to help Aberdeenshire Council meet the requirement to maintain a 5-year housing land supply and the Structure Plan strategy of early delivery of mixed-use and housing sites in the first phase of the plan or could be provided in the second phase of the plan.

**1614:** There is no justification for extending the P1 protected area as proposed in the Kemnay Settlement Statement onto site G112, as it has already been identified in previous Local Plans as an area of unused space suitable for development.

**2684:** An objective for the settlement is stated to be "Sustain and enhance services", but all that is allocated by way of enhancement is more sports pitches (at R1), and a very small area R2 for possible medical facilities. There is a severe need in Kemnay for more indoor recreation facilities. Despite the construction of a few hundred new houses in the past 20 years, there has been no increase in such facilities.

**Modifications sought by those submitting representations:**

**Kemnay - general**

**955, 1066:** Delete sites H1, H2, H3 and H4 with their allocation being relocated to our clients' land at Westhill which represents a more sustainable location.

**H1 Kemnay**

**1599:** Remove site H1 and replace with a site in Pitmedden.

**2176:** Reduce the allocation of site H1 to 35 houses.

**2685:** Remove site H1 and redesignate the site so it is included within site P2.

**1371, 1373, 2158:** Site H1 should be increased to its original size, that of site G115 of the Main Issues Report.

**H2 Kemnay**

**367:** The development of site H2 should be amended to permit development in the period 2007 to 2016 instead of being restricted to the period 2017 to 2023.

**2176:** Reduce the allocation of site H2 to 45 houses.

**2684:** Remove site H2 from the plan.

**H3 Kemnay**

**233:** Remove site H3 from the plan and replace with land adjoining site H2 in Kemnay.

**266:** Increase the allocation of H3 to around 50 houses to enable the provision of sports pitches at R1. Allocate the land in the first phase of the plan.

**H4 Kemnay**

**205:** Site H4 should either be changed to accord with the Main Issues Report proposal of 70 houses or to the submitted planning application, or should be deleted.

**222:** Site H4 should be deleted and incorporated within the sites previously identified in the Main Issues Report as part of the mixed use development of Fetternear Estate (*see alternative sites*).

**2176, 2212, 2345, 2408:** Remove site H4 from the Plan.

**2183:** Change wording to: "H4 is allocated for up to 77 houses to enable development of the Fetternear Estate subject to a strong business case to justify the enabling development."

**2362:** Site H4 needs to be moved from the Local Growth Aberdeen Housing Market Area to the Local Growth Rural Housing Market Area.

**2446:** Change wording in the settlement statement to: "H4 is allocated for up to 77 houses in the second phase of the plan subject to the provision of a masterplan and a strong business case to justify the enabling development of the Fetternear Estate. The enabling development proposals must meet Policy 10: Enabling Development."

**R1 Kemnay**

**1979:** Delete site R1, unless the following wording is included in the settlement statement for Kemnay: "The site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site should any landraising, building or structures be proposed that will reduce the flood storage capacity of the flood plain."

**Alternative Site Kemnay**

**222:** Site H4 should be deleted and replaced with the sites previously identified in the Main Issues report, which were G170A South Lodge, G170B Longdykes, G170D Broomhaugh and also including the additional two sites which appear in the current planning application APP/2010/2075 and are referred to as Birchgrove and St Ninians. The sites should then be designated as sites H4, H5, H6,

H7 and H8 and the following penultimate paragraph on page 30 should be amended to read as follows: "Sites H4, H5, H6, H7 and H8 are allocated for up to 77 houses in the second phase of the plan to enable development of the Fetternear estate, which will include stabilisation works at Bishops Palace, employment opportunities derived from visitor and conference centres, leisure development including all weather football pitches and changing facilities and also a swimming pool which may be located at a suitable site within Fetternear estate or an alternative suitable site in Kemnay. Upgrading the public and private road network is required in the Fetternear Estate. A Masterplan is required for the sites."

**223:** Part of site P1 should be identified as: R3 Reserved for community, recreational and amenity use. This is due to present indications that there is an interest in developing this site for a swimming pool, amenity and recreational facilities.

**233:** Allocate the land extending to approximately 60 acres adjoining site H2 instead of site H3.

**1601, 1602, 1605, 1606, 1608, 1609, 1614:** Allocate site G112 as M1 Kemnay, with the preferred wording being: "Site M1 is allocated for up to 50 houses and new community leisure facilities in the first phase of the plan. This will assist in the delivery of the new community facility and affordable housing in the first phase of the plan." Alternatively, if the educational constraints are considered to outweigh the public benefit derived from this proposed development, it could be allocated as follows: "Site M1 is allocated for up to 50 houses and new community leisure facilities in the second phase of the plan. These may be brought forward in specific circumstances where it helps to deliver the proposed community facility or educational constraints are lifted. Alternative employment use may be appropriate on the eastern section of the site."

**2684:** Divide off an area on the eastern side of P1, and re-designate the area as R3. This area between BUS1 and Bremner Way, would be a suitable location for a much needed leisure complex including such facilities as a swimming pool, gymnasium, sports hall and changing rooms. Allocation in the plan of a site for such a complex would facilitate its creation in due course.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The allocation made in Kemnay is appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and Structure Plan. By allowing local growth and diversification in the Aberdeen housing market area. Kemnay is identified for an allocation of 212 units to support rural growth and diversification. 77 of these units are allocated to enable the development of the Fetternear estate.

Many of the issues raised in relation to this settlement were also raised in response to the consultation on Main Issues Report, and were considered in the 'Issues and Actions', Vol 5, Garioch, page 59, (May 2010).

**Kemnay - general**

The level of growth in Kemnay is at an appropriate scale considering the size of Kemnay. For further information see *Issue 66 Spatial Strategy: Local Needs*. For a comparison of Kemnay with other settlements in the Aberdeen Housing Market Area in these respects, see *Issue 66 Spatial strategy Local Needs*. The 212 housing units and employment allocations can deliver benefits to the community within the limits of the current primary school capacity.

Allocations are made in Kemnay in phase 2 due to the constraint of secondary education capacity which is currently operating at 117% capacity and by 2016 is forecast to operate at 134%. The strategy allows for a new secondary school provision serving the Kemnay catchment area to be developed in phase 1. This strategy is detailed in *Issue 34 Blackburn to Inverurie Spatial Strategy*.

Compared to other settlements in Aberdeenshire, Kemnay is a settlement with a range of local facilities. It is not in the strategic growth area, but requires a range of allocations including

employment land in order to support the maintenance of a sustainable settlement. The allocations are appropriate in scale to a settlement of this size. It is an accessible location. The allocations are made in the second phase, allowing for current development which is nearing completion; this ensures that development does not overwhelm the settlement. .

**Site H1**

Site H1 is not ribbon development. It consolidates development towards Kemnay rather than along the B933. The only plausible way of completely consolidating development around Kemnay would be to allocate land which has not been proposed by developers and which would be highly unlikely to be delivered.

Site H1 is not an existing development site, but is adjacent to a site which has planning permission for housing and is being developed by the same developer. In terms of the provision of a range of housing allocations across settlements, this issue is covered in Issue 066 *Local Growth and Diversification Areas* under 'Kemnay'.

A significant area has been given protection to the west of the Place of Origin. This surrounds the monument park and is allocated as P2. Site H1 remains sufficiently distant to protect the view from the monument and its setting. The allocation will not spoil the south-east approach to Kemnay. Development is set back from the road behind the existing mixed use site which will form the new approach to Kemnay. Building on the edge of settlements undeniably alters the landscape, but the existing sites and new site can be developed together to form a new development which is sympathetic and improves the setting of the village.

The points of support for the site are noted. However, the site is not considered to have not been halved in size. The site is still allocated for 50 units, as was the developers' bid. The area which has been changed to protected status (P2) would have been likely to have required protection through the site's masterplan due to landscape issues discussed. The site would under any circumstances have to provide 40% open space through Policy 8 *Layout, siting and design of new development*. The P2 section of the site can form the bulk of the open space contribution. We support a very slight alteration to the boundary of the P2 site to allow access to site H1 from the adjacent site. There is a requirement to provide only 25% affordable housing on this site but the aim to provide 50% is welcomed.

**H2 Kemnay**

Development at Kemnay cannot be delivered in phase 1 of the plan. Advice provided by the education authority states that Kemnay Academy cannot even accommodate additional temporary accommodation.

The site does not represent ribbon development, but it is accepted that neither does it contribute to the 'rounded development' of the village. The transport authority is satisfied that there are no major traffic safety issues. The allocation accords with Scottish Planning Policy paragraph 168 as direct links to walking and cycling networks are available. It is less than 400 m from the bus stops on the Bogbeth Road (B933/B944) route and 600 metres from the village centre.

**Site H3**

The transport authority has not identified an issue with the proximity of the B933, only that a possible extension of the 30 mph limit may be required. In terms of ribbon development, the site is located along the B933, but does not set a precedent for further development. It is hemmed in by Milton Farm on the west side, the golf course to the south, and the sports pitch allocation to the north. The design of the development will have to lend to the sense of place and aesthetic appeal in Kemnay by adhering to Policy 8 *Layout, siting and design of new development*. It could be argued that it will enhance the sense of community by providing land for sports pitch development which would otherwise be unavailable. The site is not prone to flooding: it avoids the flood risk area.

The site was allocated in order to allow the development of sports pitches on the adjacent land. Allocations have been made for 20 units with consideration given to its viability. Other sites in

Kemnay are required to contribute towards sports pitch provision on the site as well. The effective contribution is the handing over of an otherwise undevelopable flood plain site for recreation use with a proportional contribution to the facility. Re-phasing the allocation in order to provide the sports pitch is not favoured given the immediate constraints to development.

**Site H4**

The H4 allocation was altered during the plan making process (for further information on this, see the Main Issues Report ‘Issues and Actions’ paper (May 2010)). The H4 housing allocation is still primarily to enable the development of facilities on the Fetternear Estate. The other uses which the housing development will enable, rather than being identified at the development plan stage; require to be identified as and when the full scope of enabling development is justified.

The allocation of H4 is specifically made (subject to masterplan and a business case) in order to give a firm indication of where the housing component should be located, and to avoid an undesirable pattern of growth along the western banks of the River Don and other parts of the estate. However, the application(s) will still be subject to the full development management process and the requirement for a business case and masterplan.

The developer is intending to provide a new bridge across the river, which will significantly increase the connectivity to the settlement. The ‘areas of landscape significance’ no longer apply under the new Policy 12 *Landscape conservation* (see issue 20). The policy and supplementary guidance does recognise that a particularly high standard of design will be required in the areas which have historically been identified as ‘areas of landscape significance’. The ancient woodland on the site will be protected through Policy 12 *Landscape conservation*. Policy 8 *Layout siting and design of new development* will be used to ensure that the design of development proposals respect the landscape and setting. Around half of the site is prime agricultural land, but paragraph 97 of Scottish Planning Policy allows allocation where it is an essential component of the settlement strategy, or is associated with rural business. The Enabling Development policy and supplementary guidance will be altered to make it clear that it is to be used to judge planning applications which are related to enabling development land allocations, such as site H4 (see *Issue 18 Enabling Development*). There are no loopholes which will allow additional development.

The H4 allocation contributes to the Aberdeen Housing Market Area allocation as it is realistically a Kemnay settlement allocation which will affect Kemnay and has been assessed and consulted upon within that context.

The allocation of 77 units is the level which has been set out as justified to deliver the restoration of an historic building and the provision of community facilities (including a bridge and a swimming pool) within an existing business case drawn up by the developer. However, a new updated business case and masterplan will be required in order to consider an application and reflect prevalent market conditions. The allocation of the site should not simply be viewed under Scottish Planning Policy paragraphs 94-96, which actually does not advise on the scale of development to enable rural diversification. As well the provision of community facilities, the allocation will provide listed building restoration, which is in line with Scottish Planning Policy paragraph 114. In terms of the other elements of Scottish Planning Policy referred in relation to Trees and Woodlands and Transport, there is no reason to believe that the allocation contradicts these. In terms of the policies listed which the respondent considers a future application could not comply with, any application will have to conform to all relevant policies of this plan. However, it should be noted that enabling developments, by their nature may involve a decision being made to consider if the public benefits of a proposal outweigh the ordinary policy presumptions against development.

**Site R1**

The land is allocated at the request of the landowner and Kemnay Boys Football Club for the provision of sports pitches. No landraising, buildings or structures which will reduce the flood storage capacity of the flood plain will be permitted and a detailed flood risk assessment will be required to accompany any future development proposals.

**Alternative Sites**

Site P1

Site P1 is to protect the sports pitches and the amenity area. It is correct that proposals for alternative community uses have been suggested for this site as part of the Fetternear proposal. However, a ‘reserved’ allocation would have been inappropriate considering there are no firm plans for such a development on the site from any developer, and the Council has stated that it cannot commit to the facility.

Main Issues Report Site G112

It is stated that this is a suitable site for 50 Houses and a swimming pool. The part of the site for the swimming pool is a functioning employment site and part of Bus 1. Kemnay has very few employment sites, and the fact that Kemnay is around 4 miles from the Inverurie and Kintore employment allocations does not mean that the current business use should be replaced by other uses.

The provision of this land as a potential swimming pool site is only on the condition of allocating another 50 units on the site and thus for Kemnay. The H4 allocation has already been factored into the growth strategy in Kemnay as it is very clear that it is likely to come forward over the lifetime of the development plan. Ignoring this information and allocating an additional 50 units in the village would bring the realistic allocations in Kemnay to 272. This would put pressure on the primary schools. This would be at the cost of a functioning employment site and all in order to provide a site for swimming pool which, according to the Fetternear Estate (who would fund the pool), could actually be provided elsewhere. The strategy of protecting site P1 from infill development and allocating site Bus 1 as employment site is reasonable.

Land adjoining H2

The rationale for allocating land at H3 has been set out previously in this paper. There is no need for a replacement allocation, by extending site H2.

Recreation Facilities

It is recognised that indoor recreation facilities in Kemnay are not ideal. The development of the Fetternear estate aims to improve facility provision. However, the funding for community facilities in general is notoriously difficult to achieve. Further information on the delivery of community facilities from development is provided in Issue 17 *Developer contributions*.

**Conclusion**

The allocations in Kemnay reflect its status as a popular and growing village. Development is promoted for local needs, principally diversification of the Fetternear Estate, and to meet affordable housing needs. They are appropriate and sufficient and none of the proposed changes are accepted.

**Any further plan changes commended by the planning authority:**

It is suggested that a footnote should be added to Table 5 within the Proposed Plan to reinforce that any development on Kemnay site H4 be enabling development clearly justified by the provision of a strong business case.

**Reporter’s conclusions:**

**Site H1**

1. Site H1 lies to the north of an existing housing site that is under development and to the east of an area that is protected to conserve the ‘Place of Origin’ and its setting (identified as P2 on the settlement plan in SG) [it is noted that this protected area excludes a triangular area at the north east corner, which is an integral part of the ‘Place of Origin’ viewpoint]. Representations have been received opposing allocation H1. A request has also been submitted to extend the site allocation to include part of the protected area, reflecting the extent of site G115, which was considered a



preferred site for development in the main issues report (MIR). It is suggested that the capacity of the site would remain at 50 houses with appropriate landscaping and boundary treatments to enable the development to be absorbed into the landscape so as not to diminish the setting of the 'Place of Origin'. Nevertheless, an indicative layout shows a layout for 66 dwellings on the site.

2. Site H1 comprises the lower half of a field and the northern boundary of the site is arbitrarily drawn and is undefined on the ground. The development of site H1 would leave a relatively small triangular area of ground between the built-up area and the 'Place of Origin' viewpoint. The site is on rising ground and any development would be elevated above the existing housing adjacent to the A933. When viewed from the approach to Kemnay from the east, particularly from the B993, a development on site H1 would seriously intrude on the view of the 'Place of Origin'. Furthermore, the development would seriously detract from views southwards from the 'Place of Origin' viewpoint. Consequently, it is considered that site H1 should not be allocated for housing. The field to the west of site H1 is protected to conserve the amenity of the 'Place of Origin' and its setting, and any extension of site H1 westwards is not supported.

**Site H2**

3. Site H2 is situated to the south east of an existing housing development on Bogbeth Road that is under construction. Concerns have been raised regarding the increase in traffic on Bogbeth Road but the council's Transportation Service has not raised any major traffic safety issues subject to improvements being carried out on the unclassified road. The site extends the existing housing development further into the surrounding countryside but the visual and landscape impact is relatively limited to the immediately surrounding area.

4. It has been requested that the allocation of 65 units should be identified for development in the first phase of the plan rather than the second phase. However, although there is capacity for a further 200 housing units within the limits of the primary school capacity, advice provided by the Education Service indicates that Kemnay Academy is operating at 117% capacity and is forecast to be at 134% capacity by 2016. Furthermore, there is no room to accommodate additional temporary accommodation. Accordingly, it would not be prudent to allocate further land for housing development until such time as a new secondary school serving the Kemnay catchment area is delivered, and this is not expected before 2016 (see Issue 34).

**Site H3**

5. Site H3 is located between the built-up area and Milton Farm, which is semi-derelict and is the subject of redevelopment proposals. The site extends from the B993 to the former railway line at the rear, beyond which land is reserved for the provision of sports pitches, the funding of which would be assisted by contributions from housing developments in Kemnay.

6. The Transportation Service is satisfied that there are no traffic safety issues; only that the 30 mph limit may require to be extended beyond the site. The design and layout of the development will require to adhere to policy 8 of the proposed Plan. It is requested by the landowner that the boundary between site H3 and site R1 (the housing site and the land reserved for sports pitches) be amended to increase the capacity of the site to 50 houses. However, the Scottish Environment Protection Agency (SEPA) has advised that the lower part of the site, that area beyond the former railway line, lies within the 1 in 200 year flood risk area. The sports pitches are proposed to be located on this otherwise undevelopable flood plain. In the circumstances it would be inadvisable to extend the housing allocation beyond the former railway line.

**Site H4**

7. Site H4 lies outwith the settlement boundary of Kemnay. It is one of several sites considered in the MIR for enabling development to provide business, leisure, recreational and cultural uses at Fetternear Estate, which lies to the west of Kemnay. At the MIR consultation stage, the community council supported the allocation of a range of sites and uses at Fetternear as part of a package of proposals for the estate but opposes the allocation of this individual site for housing without any commensurate economic and community benefits. Other respondents point out that the site is visually and physically separated from the existing settlement by the River Don, and is poorly

connected to the village and to public transport.

8. The council states that the H4 housing allocation is still primarily to enable the development of facilities on the Fetternear Estate, the precise nature of the proposed uses to be identified as and when a master plan is prepared and a business case has been made. The H4 allocation is specifically made to give a firm indication of where the housing component should be located. In the longer term, a new bridge across the river would significantly increase the connectivity of the development to the settlement. The allocation of 77 houses is the level required to deliver the restoration of the Bishop's Palace and the provision of community facilities, including the bridge and a swimming pool.

9. Policy 10 of the proposed Plan supports enabling development proposals, on sites which have not been specifically identified for development in the Plan, in certain circumstances such as where it is the only way of retaining a listed building and, in exceptional cases, where it is the only means of enabling the start-up of an employment, leisure or tourism activity within a rural area. Fetternear is within a rural area and consideration of the proposals for Fetternear Estate in terms of policy 10, through the development management process and the requirement for a master plan and business case, would clearly seem to be the proper course of action. There does not seem to be any rationale behind allocating one element of the proposal in advance of a full consideration of the whole package. As a separate element, the allocation of site H4 for 77 houses would not be consistent with the principles of sustainable development set out in the vision and aims of the plan and in the spatial strategy.

10. In any event, the development of site H4 is not programmed until the second phase of the proposed Plan (2016-2023) and the council would have the opportunity to further consider proposals for the whole estate in the intended review of the local development plan, if not before, through the submission of a planning application.

#### **Site R1**

11. SEPA objects to this reservation unless additional text is added to SG highlighting the flood risk. The council has confirmed that SG will be amended as requested by SEPA. By this action, the representation from SEPA would be resolved.

#### **Alternative sites**

##### Site P1/Site G112

12. Site G112 is identified as being suitable for community facilities (medical centre) in the adopted local plan. Site R2 in the proposed Plan reserves a site for medical/community facilities elsewhere in Kemnay. The future of site G112 was of considerable interest during the MIR consultation stage, generating some 387 comments. The community council supports the identification of site G112 for a swimming pool, amenity and recreational facilities. Other representations request that the site be reserved for leisure purposes. However, there are no firm plans for any such development. Indeed, it may be that the proposals for the Fetternear Estate development, which would fund any swimming pool, could involve the provision of a swimming pool as part of that development.

13. The MIR identified site G112, and the adjoining site G153, as a possible site for a mix of uses, including housing. However, in the proposed Plan, site G112 forms part of the protection zone P1, and site G153 is safeguarded for business uses (BUS1) in the SG. Representations have been received contending that the amount of employment land allocated in Kemnay is excessive. It is requested that site G112, together with the southern part of site G153, be allocated for a mix of uses, including 50 houses and new community leisure facilities. An indicative layout shows a development of 50 houses on site G112 and a leisure facility on the area occupied at present by a large garage and car showroom.

14. Whilst such a housing development would be located close to schools, open space and within walking distance of the village centre, the allocation of the site for a leisure facility would be at the expense of a flourishing business use. Kemnay has few employment sites. Also, as indicated above, the requirement for a site for a swimming pool is by no means certain.

15. The purpose of the protection zone P1 is to conserve the existing sports ground and amenity area. Although site G112 is essentially overgrown scrubland, it is of some amenity value. A 'reserved' allocation would be inappropriate in view of the lack of any firm proposals for a leisure development on this site. However, the allocation of the site for housing would preclude any future consideration of the site for leisure facilities should other options not materialise. In the meantime, the protected land designation would protect the site from development and should proposals for leisure facilities, including a swimming pool, be firmed up and require a site within Kemnay, the use of this site for such purposes could be reconsidered in the intended review of the local development plan.

Land adjoining site H2

16. Housing development beyond site H2 would extend the built-up area further into the surrounding countryside. The development of a further 24 hectares of land at this location has not been the subject of assessment at any previous stage of the plan process or public consultation. The site was not the subject of a development bid and no deliverability statement has been submitted. It would be inappropriate to consider its inclusion in the plan without any such assessment.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

Remove sites H1 and H4 from the proposals map. Re-number sites H2 and H3 as H1 and H2 respectively. Delete the entries for sites H1 and H4 in Schedule 1, Table 5 (p. 28) and re-number sites H2 and H3.

<b>Issue 77</b>	<b>Cluny &amp; Sauchen</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p5)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>William Lippe Architects Ltd on behalf of Ed Dinnie (465, 467)                  Jeffrey Adam (536, 537, 704)                  Wendy Watson (861, 862, 863)                  Lilian Miles (865, 1145)                  Stewart Milne Homes (911, 916)                  Wallace Planning Ltd on behalf of Barratt East Scotland &amp; Dunecht Estates (1389, 1403)                  Paull &amp; Williamsons LLP on behalf of Springhill Nurseries (Wholesale) Ltd (1803, 1805, 1806)                  Ryden LLP on behalf of Trustees of the Castle Fraser Estate Settlement 1982 (1850)                  Ian George (1945)                  Scottish Environment Protection Agency (1979)                  Andrew McNair (2247, 2620)                  Aileen McNair (2248)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in around Sauchen and Cluny.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Cluny &amp; Sauchen</b></p> <p><b>911, 916:</b> Welcomes the allocation of 50 houses which helps sustain local facilities. Sauchen has the benefit of mains drainage, the treatment works have been extended and there is spare capacity for future development. It is the most appropriate site for development due to its central location, being immediately adjacent to the proposed shop, the existing recycling centre and the local bus stops. There are no technical constraints that would prevent the site's development. A retail unit and village green are proposed to be included as previously committed through a section 75 agreement.</p> <p><b>465, 467:</b> Allocating 50 units within Sauchen represents over-development, and is disproportionate to the size of the settlement and community facilities available. The number allocated is questioned, as well as the capacity of Cluny Primary School, as development of the site may be required to provide contributions towards a classroom extension. The proposed site brings nothing that will benefit the community and the Environmental Report 2010 shows negative impact for all sites related to Sauchen.</p> <p><b>536, 537, 704, 861, 862, 863, 865, 1145, 2248:</b> Objects to site H1 and believes that the site adjacent to the primary school at Cluny would be more appropriate.</p> <p><b>1389, 1403:</b> Sauchen is a highly unsustainable location when compared with Westhill. It has no Secondary School, the development may exceed primary school capacity, and local water mains reinforcement may be necessary. Given the absence of employment and other facilities, any development in Sauchen is reliant on unsustainable travelling to Westhill and Aberdeen. This will result in a high reliance on the private car, meaning there is no potential to "reduce the need to travel". This will place further pressure on the A944 due to its close proximity.</p> <p><b>1806, 1850:</b> Support the allocation of 50 houses to Sauchen and Cluny, but disagree with the allocation being given to site H1. Development of this site is illogical as children would have to travel</p>		

to school, when land is available for development immediately adjoining the school. This will increase traffic problems and encourage the greater use of private vehicles for this journey.

**1806, 1850:** Development of H1 would not enable the development of the footpath cycleway between Cluny and Sauchen that has been identified, as the landowners of site H1 do not control any of the land required to construct it unless the Council compulsorily acquire the land.

**1806, 1850:** The site would compound the issue of there being no facilities or services there; meaning residents are obliged to commute to access employment, educational and retail opportunities, as well as community facilities. It does not have the local community's support since no employment uses are being proposed on site, or near the primary school in Cluny.

**1850:** The development of H1 could potentially detract from the setting of the village. The Cluny Burn may also be subject to localised flooding, which could have impact on parts of the site.

**1979:** More than 30% of the site is at medium to high risk of flooding and the Scottish Environment Protection Agency objects to the site unless additional text is added to the Plan or Supplementary Guidance highlighting the flood risk.

### **Site EH1 Cluny & Sauchen**

**1945:** Object to site EH1. It should be used for agricultural purposes or for a school car park rather than housing. The allocation is in conflict with the Aberdeen City and Shire Structure Plan 2009 in relation to sustainable development and climate change. There are no facilities or employment opportunities near the site apart from the primary school. Public transport is also grossly inadequate. The site constitutes ribbon development in the countryside and conflicts with the proposal to protect site P1 to provide a safer route to school, due to it being on this site. Access to the site directly across from the school will considerably increase traffic dangers to school children and local residents. The allocation of this site is out of character with the settlement and will destroy in perpetuity the organic nature of the hamlet.

### **Alternative Site Cluny & Sauchen**

#### **Site G121**

**536, 537, 704, 861, 862, 863, 865, 1145, 1799, 1800, 1802, 1803, 1805, 1806, 1850:** The site adjacent to the primary school at Cluny (G121) should be allocated for 50 houses as it is in close proximity to the school (within 300m), meaning it is more sustainable as children are able to walk to school. It means there will be safer access for pupils being picked up/dropped off and provide additional parking to the school, which will stop the current situation where vehicles are utilising an already narrow 'B' road when the school is being used for a meeting etc.

**1799, 1800, 1802, 1803, 1805, 1806, 1850:** Development of site G121 would provide community benefits in terms of: improved access and parking for the school, employment land, a 'village green', a safe footpath from Sauchen to the school, traffic calming measures around the school and first time sewage treatment for the area.

**1850:** The proposed development at this site (G121) has the potential to significantly enhance the village through a sensitively designed traditional form of development which respects the local vernacular and architectural features of the area. A public meeting was also held in regard to this proposal and the majority attending were supportive of it.

**2247, 2248, 2620:** The settlement of Cluny should develop around the school instead of increasing the residential capacity of H1 at Sauchen.

**911, 916:** Land should be reserved to the immediate south of H1 for residential use for the period beyond 2023 in order to meet structure plan requirements.

**Modifications sought by those submitting representations:**

**Site H1 Cluny & Sauchen**

**465, 467:** Reduce the allocation of H1 to 30 units and relocate it to the south of Sauchen where an opportunity is afforded to create a village entrance, community space, community parkland and walk ways. Redirect the 20 units to a more sustainable location such as Oldmeldrum or Alford.

**911, 916:** Amend the boundary of H1 to take account of a retail unit, village green and recycling facility previously committed through a Section 75 Agreement.

**1979:** Delete site H1 unless the following wording is included in the supplementary guidance text for Cluny and Sauchen "A significant portion of the site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future planning application and an appropriate buffer strip will be required adjacent to the Cluny Burn. Any morphological improvements made to the Cluny Burn, currently at moderate status due to morphological pressures and diffuse pollution, will be welcomed."

**1389, 1403:** Site H1 should be deleted and the 50 houses relocated to the Kirkton of Skene, Westhill proposal.

**536, 537, 704, 861, 862, 863, 865, 1145, 1799, 1800, 1802, 1803, 1805, 1806, 1850, 2247, 2248, 2620:** Site H1 should be deleted and relocated to the site adjacent to Cluny Primary School (Site G121 in the Main Issues Report) for 50 houses.

**Site EH1 Cluny & Sauchen**

**1945:** Remove site EH1 from the Plan.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The allocation made in Sauchen is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan by allowing local growth and diversification in the Aberdeen housing market area. Sauchen is identified for an allocation of 50 units to specifically support Cluny Primary School which is located close by. The Plan requires the allocation to provide a new footpath link between the school and the village.

Most of the issues raised in relation this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions' paper (May 2010).

**Site H1**

This was identified as a 'possible' site in the Plan's Main Issues Report, meaning it was a developable option. The Planning service's recommended site was located north of the settlement at Cluny, adjacent to the school. At the Garioch area committee in March 2010, the Council took a view which placed greater weight on the perceived community benefit of development adjacent the larger settlement of Sauchen, but with provision of a new footpath link between the school and the village.

The benefits of the site's location are supported by the capacity for utilising spare capacity in the waste water treatment works in the village, and the possibility of integrating and supporting the development of the existing facilities, and the committed retail unit and village green. The proposals for 50 houses on site H1 is not over-development. The School is forecast to be at 70% of capacity by 2016 and even 50 houses would not result in exceeding its capacity. The site itself is significantly larger than would normally be required for this scale of allocation to address issues associated with flooding.

The allocation of the site also supports Cluny school, where there is existing capacity. The education service has highlighted that contributions may be required to a school extension, but this is only a



precautionary statement: there is sufficient capacity for the allocation. The Strategic Environmental Assessment showed a neutral effect for the site.

Scottish Water have not indicated that water main reinforcement will be required. The benefits of Westhill rather than Sauchen for an allocation are discussed under Issue 66 “*Local Growth and Diversification*”.

There is a requirement for development to provide a footpath from Sauchen to Cluny Primary School (800 metres). This will provide an allocation closer to the heart of Sauchen, where the bulk of pupils live, but deliver the missing link which is required to provide a safe and sustainable transport method to the school. It is accepted that the provision of the route is complicated by land ownership issues and this will have to be addressed at the planning application stage.

It is accepted that the development does not provide employment facilities. A small retail facility is supported by the developer. Educational opportunities are provided by the fact that the allocation supports the school roll of Cluny Primary. It cannot be assumed that the community does not support the site as no representation has been received on the allocation from the community council and there are a very limited number of responses against the allocation.

The development would be subject to the Plan’s Layout, Siting and Design policy. Sauchen is a settlement dominated by post 1970s housing, and the physical attributes of the land allocated are not such that development is likely to undermine the setting of the village. The Cluny burn is subject to flooding and this has been accounted for in the area of the allocation. The developable area is sufficient for the housing allocation. A flood risk assessment will be required prior to the development of the site. The area at risk from flooding will form part of the open space requirement.

A boundary alteration to the effect suggested by respondents 911 and 916 has been implemented in the settlement statement for the village.

**Site EH1**

The site is already allocated in the Aberdeenshire Local Plan and is subject to a planning application. The primary school is a facility which is worthy of support and the continued allocation of the site would support local growth and diversification in line with the Structure Plan paragraph 3.13. To remove the allocation would be inappropriate when it is part of a formally adopted development plan which has attracted developer interest and has not been subject to any new information which warrants its removal. The site does not constitute ribbon development in the countryside. It supports, rather than conflicts, with the provision of a safer route to school.

**Alternative Sites**

Main Issues Report Site G121

This site was the Planning Service’s favoured site at a previous stage of the plan process. However, the Council took a view which placed greater weight on perceived community benefit which would derive from the alternative site H1. Both sites have their merits. In terms of the sustainability of locating the allocation on the site adjacent the school, this was a favourable aspect of the site. However, the village’s facilities such as the play park and the bulk of the population are located in Sauchen and there would still be a large degree of travel in the direction from Cluny to Sauchen if the site had been allocated.

The benefits of locating the site close to the school have been discussed. A village green can be incorporated into either site and is not a particular attribute of G121. The traffic calming measures around the school would have to be provided if a need for these exists. They would not be expected to be delivered as a developer contribution. No such need has been identified by the Council. The developer of site H1 has stated that sewage treatment works can be provided on site H1.

The design possibilities of site H1 are just as strong as site G121 and there are no site attributes which favour one over the other. Both will be subject to the Plan’s Layout Siting and Design policy.

Public preference for one site over the other has not been conveyed through the consultation process.

There is no requirement to allocate land in Sauchen or Cluny for the period beyond 2023.

**Conclusion**

None of the modifications are supported. The development strategy and land allocations in Sauchen and Cluny are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No further changes commended.

**Reporter’s conclusions:**

**Site H1**

1. Site H1 is allocated for 50 houses over the two phases of the proposed Plan; 20 houses in phase 1 and 30 houses in phase 2. The scale of development proposed is based on the need to sustain local services. A retail unit and village green are to be included in the development. There is capacity at Cluny Primary School for this scale of development. The waste water treatment works in the village has spare capacity and Scottish Water has confirmed that water supplies are available. The Cluny Burn, which runs along the eastern boundary of the site is prone to flooding. Scottish Environment Protection Agency (SEPA) has indicated that a flood risk assessment should accompany any development proposals and that an appropriate buffer strip is provided adjacent to the burn. The developable area is sufficient to provide this buffer strip as part of the open space requirement.
2. It has been suggested that the community does not support this scale of allocation but there are no objections from the community council and a limited number of individual local objections. Some representations have been made in support of a site adjoining the primary school, which is situated 1 kilometre to the north, in preference to site H1. Concerns have been expressed that further development in the village rather than in the vicinity of the school will increase traffic and parking problems at the school and raise road safety issues with more children walking to school along the connecting unclassified road. The council has indicated that the provision of a footpath along this road would be a requirement for any development on site H1. However, the land required to achieve this is not under the control of the owner/developer of site H1.
3. A site adjoining the primary school was identified as the preferred site for development in the main issues report (site G121) but in finalising the proposed Plan the council considered that the benefits of development in a central location in the village were greater than those offered by development adjacent to the primary school, subject to contributions being made to improve pedestrian connectivity between the village and the primary school.
4. On balance it is considered that further development in the village is preferable to the construction of 50 houses in a countryside location where only a small nucleus of houses exists. It is likely that only a proportion of the proposed houses would generate additional primary school pupils at Cluny primary school and the argument for siting 50 houses close to the school carries less weight than locating them within a recognised settlement and closer to the main artery to Aberdeen, the A944. The addition of 50 houses to the small group of houses located close to the school would constitute a significant visual intrusion on the surrounding landscape. Furthermore, the scale of development envisaged would add considerably to the traffic flows along the unclassified road leading to Sauchen and the A944, along which children presently walk to school and where road safety concerns have been raised.

**Site EH1**

5. Site EH1 has been carried forward from the adopted local plan. It is not shown as a proposal in the proposed Plan and the re-allocation of this site is outwith the scope of this examination.

**Alternative site (site G121)**

6. For the reasons given in paragraphs 1-4 above, it is considered that further development in the village is preferable to the construction of 50 houses in a countryside location where only a small nucleus of houses exists.

**Reporter's recommendations:**

No modifications.

<b>Issue 78</b>	<b>Echt</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p11)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Helen May (65) Ryden LLP on behalf of Cabardunn Development Company Ltd & Dunecht Estates (1868, 1869)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Echt.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Echt</b>  <b>65:</b> Houses should not be built on this site until the flooding issues have been resolved in the area and until the foul water system is able to cope.</p> <p><b>1868, 1869:</b> Welcomes the additional allocation to the existing housing site. Objection is taken though to only 25 additional units being allocated to the site. Objection to the two sites (existing site and additional site) being amalgamated into one site in terms of the boundaries and not being defined as two distinct sites.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>65:</b> The removal of site H1.</p> <p><b>1868, 1869:</b> The allocation of site H1 should be increased from 50 houses to 55. The carried forward existing site should be identified as EH1 for 30 houses in accordance with the Council's willingness to grant Planning permission. The additional housing site should be enlarged with amended site boundaries to reflect Development Bid G51 submitted for the site and to accommodate around 25 houses.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  The allocation made in Echt is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan by allowing local growth and diversification in the Aberdeen housing market area. A site for 50 dwellings incorporating the existing allocated site in Echt in proposed. This will support local services and provide for a masterplanned approach to the village's development over the course of the plan.</p> <p>Most of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions' paper ('Issues and Actions', Vol 5, Garioch, page 27, (May 2010),</p> <p><b>Site H1</b>  The settlement statement for the village acknowledges that the Echt Waste Water Treatment Works will require an upgrade. Development at the site will have to contribute to this. The houses will not</p>		

be developed until suitable infrastructure is provided to the satisfaction of the relevant agencies. Scottish Water has stated that they will initiate a growth project at the Echt waste water treatment works once development meets their 5 criteria.

The site is adjacent to a watercourse which is at risk of flooding according to the Scottish Environmental Protection Agency. The site itself is not at risk, but a flood risk assessment will be required and mitigation measures are likely to include a buffer strip adjacent to the watercourse. This is identified in the settlement statement for the community and will be addressed at the time of the application.

The allocation of a total of 50 units is appropriate. It would be inappropriate to consider EH1 as a stand alone development due to the need for comprehensive planning of the two sites. The increase of the EH1 site to 30 units has not been approved and it should not be pre-empted through an additional allocation within this Plan. Site H1 is intended to produce a 50 unit allocation which incorporates both the existing site and the new allocation. The two sites require a joint masterplan, but there is nothing stopping the existing allocated site coming forward in the meantime. Given the changed context of this site, that application would have to consider how the site is to be incorporated with the new allocation anyway and it would be inappropriate to regard it as a stand alone development in this instance.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Echt are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site H1**

1. Site H1 is allocated for 50 houses in phase 1 of the proposed Plan. The southern part of the site is identified as future housing land (fh1) in the adopted local plan with a capacity of 25 houses. Planning permission has been granted for the erection of 30 houses on this site. It is requested that the allocation in the proposed Plan should be modified to identify two distinct sites; the site identified as fh1 in the adopted local plan (for 30 housing units) and an enlarged site H1 (site G51) for 25 housing units.

2. The rationale behind including the existing site within proposed site H1 is the need for comprehensive planning of the two sites. Nevertheless, planning permission has been granted for the existing site and the requirement for a joint master plan is no longer relevant. Also, there would appear to be no rationale behind limiting the capacity of the whole site to 50 houses when the intention is to make provision for the development of an additional 25 houses. Furthermore, the north-eastern boundary of the proposed site is drawn somewhat arbitrarily across an open field. The north-eastern boundary of the field would be a much more defensible boundary for development. Nevertheless, the area identified is sufficient to accommodate the proposed additional 25 houses and the allocation of additional land for further housing in Echt has not been justified.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

Modify the boundaries of site H1 to exclude the site designated fh1 in the adopted local plan. No change is required to Schedule 1, Table 5 (p. 27).

<b>Issue 79</b>	<b>Dunecht</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p7)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Knight Frank LLP on behalf of Tor Ecosse Ltd (847, 850) Ryden LLP on behalf of Cabardunn Development Company Ltd & Dunecht Estates (1871, 1872)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Dunecht.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b>  <b>847, 850:</b> A large portion of the site lies at risk of flooding. The site is physically incapable of accommodating the proposed allocation. Taking this site into account with the existing allocation at EH1, it would approximately double the size of the village which is considered excessive due to the lack services in the settlement. The site is constrained by the National Transmission Pipeline safeguard zone. The allocation of the site is not in keeping with the traditional linear street pattern of the settlement.</p> <p><b>1871, 1872:</b> Welcomes the allocation of 50 houses at the site. It will help sustain the local primary school and other local services, such as increase the support of public transport services which could discourage the use of the private car for trips into Aberdeen City. The site provides a safe footpath link to the primary school avoiding the need for any major road crossing. The topography and existing landscape features of the site help contain the proposed development, meaning visual impacts arising from it will be minimal.</p> <p><b>Site EH1</b>  <b>847, 850:</b> Object to the carrying forward of site EH1 from the current Aberdeenshire Local Plan. The draft Housing Land Audit 2010 shows that site EH1 has been constrained (due to ownership) for a number of years. There is no value in carrying forward allocations from the previous local plan, if there is little or no prospect of the site actually being developed. The site should be deleted and not carried forward unless there is a statement of this site's deliverability over the lifetime of the Local Development Plan.</p> <p><b>1871, 1872:</b> The carrying forward of site EH1 from the current Aberdeenshire Local Plan is welcomed. Site EH1 is a natural extension to the village. The strategic landscaping provided by EH1 will form a defensible boundary to further development in the west of the village. It will benefit the village through a substantial area of open space which can be used by the primary school as a playground. It will also provide connectivity to the core path network proposed by Aberdeenshire Council.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>Site H1</b>  <b>847, 850:</b> Consideration should be given to the removal of H1 or at least a substantial reduction in the number of units to around 20 over the lifetime of the Plan, with this being reflected through the</p>		



boundaries of the site being reduced to reflect the actual area of the site that is likely to be developable. The remaining units should be redistributed to Lyne of Skene.

**Site EH1**

**847, 850:** Remove site EH1 from the Plan.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The allocations made in Dunecht are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan by allowing local growth and diversification in the Aberdeen housing market area. A site for 50 units is proposed. This will support local services and provide for a masterplanned approach to the village’s development over the course of the Plan.

Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the ‘Issues and Actions’ paper (‘Issues and Actions’, Vol 5, Garioch, page 17, (May 2010),

**Site H1**

The support for the site and the positive aspects of its allocation are noted.

No part of the site is at risk of flooding according to records held by the Council and the Scottish Environment Protection Agency. However, there is an adjacent burn which may be at risk of flooding. A flood risk assessment will be required as part of an application and this is likely to recommend a buffer strip to minimise the risk. It is accepted that the allocation, in addition to the existing site, is of a large scale in the context of the present size of the village. However, there are local services including a village shop to support, and the village is located on the A944 with a regular bus service between Aberdeen and Alford. Dunecht can support and would benefit from the scale of the allocation. The outer and medium zone consultation zones of a pipeline cross the north eastern section of the site. These areas could be developed for housing - in consultation with the Health and Safety Executive - or incorporated into the open space requirement of the site. The site still contains enough land for the 50 unit allocation. The allocation does not maintain a traditional linear pattern of development in Dunecht, but the site’s topography and location will allow for a development which will focus on the core of the village and allow easy pedestrian access to the school. The site’s location means that there will be no need for pedestrians to cross the A944 and it avoids the pipeline and flooding constraints which exist elsewhere in the village. A masterplan will be required for the site; this will have to detail how development will maintain the character of Dunecht’s built heritage.

The site’s allocation should not be reduced to 20 units over the course of the plan given the objectives of the allocation, existing infrastructure capacity and the deliverability of the site. There is no need to alter the boundaries to reflect the developable area as this limits the scope for masterplanning and the creation of a development in keeping with the village. This may mean, for instance, that a significant proportion of the north east of the site is allocated as open space or low activity uses such as parking and gardens, but there is no reason to exclude it from the site at this stage.

For the summary of responses on reallocating units to Lyne of Skene, please see “*Issue 82 Other Garioch Housing AHMA.*”

**Site EH1**

The support for the site and the positive aspects of its allocation are noted.

The site is not shown as ownership constrained in the Housing Land Audit 2010 and the owner has stated that it will be developed.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Dunecht are considered appropriate and sufficient to meet the needs of the settlement strategy.

<b>Any further plan changes commended by the planning authority:</b>
No changes are commended.
<b>Reporter's conclusions:</b>
<p><b>Site EH1</b></p> <p>1. Site EH1 has been carried forward from the adopted local plan. It is not shown as a proposal in the proposed Plan and the removal of this site is outwith the scope of this examination.</p> <p><b>Site H1</b></p> <p>2. Dunecht is located on the A944 with a regular bus service between Aberdeen and Alford. Further housing development would support local services; the school, shop, pub and garage. Accordingly, site EH1 is identified for 14 houses in the council's housing land audit and a decision on a planning application for 24 houses is pending. The council accepts that the allocation of site H1, in addition to site EH1, is of a large scale in the context of the present size of the village. The council also acknowledges that site H1 does not maintain a traditional linear pattern of development in Dunecht, unlike site EH1.</p> <p>3. Although there are strong arguments for allocating a further 50 houses to Dunecht, the proposed allocation, together with site EH1 would more than double the size of the settlement. Furthermore, the site constitutes a significant intrusion into open countryside, and its development bears no relationship with the existing form of the settlement. A large part of the site is within the National Transmission Pipeline outer and middle safeguarding zones. Accordingly, it is considered that the arguments against the site outweigh those in favour.</p>
<b>Reporter's recommendations:</b>
<p>Modify the proposed Plan as follows:</p> <p>Delete site H1 from the proposals map and the related entry in Schedule 1, Table 5 (page 28).</p>

<b>Issue 80</b>	<b>Westhill</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p44)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Westhill & Elrick Community Council (478) Ryden LLP on behalf of Mr & Mrs Michael (550) Mr & Mrs W Leslie (589) Stewart Milne Homes (929, 914) Knight Frank LLP on behalf of Bett Homes Ltd (922) Barton Willmore on behalf of Stewart Milne Homes (955, 1000, 1066, 1269) Wallace Planning Ltd on behalf of Barratt East & Dunecht Estates (1387, 1388, 1393, 1394, 1397) Bancon Developments (1430, 1451, 1455) Halliday Fraser Munro on behalf of CALA Management Ltd (1839, 1840, 1841, 1843, 1844, 1845, 1846) Ryden LLP on behalf of Westhill Developments (Arnhall) Ltd (1854)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Westhill.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>General</b></p> <p><b>1430, 1451:</b> Object to sites H1 &amp; H2 based on the lack of compliance with the aim to utilise existing infrastructure. Further development in the west of the town will put pressure on either Crombie or Elrick primary schools, both of which are at capacity, whilst Westhill Primary School in the east of the settlement is under capacity, with a falling roll. There are also concerns regarding traffic congestion in the west of the town, while development in the east of the town would cause significantly less impact.</p> <p><b>1430, 1451, 1455:</b> Object to development in the west of the town due to the risk of coalescence with Kirkton of Skene. This was also stated in the recent Capacity Study undertaken for Westhill in 2008, which included community consultation on the subject. One respondent also states that the Garioch Area Committee asked for area 10 in the Capacity Study to be amended to a 'protected area', to ensure coalescence between Westhill and Kirkton of Skene did not occur. Now area 10 has become site H1. Bancon consider that the decision of the Garioch Area Committee to support site H1 is contradictory to previous committee decisions. This is in direct conflict to Scottish Planning policy, which seeks to ensure clarity in the planning system (<b>1455</b>).</p> <p><b>1000:</b> Westhill's allocation has been consulted upon throughout the plan process as a 200 unit allocation. It was reduced from 200 units in phase 1 at the time of the Council's Infrastructure and Services Committee 29 April 2010 to 150 units in phases 1 and 2 at the final Infrastructure Services Committee 17 June 2010. It has been verbally stated that the reduction was likely due to a need to balance housing numbers in line with structure plan requirements. However, it is not possible to confirm that the Committee Members were fully aware of this reduction.</p> <p><b>Site H1</b></p> <p><b>1000, 1269:</b> Support the allocation for residential development on site H1, but consider the site can accommodate up to 190 units instead of the 140 units allocated. By not allocating as many units as the site can hold it reduces the level of affordable housing that can reasonably be achieved on the site. Sufficient developer contributions would be made that could satisfactorily address any issues in relation to educational capacity in Westhill. The transport appraisal undertaken for the site</p>		

demonstrates that site H1 is accessible from a range of sustainable forms of transport, including walking, cycling and public transport with strong links to existing facilities and employment. The local road network has the capacity to accommodate new development of the scale proposed and would not result in unacceptable traffic impacts. Some of the allocation from Kemnay should be redistributed to Westhill due to being more deliverable than Kemnay, which would help enable the maintenance of an effective housing land supply as required by Scottish Planning Policy and the Aberdeen City and Shire Structure Plan. Site H1 is already under control of the client Stewart Milne Homes, is effective and free of constraints, therefore representing a logical expansion to Westhill (See Issue 75 Kemnay).

**922:** Bett Homes Ltd has concerns regarding the deliverability of site H1. This is due to the promoter initially proposing around 500 houses and a level of affordable housing at 25% or less. However, the Proposed Plan only allocated a small proportion of the site for up to 140 houses. With this reduced size and increased requirement of 40% affordable housing in Westhill it could have an adverse impact on the feasibility of the scheme, which may result in the much needed affordable housing units not being delivered.

**1841:** Site H1 is constrained due to relying on the completion of the current development adjoining it, site fh3 in the current Aberdeenshire Local Plan. This is a risky strategy as the planning authority is relying on one developer at one or two locations to deliver all the new housing in Westhill. This could add to the shortfall of effective housing land in the Proposed Plan instead of helping reduce it.

#### **Site H2**

**589:** Support site H2. The area is surrounded with housing on 3 sides and the respondents feel that even low cost housing would benefit and tidy up this area.

**478:** Site H2 should remain undeveloped because of the encroachment on neighbouring communities. If there is need for a larger number of smaller properties, the respondents believe they could be incorporated into site H1.

#### **Site E1**

**478:** Object to site E1. It should not be developed. The respondents feel that the attractive entrance to Westhill from the east will be visually impacted, if there is development there.

**1854:** Welcome the identification of site E1 in the Proposed Local Development Plan.

#### **Alternative Sites**

##### **Main Issues Report Site G50**

**550:** Objection is made to the failure of the Proposed Plan to allocate land for employment use at Damhead Farm, Westhill, identified as site G50 in the Main Issues Report. A large allocation of employment land in Westhill is required to contribute to population targets set by the Aberdeen City and Shire Structure Plan. The site is conveniently located to contribute to strategic growth in a sustainable manner due to having a substantial workforce nearby in Westhill and Aberdeen City. This makes it in accordance with Policy 3 of the Proposed Plan as it helps reduce commuting distances. With 96.5 hectares of employment land being allocated in Garioch, and the majority not being allocated in Westhill, it may result in a stagnation of development and infrastructure services in Westhill. If the site were allocated it would be in accordance with Scottish Planning Policy and the objectives of the Proposed Plan. The allocation of this site would support infrastructure improvements to the south of Westhill, in the form of improving sustainable transport links through developer contributions.

##### **Site G149**

**909, 914:** Object to the failure to include Cadgerford Farm, Westhill, for Mixed Use Development. Westhill should be recognised as a strategic location due to its proximity to Aberdeen on a major public transport corridor and its position in relation to the proposed Aberdeen Western Peripheral Route. The allocation of housing over and above that at site H1 would reduce the number of people

commuting to work in Westhill from Aberdeen due to providing homes which are in closer proximity to their work. This would also help provide improvements to public transport infrastructure, as more housing would increase bus services. It would also provide improvements to local services, shopping and open spaces in the settlement. The Westhill Capacity Study also favoured the release of development to the south of Westhill in support of the provision of a new road system considered as part of the Proposed Local Development Plan.

**Site G109**

**922:** Object to the failure to allocate site G109 from the Main Issues Report in the Proposed Plan. The site is a logical extension to the adjacent Broadshade housing development which is allocated in the current Local Plan. It can round off the settlement and provide a long term landscape buffer to prevent coalescence with neighbouring Kirkton of Skene. A detailed landscape appraisal has been undertaken to show how a designed woodland edge can integrate the site with the Broadshade development and prevent coalescence with Kirkton of Skene to the west. Bett Homes are committed to providing 40% affordable housing at this site. The housing can be provided on the existing road network, as well as providing pedestrian and cycle links from the site to local facilities in Westhill.

**Site G132**

**1000, 1269, 955, 1066:** Stewart Milne Homes also controls land lying to the north and west of Broadshade (Broadshade phase 2 and Strawberry Fields) Both sites were previously excluded from being allocated due to them being constrained by the presence of a major gas pipeline. This pipeline has now been re-routed and upgraded, reducing the stand-off to 6m, meaning it no longer poses a constraint to development. The site could satisfactorily accommodate new development without giving rise to any significant adverse landscape impact by carefully controlling proposed densities and open space. The development of the Strawberry Fields site would bridge the gap between the existing and proposed development to the south and Old Skene Road to the north, representing a logical extension to the settlement. The sites are constraint free with the exception of a ridge line on the very north west corner of Broadshade Phase 2 and the power line at Strawberry Fields. The sites are both well served by public transport, local facilities and employment opportunities, in line with the aims and policy requirements of Scottish Planning Policy and the approved Structure Plan. There is adequate capacity at the Invercarnie water treatment works and sewage treatment works to accommodate large scale residential development, far beyond the capacity of the proposed sites in conjunction with site H1. The allocations from Kemnay should be moved to this site (**955, 1066**).

**Site G62**

**1387,1388, 1393,1394, 1397:**

Object to the failure to allocate land (Main Issues Report site G62) for 250 units, community facilities and new village centre. A new site 'H2' (Main Issues Report site G62) at Kirkton of Skene should be allocated for 250 units, community facilities and new village centre. The site is supported by a transport assessment (Colin Buchanan), the Westhill Capacity Study (2008), an indicative masterplan (HFM), an infrastructure statement (Cameron and Ross), a landscape assessment (EDAW), an ecological survey, a report on community engagement (HFM) and discussions with Council services on education and planning gain (*all supporting documents attached*).

The site is in a sustainable location, adjacent Westhill with scope for increased connectivity.

Site would reduce the reliance on a 25% windfall contribution in the local growth and diversification areas and assist in relieving the shortfall in the housing land supply by providing towards a range of smaller sites. The site is deliverable and will contribute 50 units per year to the housing land supply and is a first phase site which is not reliant on the delivery of the Aberdeen Western Peripheral Route. Development would reinforce the settlement function of Westhill as well as an employment centre. Development is of a size which can be accommodated without major new infrastructure requirements. Development would support Kirkton of Skene's community facilities and provide and improved village centre.

The site was incorrectly categorised as technically unsuitable for development in the Council's Main Issues Report, which led to it being unfairly excluded from proving exercises and appropriate



assessments since 2008. The Council has admitted that this was incorrect (*related correspondence attached to submission*), but this has unduly hindered the site's analysis in the Local Development Plan process (1397).

Previous local plan enquiries have confirmed the suitability of the site for development. Westhill Capacity Study (2008) identified it as the most suitable housing site. The transportation assessment considers additional factors including a proposed A944 to B979 link road: the study shows these will have beneficial impact on traffic flows. Infrastructure study shows the site is deliverable. Landscape study shows the site will permanently avoid coalescence. There are no archaeological or ecological constraints. Community is supportive of the development. Pupils can be accommodated in Westhill Primary, and a new site for new primary will be provided. Development will provide affordable housing, but at 25%. (1387)

**Site G118**

**1455:** There is strong support for development in the east of Westhill in the Capacity Study, especially site G118 as identified in the Main Issues Report. Development in the east of the town will help re-balance the school roles in the settlement, with Elrick and Crombie Primary Schools in the west now close to or exceeding capacity, while Westhill Primary School in the east has available capacity. Small scale development in the east of the town will have minimal traffic impacts compared to development in the south and west of the town. Local road improvements will also be put in place with the development. Allocating land at this site would be in line with the Spatial Strategy of the Proposed Local Development Plan due to development being directed to mainly provide numbers to primary schools where their pupil numbers are dropping within the Local Growth and Diversification Areas. This limited expansion to the east of the town is sustainable and will bring benefits to the town such as road and drainage improvements, improved pedestrian access, playing fields, informal recreation areas and the required affordable housing contribution of the settlement.

**Site G61**

**1839, 1840, 1841, 1843, 1844, 1845, 1846:** The allocation of Souterhill Farm, identified as site G61 in the Main Issues Report, in the first phase of the plan, would help supplement the effective housing land supply in a sustainable way and deliver a community park and affordable housing in a pressured area. One respondent states that up to 50% affordable housing can be provided (**1843**).

**1840:** Site G61 would support the planning objectives for Westhill. It will assist in meeting the established need for a choice and range of housing in the settlement. It can deliver effective housing at a scale appropriate to the settlement that will not adversely impact the existing infrastructure. The site can also make use of an existing development at Blacklaws Brae, which allows for an access connection and can make full use of the bus turning circle that was provided as part of the earlier development.

**1841:** There are no technical issues with site G61, as it was dealt with through a previous planning application. It was refused at the time on the principle of development in the countryside on land outwith Westhill's settlement boundary. Although site G61 is zoned to Elrick Primary School which is at capacity, it could easily be included within the Westhill Primary School catchment area. Site G61 is also approximately 300m closer to Westhill Primary School, meaning it provides a suitable alternative. This site is immediately deliverable creating a high quality amenity area at the top of Souter Hill, above the golf course.

**Site G39**

**1854:** Object to the failure to allocate land for employment use to the south of the B9119. It is part of site G39 in the Main Issues Report, which is split by the aforementioned B9119 road. The current scale of employment land proposed for Westhill is insufficient to sustain and improve infrastructure requirements. A larger allocation is required to maintain Westhill as a sustainable vibrant community. The site would be a logical expansion of the existing Business and Industrial Park. It is conveniently located to contribute to strategic growth in the area in a sustainable manner. It would be in accordance with Policy 3 of the proposed Plan due to being close to the workforce in both Westhill and Aberdeen City reducing commuting distances. The southern part of the site has been excluded



from the Proposed Plan due to perceived concerns over the potential infrastructure constraints which would be caused by further development in the area. But after a recent traffic study it was demonstrated that the constraints are significantly less than initially perceived. On this basis further consideration requires to be given to the scale of development proposed for Westhill. Developer contributions would provide the required infrastructure improvements to the south of Westhill, which would help ensure sustainable growth for the area. The presence of the pipeline in the area is not a significant constraint on development and the part of site G39 through which it runs should not be excluded from the Proposed Plan. Rather, that is for detailed consideration at the time of a planning application, when the uses proposed can be assessed against the 'Planning Advice for Developments near Hazardous Installations' guidance published by the Health and Safety Executive.

**Modifications sought by those submitting representations:**

**Site H1**

**1000, 1269:** The capacity of site H1 should be increased to 190 units as was initially approved by the Special Garioch Area Committee and the Infrastructure Services Committee.

**922:** Increase the physical extent of site H1 to incorporate the adjacent site G109, where there is a commitment from the promoter to bring forward new housing that can deliver up to 40% affordable housing.

**1841:** Remove site H1 and replace with site G61 from the Main Issues Report.

**Site H2**

**478:** Re-allocate 10 houses from site H2 and put all 150 houses allocated for Westhill in site H1.

**Site E1**

**478:** Remove site E1 from the Proposed Local Development Plan, and replace with the land lying on the south side of Tarland Road, across from the existing commercial developments.

**Alternative Sites**

**550:** Allocate employment land at Damhead Farm, Westhill, identified as site G60 in the Main Issues Report, extending to approximately 17.0 hectares.

**909, 914:** Allocate Cadgerford Farm, Westhill as a mixed use development (M1) in either 2017-23, or post 2023 Structure Plan period.

**922:** Allocate land at Cairnfield, Westhill identified as site G109 in the Main Issues Report for up to 90 houses.

**1000, 1269:** Allocate land at Broadshade Phase 2 and Strawberry Fields, Westhill in conjunction with site H1 Westhill for up to 400 houses.

**955, 1066:** Remove sites H1-H4 Kemnay and reallocate at Broadshade Phase 2 and Strawberry Fields, Westhill which represent a more sustainable location within the Aberdeen Housing Market Area.

**1187:** Allocate land to the north of Kirkton of Skene for development in the first phase of the Proposed Plan.

**1388:** Allocate land to reflect the existing fh1 allocation from the current Aberdeenshire Local Plan. This site should be identified as H3 Westhill for 20 houses.

**1393, 1394:** Allocate land at site G62, Kirkton of Skene, Westhill from the Main Issues Report for 250 units over the first phase of the Proposed Plan.

**1455:** Delete sites H1 and H2 Westhill and allocate site G118, Westhill from the Main Issues Report for the development of 150 houses instead.

**1839, 1840, 1841, 1843, 1844, 1845, 1846:** Allocate site G61 Westhill as identified in the Main Issues Report as H3 for 70 houses in the first phase of the Proposed Plan.

**1854:** Allocate the southern part of site G39 as allocated in the Main Issues Report. This will increase the amount of employment land for Westhill up to 23.0 hectares, which will help it continue to prosper, thereby allowing it to contribute effectively to the regional economy.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The allocation made in Westhill is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. It allows local growth and diversification in the Aberdeen housing market area. Westhill is identified for an allocation of 150 units and 4 hectares of employment land. The settlement has grown significantly in recent years and has reached the point where major traffic and educational infrastructure investment would be required in order to deliver larger allocations. The strategy recognises that most major infrastructure constraints can be resolved through funding, but this requires continual and increasing levels of development to provide such funds. Given the role identified for Westhill through the Structure Plan spatial strategy, this Plan allocates Westhill a scale of development which specifically supports the delivery of affordable housing and the continued limited development of Arnhall Business Park.

Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions' paper ('Issues and Actions', Vol 5, Garioch, page 113, May 2010), Further information on the spatial strategy for Westhill is available in Issue 66 *Spatial Strategy-Local Growth and Diversification Areas*.

**General**

Development of housing to the west is not ideal in terms of the existing capacity of the schools in the area, but the education authority has stated that this could be resolved through schooling children in an alternative location in Westhill. Development to the east would be more suitable in terms of capacity at Westhill primary school, but would not have a significantly lower impact on traffic congestion.

On the issue of providing clarity in planning system, the local development plan process can take 3 years and within that period there is obviously scope for views to change. This is especially the case in regards to supporting information such as the Westhill Capacity Study 2008, which was produced prior to the commencement of the assessment of developer bids. However, regardless of this, the respondent is incorrect that there has been a lack of clarity on the issue of the avoidance of coalescence between Westhill and Kirkton of Skene; it is an objective which has been highlighted and reported on throughout the plan process.

The "Westhill Capacity Study 2008" has always been identified as a document which sits alongside a wide range of other information, in informing Westhill's allocations. The area referred to in the study as 'area 10' is a very large area which was subject to multiple developer bids. The development of the area in its entirety would have caused coalescence with Kirkton of Skene. The Committee has consistently shown, in a transparent manner, that it is satisfied that the scale and extent of allocations west of Westhill, although falling within area 10, meet the needs of the settlement without producing coalescence.

In terms of the reduction of units in Westhill, the Committee was advised that there was likely to be some adjustment of the figures and phasing in order to meet the Structure Plan allocations. Westhill was selected for such an adjustment due to the constraints facing the settlement.

**Site H1**

The support for the allocation is welcomed. The 140 unit allocation is an appropriate number of units. The allocation is likely to create the need for schooling of approximately 49 children. The education authority has stated that a solution to capacity constraints at Skene School will be available. This is likely to involve the children of the H1 site being schooled at Westhill Primary which is likely to have capacity for around 130 children. Traffic modelling has considered up to 250 units and employment land. This results in increased congestion, particularly at known pinch points and this was shown to be almost twice as bad if the allocations were increased to 500 units.

For information on the reallocation of sites from Kemnay to Westhill, refer to Issue 66.

It is acknowledged that a low allocation will lower the opportunity for affordable housing to be provided. There are very few other developer contributions required in Westhill (compared to other settlements) and this is a virtue of the lower scale allocation which will aid the viability of a development with a high affordable housing component in Westhill. In addition, the affordable housing requirement can be made up of a variety of methods. It is not a 40% contribution of public rental housing. This is discussed further under Issue 13 *Affordable Housing Policy* and Issue 28 *Affordable Housing*.

The developer confirmed deliverability earlier in the plan process. There is a high demand for housing in Westhill to serve the needs of Aberdeen City, and the delivery of the allocation within the allocated phases is not expected to be a problem. The adjacent existing allocation is progressing well and has proven to be a popular development.

**Site H2**

It is agreed that the site offers the opportunity to provide a mix of housing types on what has now become a gap site. Given the context of the location and site characteristics, the 1.3 ha site is only allocated 10 units to reduce encroachment on neighbouring properties.

**Site E1**

The supporting comments are welcomed. There is a need to support the continued development of Westhill’s successful employment base while accounting for the traffic constraints which exist in the settlement. This allocation balances these. The allocation, set back from the Six Mile fork roundabout, will provide the opportunity for a gateway employment development which will provide the opportunity for an attractive entrance to Westhill.

**Alternative Sites**

Main Issues Report site G50

Westhill is not within a Strategic Growth Area and is not expected to deliver a large allocation of employment land. In this context there is no need to consider other allocations in Garioch. The allocation of the site, and thus major employment allocations in Westhill, would not accord with the Local Development Plan’s visions and aims, specifically, ‘f) *To make efficient use of the transport network*’ (page 4). Its allocation would not comply with Scottish Planning Policy (paragraph 45) because it is not providing economic development in the most “sustainable location, particularly in terms of accessibility.” The plan identified the scope for development through the Westhill Traffic Capacity Study (April 2009) and its update in April 2010; this demonstrates “the efficient use of existing, buildings, land, and infrastructure” as required by paragraph 77. It also promotes “the effective use of infrastructure and service capacity” in paragraph 80 which the plan also achieves. Paragraph 167 states “When preparing a development plan, planning authorities should appraise the pattern of land allocation, including previously allocated sites, in relation to transport opportunities and constraints based on the current or programmed capacity of the transport network and sustainable transport objectives.” Again, this is the strategy followed by the plan in its allocations in Westhill.

Main Issues Report Site G149

There is no need to release major allocations in the south of Westhill to support a new road system. Mixed use communities and homes in close proximity to workplaces are supported through the

visions and aims of the plan. Westhill, through recent local plan strategies has moved towards such a function and balance; this plan aims to avoid damaging the success achieved so far. The use of the Westhill Capacity Study (2008) is considered above under Part A General. The current bus service and range of facilities and services in the town will be supported by the allocations in Westhill.

Main Issues Report Site G109

Site H1, rather than G109, is a logical extension to the Broadshade development. The allocation of G109 would continue the westward spread of Westhill closer to Kirkton of Skene and create coalescence. The site is not required.

Main Issues Report Site G132

Site H1 is a sufficient extension to the current Broadshade development for the purposes of achieving the plan's strategy for Westhill. The limitations of the pipeline constraint following upgrading and re-routing are recognised. The current site H1 represents a logical and appropriate development pattern and there is no need to increase the allocations on the basis of bridging perceived gaps in the physical pattern of development allocations. There may be available water treatment and sewage capacity, but the development of 400 units in this area could not be accommodated in terms of transport capacity.

Kirkton of Skene

Alternative sites have also been proposed at Kirkton of Skene. These are considered under Issue 83 Other Sites Garioch Aberdeen Housing Market Area.

Main Issues Report Site G62

The merits of the site supported through the submission and the supporting documents are noted. Kirkton of Skene is not a settlement which requires development to support services. The local school is over capacity. The provision of a site for a school, rather than a new school, will not resolve the school capacity issue which would be exacerbated by the allocation, but it is accepted that arrangements could be made for schooling outside Kirkton of Skene, however unsustainable that is. The site is not required to help deliver a 5 year effective housing land supply (see Issue 12 *Housing Land Supply*). The plan does not make provision for fundamental changes in base assumptions such as the delivery of the Aberdeen Western Peripheral Route (See Issue 29 *Overall Spatial Strategy*). Westhill's employment centre function does not need to be reinforced and in any case this allocation would do little to aid that. If the allocation is considered in addition to the H1 site, then major new traffic infrastructure would be required. The site has been assessed throughout the Plan process to the same extent as other sites which were not favoured for development. Previous local plan inquiries were carried out under a completely different context. The relevance of the Westhill Capacity Study (2008) is discussed above under General. The site is located on the Capacity Study area identified as 'area 10'. As discussed under General, development which addresses the issue of coalescence could be considered. The developer's transport assessment does not address the wider implications of the site's development, especially when it is considered in addition to the proposed allocations in Westhill. The work carried out on community consultation is commended, but there have been no responses from local people supporting the site or otherwise. This is likely to be because the site was not included in the Proposed Plan and was not subject to the plan's public consultation. At the Main Issues Report stage there was strong opposition from the Community Council and other respondents (see *Garioch Issues and Actions papers pages 113, 116*). Allocations are made in Westhill on the basis of the provision of a high level of affordable housing. If the developer does not propose to deliver this then the allocation would be contrary to the key planning objectives for the settlement. The respondent proposes a lower proportional requirement but with a large increase in overall allocations delivering a similar number of affordable units. However, this is not possible due to infrastructure constraints in Westhill.

Main Issues Report Site G118

The attributes of the site, including the benefits of balancing school rolls in the settlement and the delivery of affordable housing, are noted. The development of 150 houses is not considered to be small scale and the implications on the road network would be as severe as for any other 150 unit

allocation, given the importance of this issue in Westhill. The site would also be relatively physically detached from the rest of the settlement. There is a pipeline constraint which has not been addressed. Around 80% of the 9.5 hectare site is in a Health and Safety Executive pipeline middle consultation zone. Given that the site is for the development of more than 30 units, this makes for a category 3 development, which according to the Health and Safety Executive advice should be advised against. This plan would not recommend an allocation which contravened this advice. Any allocation would have to be made for 30 units or less.

**Main Issues Report Site G61**

The attributes of the site, including the delivery of affordable housing, are noted. An allocation for 80 units would continue the expansion of Westhill in a relatively inaccessible area due to the topography rather than the distance which separates the site from the town centre. This would set an undesirable precedent for further expansion along the northern ridge above Westhill. For information on the need to supplement the housing land supply see Issue 12 *Housing Land Supply*.

**Main Issues Report Site G39**

Additional employment land allocations south of the B9119 would create major congestion at the Six Mile fork roundabout. This would require major investment to resolve. It is accepted that the detail of constraints posed by pipelines in the area will be analysed at the time of a planning application. The area of G39 which adjoins (E1) to the west was ruled out because it was in the inner consultation zone and therefore when a limited amount of employment land allocation is required, it scored less favourably than the areas in the other zones. The area of G39 south of the B9119 does not offer the opportunity for a gateway development which site E1 offers.

**Conclusion**

The limited allocations proposed for Westhill are both appropriate and sufficient to meet the needs of the settlement strategy. No alternative allocations are necessary.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. Westhill has grown significantly in recent years and has been a successful location for business development. However, the Council’s traffic modelling exercises suggest that, given severe traffic constraints, there is a need to restrict allocations over the course of the plan period. The advice from the council’s Transport and Infrastructure Department is that Westhill should not receive large scale development. In relation to education constraints, Westhill Academy has spare capacity for the pupils of around 200 new houses and there are varying degrees of capacity in the primary school network. The development of housing to the west of Westhill is not ideal in terms of primary school provision at Skene and Elrick but this could be overcome through schooling children elsewhere in Westhill.

2. The Main Issues Report (MIR) ‘Issues and Actions’ paper concluded that site G132, which has a total capacity of some 400 houses, was capable of providing 190 housing units in phase 1 of the plan, including a high proportion of affordable housing. The site would not breach the planned landscape buffer of the existing site, which is to mark the westernmost boundary of Westhill and prevent the coalescence of Westhill and Kirkton of Skene. In the event, the council decided to allocate only 140 housing units to this site (site H1), spread between phases 1 and 2 of the proposed Plan. Site G15 (site H2 in the proposed Plan) is allocated for 10 housing units.

**Site H1**

3. The developer of site H1 contends that the reduction in the capacity of the site from 190 units to 140 units reduces the level of affordable housing that can reasonably be achieved. The council has confirmed that the solution to capacity constraints at Skene Primary School can be overcome by the



children of site H1 being schooled at Westhill Primary School, which is likely to have capacity for around 130 children (140 units is estimated to create the need to cater for around 50 children). The transport appraisal of this site demonstrates that it is accessible from public transport with strong links to existing facilities and employment. Site H1 is free of constraints and effective. It is a logical extension to the existing Broadshade development and the rationale for reducing the capacity of the site is unconvincing. It would be an appropriate site for accommodating some of the houses removed from the Kemnay allocations and it is considered that the allocation should be increased to 190 units.

**Site H2**

4. Site H2 (site G15) is an infill site. The allocation of the site for only 10 houses on a 1.3 hectare site is a reflection of the requirement to prevent encroachment on the amenity of neighbouring properties.

**Site E1**

5. Site E1 is located close to the Six Mile Fork roundabout. There is concern that its allocation for employment use will detract from this attractive entrance to the town. However, properly designed and laid out, a gateway development should not detract from this entrance to the town; on the contrary, the entrance to the town should be enhanced.

**Alternative sites**

Site G132 (Broadshade Phase 2)

6. The developer of Broadshade considers that the whole of site G132 should be allocated for housing in the proposed Plan. This would provide for some 200 houses in addition to site H1. This site is no longer constrained by a gas pipeline, which has been re-routed and upgraded. The developer considers that the site could accommodate new development without giving rise to any significant landscape impact by avoiding the ridgeline and by carefully controlling densities and the distribution of open space. There is adequate water and sewage treatment capacity. The local road network has the capacity to accommodate this development, which would be accessed through the existing site. As with site H1, the transport appraisal demonstrates that the site is accessible from public transport with strong links to existing facilities and employment.

7. The council's Transport and Infrastructure Department is of the view that Westhill should not receive further large scale development. Traffic modelling on behalf of the council shows that the addition of 250 houses at Broadshade would have minimal effects in terms of increased congestion at major junctions in Westhill such as the Six Mile Fork roundabout. The modelling indicates that the addition of 500 houses would, however, lead to significant congestion at a number of pinch-points. An allocation of around 200 units is the maximum the secondary school could accommodate. As indicated above, it is considered that the allocation for site H1 should be increased to 190 units. As a consequence, it would not be prudent to allocate additional land for a further 200 houses at Broadshade until such time as solutions have been identified for the traffic congestion that occurs in Westhill as a result of its rapid growth over recent years.

8. It is the council's intention to review the local development plan in 2013 and re-examine housing requirements for phase 2 of the plan and for the period beyond 2023. This review will provide the opportunity to re-assess housing requirements in Westhill in the light of changing circumstances, including the construction of the Aberdeen Western Peripheral Route (AWPR) and any associated road improvements.

Site G58 (Strawberry Fields)

9. The developer of Broadshade has produced a concept masterplan for the development of Strawberry Fields (site G58) in association with site G132. This proposes a total of 400 housing units at Broadshade phase 2 and Strawberry Fields together. As indicated above, whilst there are strong arguments for allocating further land at Broadshade, it is not considered that it would be appropriate to do so at this present time in view of the traffic issues in Westhill.



10. In relation to Strawberry Fields, this site is crossed by a major gas pipeline and an overhead power line. However, the pipeline has been upgraded, which has reduced the required stand-off to 6 metres, and the route of the overhead power line could be incorporated into the open space provision for the site. The site lies between existing housing to the south and the Broadshade development on the north side of Old Skene Road and would be a logical extension of the Broadshade development. However, for the reasons explained in paragraph 7 above, the allocation of a further site, which would bring the total additional capacity at Broadshade/Strawberry Fields to 400 houses, would not be appropriate at this time.

Site G109

11. Site G109 lies to the west of the Broadshade development. Any development on this site would extend the Westhill built-up area towards Kirkton of Skene and would threaten the rural character of this small settlement. Although the Westhill Capacity Study identified this area as having potential for development, this document is only one of several which have been prepared to inform discussion on the future development of Westhill. The need to prevent the coalescence of Westhill and Kirkton of Skene is also an important consideration and the present public road that connects the Old Skene Road and the B979 at Mains of Keir provides a defensible boundary for the built-up area. There is no over-riding argument at the present time for a development that transcends this boundary.

Kirkton of Skene (Site G62)

12. As indicated under Issue 83, it is considered that the scale of development proposed for Kirkton of Skene is totally out of proportion with the form and character of the village. Although the masterplan design incorporates a landscape buffer along the eastern boundary of the proposed development, the gap between the development and the built-up area of Westhill would be a few hundred metres at best. The development site abuts sites G109 and G58 and there would be a real danger that the development of site G62 could lead to the coalescence of Westhill and Kirkton of Skene.

13. Kirkton of Skene is not a settlement that requires development to support services. Westhill is not located within a strategic growth area but in the local growth and diversification area. In as much as the proposed development seeks to reinforce the function of Westhill as a service and employment centre, it is considered that there are more sustainable solutions available within Westhill, which are closer to services and employment locations. Furthermore, the development of 250 houses at Kirkton of Skene, in addition to those proposed for Westhill in the proposed Plan, would have major implications for the wider traffic system in Westhill. As indicated in paragraph 7 above, it would not be prudent to allocate additional land for large scale housing development until such time as solutions have been identified for the traffic congestion that occurs in Westhill as a result of its rapid growth over recent years.

Site G118

14. Site G118 is located at the eastern end of Westhill Road. A housing development on the eastern side of Westhill would be more appropriate in terms of primary school capacities. However, it is not considered that this site is a suitable replacement for sites H1 and H2. Site H1 is a logical extension of a site under development, and is also located within the area identified in the capacity study as having potential for housing. Site H2 is a small gap site. Any development on site G118 would be physically detached from the built up area as a result of the open space corridor that has been retained along the length of the gas pipeline that passes to the east of Westhill. As an additional allocation, a development of 150 houses in this location would have similar implications for the wider traffic system in Westhill to any other large scale housing allocation. As indicated in paragraph 7 above, it would not be prudent to allocate additional land for large scale housing development until such time as solutions have been identified for the traffic congestion that occurs in Westhill as a result of its rapid growth over recent years.

Site G61 (Souterhill Farm)

15. It is requested that site G61 be allocated for 70 housing units and a community park in phase 1 of the proposed Plan. The site has a chequered history. It was allocated for housing development

in the Finalised Aberdeenshire Local Plan and was considered suitable for around 70 houses. However, following the local plan inquiry, on the Reporter's recommendation, the site was not included in the adopted local plan. The site is located outwith the settlement boundary in the adopted local plan and, in March 2007, a planning application for residential development was refused on the grounds that the site was situated in the countryside notwithstanding that the development was acceptable in terms of overall scale, layout, design and landscaping.

16. Whilst this site is closer to the village centre than other sites that have been considered for inclusion in the proposed Plan, it is more distant from the main employment areas. The site is located in an elevated position to the north of Westhill Golf Club and there are less visually intrusive and more accessible sites available to deliver the scale and type of housing required in Westhill. Furthermore, as an additional allocation, a development of 70 houses in this location would have implications for the wider traffic system in Westhill. As indicated in paragraph 7 above, it would not be prudent to allocate additional land for large scale housing development until such time as solutions have been identified for the traffic congestion that occurs in Westhill as a result of its rapid growth over recent years.

Site G39

17. Site G39 occupies land to the north and south of the B9119. The proposed Plan identifies the eastern portion of that part of site G39 to the north of the B9119 for employment uses (site E1) but excludes a substantial area between site E1 and the western edge of the Arnhall Business Park, which is delineated by the new link road between the A944 and B9119 (Prospect Road). Site E1 is therefore detached from the rest of the business park and the intervening rough ground is unallocated in the proposed Plan. The council has ruled this area out for development because of constraints imposed by the gas pipeline. A planning application for a business park development (Arnhall Phase 3) on the whole of the triangular area bordered by the A944, B9119 and Prospect Road remains undecided.

18. The prospective developer contends that the whole of the pipeline consultation zone should not be sterilised from development when the route of the pipeline could be designed into the layout for a business park, with the undevelopable areas retained as open space. This portion of site G39 is identified as being incapable of being developed in the MIR. The future use of this area as open space and other acceptable uses is a matter for consideration in the design of the development proposed for site E1. The integration of this area into the proposed development of site E1 does not require any amendment to the boundary of the allocated area.

19. As regards that part of site G39 that is south of the B9119, some of this area is rough ground covered in spoil, which appears to have originated from the ground works related to the development of the business park on the north side of the B9119. Access to this site could be provided from two new roundabouts on the B9119 that provide access to the Arnhall Business Park to the north.

20. The capacity study identifies land to the south of the B9119 as having potential for employment uses. Should further employment land be required in Westhill, this area to the south of the B9119 would clearly be suitable. However, the evidence of the council is that additional employment land allocations in this location would create major congestion at various locations, and particularly at the Six Mile Fork roundabout. Whilst the provision of a grade separated junction on the AWPR on the A944 between Westhill and Kingswells would improve linkages to Westhill, it would not be prudent to allocate additional land for large scale employment development until such time as solutions have been identified for the traffic congestion that occurs in Westhill as a result of its rapid growth over recent years. In any event, the AWPR is unlikely to be in place before 2016 at best.

21. It is the council's intention to review the local development plan in 2013 and re-examine housing and employment requirements for phase 2 of the Plan and for the period beyond 2023. This will provide the opportunity to re-assess employment requirements in Westhill in the light of changing circumstances, including the construction of the AWPR, and any requirements for other road improvements.

Site G50 (Damhead Farm)

22. Site G50 lies to the south of site G39. Respondents request that this site be allocated for employment use. Any development on this site would further extend development into the countryside south of Westhill. Its development would rely on the development of site G39. As indicated above, the evidence of the council is that additional employment land allocations in this location would create major congestion at various locations, and particularly at the Six Mile Fork roundabout. It would not, therefore, be prudent to allocate additional land for large scale employment development until such time as solutions have been identified for the traffic congestion that occurs in Westhill as a result of its rapid growth over recent years.

Site G149 (Cadgerford Farm)

23. Site G149 lies immediately to the south of the B9119, opposite site E1 and close to the Six Mile Fork roundabout. Respondents request that site G149 and a large area to the south, forming part of Cadgerford Farm, be allocated for mixed use development in phase 2 of the plan or post 2023. No further details are provided of the mix of uses intended.

24. As indicated above, the evidence of the council is that additional large scale allocations in Westhill would create major congestion at various locations, particularly at the Six Mile Fork roundabout. It would not, therefore, be prudent to allocate additional land for large scale development until such time as solutions have been identified for the traffic congestion that occurs in Westhill as a result of its rapid growth over recent years.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

Amend the entry for site H1 at Westhill in Schedule 1, Table 5 (p.28) by replacing the figure '70' in the Local Growth (AHMA) 2007-2016 column by the figure '95' and by replacing the figure '70' in the Local Growth (AHMA) 2017-2023 column by the figure '95'.

<b>Issue 81</b>	<b>Newmachar</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p42)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Haresh Patel (38) Linden Partnership (364, 2297) William Lippe Architects Ltd on behalf of Ian Douglas (400) Grant Conroy (834) John Blanksby (1197, 1198, 1201, 1202) Wallace Planning Ltd on behalf of Barratt East Scotland &amp; Dunecht Estates (1390, 1404) Bancon Developments (1417, 1425, 1430, 1451, 1453) Paull &amp; Williamsons LLP on behalf of Steven Whyte (1810, 1811) Ryden LLP on behalf of A F Buchan (1855, 1928) Ryden LLP on behalf of Stewart Milne Homes (1902, 1903) Michael Gilmour Associates on behalf of John Barclay (1975) Mr &amp; Mrs G Reid on behalf of Kirkton Development (2100) Knight Frank LLP on behalf of Kirkwood Homes Ltd (2173) Katie Cunningham (2226) Ian Craik (2342) Prof Roy Bridges (2352) Will Prince (2606) Montgomery Forgan Associates on behalf of Strategic Land (Scotland) Ltd (2632)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Newmachar.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Scale of Development</u></b>  <b>38, 834:</b> There is insufficient demand for housing in the Newmachar area to justify the scale of allocations on M1 and H1.  <b>400:</b> The need to balance Newmachar through additional employment allocations in order to create a more sustainable community is appreciated. However, in order to achieve a sustainable settlement, employment allocations should be front loaded in phase 1 with major housing allocations only following in phase 2.  <b>1902, 1903, 1975, 2173:</b> The scale of development is necessary to foster a sustainable community with an adequate range of services.  <b>834:</b> There is insufficient infrastructure in Newmachar to accommodate the development.  <b>1198, 1202:</b> Allocations in Newmachar are excessive (<i>see also Issue 66 Spatial Strategy-Local Growth and Diversification Areas</i>). Newmachar is a settlement with a population of 2347. Recent housing development has suffered from low demand. There is no demand for anything other than small employment allocations. It is a commuter village and there is no evidence to suggest this would change with large employment allocations. The school is near capacity: this is set to tail off but not substantially. The village is not located on a main transport route and the level of public transport available reflects this.</p>		

**1390, 1404:** Objects to the scale of development proposed for Newmachar. There is no evidence to suggest that existing problems will be removed by development of this scale. The village has no track record as an attractive marketable location for new employment and, commuting will increase. There is no available primary school capacity and a new health centre may be required. Facilities are limited, and major improvements would be required to enable it to be a sustainable community.

**1417, 1425, 1430, 1451, 1453:** Development at Newmachar is unsustainable, short sighted and potentially problematic in terms of both education and transport infrastructure. It is contrary to the Structure Plan and the spatial strategy of the Local Development Plan, by going beyond local needs and creating a requirement for a new primary school and bypass.

**2100,** Development will have a negative impact on the village and community with increased traffic and drainage problems.

**2342:** Distributor road and all community facilities need to be in place before any development takes place.

**2352:** Contribution from sites M1 and H1 are required towards strategic transport improvement of A947

**2606:** No significant commuter housing should be built until commuter road capacity into Aberdeen is provided.

### **Site M1**

#### General

**38:** Development should be reduced on site M1.

**1197, 1198, 1201:** Representation has been made questioning why Newmachar should be receiving large scale allocations (*see Issue 66*). However, if large scale allocations are to take place, M1 should be the preferred site.

**1928, 1955:** Site M1 is the best direction for growth, including a bypass, and would be supported by additional land being identified (*see below under Alternative Site*).

**1902, 1903:** Welcome the allocation of site M1. Site M1 has been subject to community consultation. Respondent is ready to work with adjoining landowners, and the community to prepare a development framework and masterplan in order to deliver a cohesive, phased development with the necessary facilities and services.

**2226:** Development will have a negative impact on the village and community.

#### Employment Land

**1197, 1201:** The southern section of site M1 provides ideal land for employment as it sits well within the landscape. The southern section of site M1 provides ideal land for employment and it is situated to the south of the settlement where heavy traffic would avoid the centre of Newmachar.

**1928, 1975, 2173:** Objection to the scale of employment land allocation in Newmachar. It is considered excessive in relation to the size of the settlement and the scale of housing allocation proposed. The Structure Plan requires an "appropriate" amount of business land in the Local Growth and Diversification Areas. It is left to the Council to determine, but the employment land allocation has increased considerably since the Main Issues Report without sufficient justification.

#### Landscape and Environment

**1902, 1903:** The site is well contained and there are no physical constraints.

**1390, 1404:** The Environment Report states that site M1 is at "medium to high risk of flooding."

**2226:** Fields east of Hillbrae Way provide valuable green-space used for amenity and should not be developed.

Accessibility

**1197, 1201:** The northern section of M1 abuts the Formartine and Buchan Way, providing non motorised commuting and recreation opportunities. There are good pedestrian connections to the existing settlement from M1 which could be reinforced. Developing school provision within M1 would mean that no children would have to cross the A947 unnecessarily.

Community Facilities

**1197, 1201:** If there is a requirement for a new football pitch, it could be developed on site M1. If a pitch with floodlighting is required, it would be best provided within an employment allocation.

Bypass

**1390, 1404:** Development of the distributor road is constrained by ownership and funding according to the Action Program (on page 111).

**1902, 1903:** A Transport Assessment demonstrates that the site can be delivered utilising the existing road network. Nevertheless, the desire of the community to secure a bypass and the requirement for a feasibility study have been recognised by the respondent. The respondent contributed to this study and is supportive of its conclusions. If a bypass is preferable, the respondent will work with the adjoining developers and landowners to deliver it. However, this is predicated upon the allocation of site G128 Mameulah and the deletion of site H1 (*see under Alternative Site and Site H1*).

**1975, 2173:** In order to deliver the relief road in the easiest manner and remove ownership constraints, M1 should be extended northwards to include site G128 Mameulah.

**2100:** Improvements to roads are required due to the level of traffic passing through the village.

Deliverability

**1902, 1903:** Deliverability has been confirmed in a letter to Aberdeenshire Council.

**Site H1**

General

**38:** Development should only take place on H1 and only in phase 1

**834:** Development of the site will have a negative impact on neighbouring properties during construction and once built.

**2632:** Broadly welcome the allocation of site H1, but with changes required. The site's allocation is consistent with Scottish Planning Policy (paragraph 70), and page 18 and 21 of the Structure Plan (2009) in terms of housing land supply and achieving growth targets. The site's allocation is consistent with Scottish Planning Policy (paragraph 80) in terms of the identification of suitable sites for housing development.

**1197, 1201:** Representation has been made as to why Newmachar should not receive large scale allocations (*see Issue 66*). However, if development is to take place site H1 should be deleted and M1 decreased.

**1810, 1811:** Object to site H1.

Deliverability

**364, 2297:** There are no technical constraints to the site's development.



**364, 2297:** The site is capable of delivering 165 units rather than 125. It is deliverable in the short term and should be released for 165 units in the first phase. It is not subject to major infrastructure requirements such as the eastern bypass. On the eastern side, sites are likely to take longer to deliver and non delivery will place pressure on the supply of housing.

The allocation of the whole site in Phase 1 will ensure the timeous delivery of community/football facilities.

**2632:** Site H1 can deliver a higher density development within a sustainable location: an additional 40 units should be allocated. In order to meet the housing land requirement, the site should be brought forward within phase 1. A masterplan has been produced which details how the density could be increased. The masterplan also deals with the issue of the need for boundary adjustments to the east and west of the site. The early delivery of the required football pitches would be supported by the allocation of 165 units in phase 1.

#### Employment Land

**1197, 1201:** Site H1 would not provide employment land. It would not contribute to creating a more sustainable settlement.

**1810, 1811:** H1 does not provide the same opportunities as the land at Mameulah (G128), because it does not contain any employment/business allocation. The site is not suitable for the allocation of land for a bus/coach depot (*proposed by developer on alternative site at Mameulah*).

#### Accessibility

**2632:** The site's allocation is consistent with Scottish Planning Policy (paragraphs 165 and 168) in terms of the identification of sites which promote a shift away from private transport. Site H1 is located closer to the village centre than M1.

**1902, 1903:** Pedestrians, particularly children, will have to cross the A947 to access the majority of services in the village.

**1197, 1201:** Site H1 is remote from the Formartine and Buchan Way; it does not provide non-motorised commuting and recreation opportunities. This is a key planning objective according to the Plan's supplementary guidance. Site H1 access would be reliant upon totally inadequate country lanes. Site H1 residents would have to cross the A947 to access village services.

#### Community Facilities

**364, 2297:** The allocation of the whole H1 site in Phase 1 will ensure the timeous delivery of community/football facilities on R2.

**1197, 1201, 1855, 1928 :** The supposed rationale of developing site H1 to deliver new football pitch provision is incorrect as such development could just as easily be provided on site M1.

#### Bypass

**2632:** Transport Statement by AECOM (*accompanies the submission*) demonstrates that the site is not reliant on the bypass to the east. The Council's viability study has already ruled out a western bypass. Site H1 should be released for full development in phase 1 and could provide an early contribution towards the development of the bypass.

**1928, 1975, 2173:** Site M1 is the best direction for growth, including a bypass, and would be supported by additional land being identified to the north (*see under Alternative Site*). H1 cannot deliver the land required for the bypass. H1 could provide contributions towards the bypass but cannot influence the delivery of the preferred route.

**1928:** The Bypass Feasibility Study identified a preferred route to the east of Newmachar. Site H1 cannot deliver the land required for that route and its continued allocation will increase traffic through the village centre.

**1902, 1903:** If a bypass is preferable, the respondent will work with adjoining developers and landowners to deliver it. However, this is predicated upon the allocation of site G128 Mameulah and the deletion of H1 (*see under Alternative Site*).

**1197, 1201:** Site H1 provides no contribution towards a distributor road, the feasibility of which is still doubtful.

### **Site R2**

**364, 2297, 2632** Releasing the whole of site H1 in phase 1 will assist the timeous delivery of R2 facilities.

**1902, 1903:** Football facilities could be provided on a site M1 encompassing alternative site G128.

**1197, 1928, 1201:** If there is a requirement for a new football pitch, it can be provided on site M1 or elsewhere in Newmachar (1197). H1 and R2 are not the only sites which can deliver this (1928). If a pitch with floodlighting is required, it would be best provided within an employment allocation (1201).

### **Alternative Site**

#### **General**

**1810, 1811:** Site M1 should be extended northwards to the site at Mameulah as was the case in the Main Issues Report as G128, within which the site had 'preferred' status.

**1855, 1928, 1902:** The Community Council has stated its preference for the development of site G128 along with site M1.

#### **Landscape, environment and design**

**1855, 1928:** The deletion of site G128 in the period from the Main Issues Report stage to the Proposed Plan stage seems to have been made upon a misinterpretation of Scottish Natural Heritage advice. Scottish Natural Heritage stated that there was the possibility of ribbon development through site G128. However, this was based on a cursory consideration of the development bid site boundary. The development bid particularly addressed ribbon development, and the solution involves a Community Woodland to the north of the site, but the Main Issues Report failed to distinguish between the community woodland and the development site and erroneously portrayed ribbon development. Site G128 is not prime agricultural land. A phase 1 habitat survey has found no protected species. Biodiversity will be increased by the provision of a Community Woodland. A footpath network will improve amenity.

#### **Employment**

**1810, 1811:** The Mameulah G128 site could deliver the best site for a bus/coach depot (proposed by client). The site provides ideal access onto the A947.

**1855, 1928:** Employment land can be included on the site. However, the scale proposed by the Proposed Plan is excessive.

#### **Deliverability**

**1855, 1928:** Site G128 can be developed in conjunction with site M1. M1 is a marketable site, already under option to a housebuilder. The sites could deliver the required community facilities for Newmachar. Deliverability has been confirmed in a letter to Aberdeenshire Council.

#### **Bypass**

**1810, 1811:** Mameulah G128 provides land for the completion of the eastern distributor road.

The probable route of the bypass will require land at Mameulah. There is little point in collecting contributions from sites allocated elsewhere in Newmachar towards the project, when the land for the project is not available.

**1855, 1928:** A Transport Assessment demonstrates that the site can be delivered utilising the existing road network. However, the desire of the community to secure a bypass and the requirement for a feasibility study is recognised. The respondent contributed to this study and is supportive of its conclusions. If a bypass is preferable, the respondent will work with adjoining developers and landowners to deliver it. However, this is predicated upon the allocation of site G128 Mameulah and the deletion of H1. The preferred route for the bypass requires site G128 and also an area which is in third party ownership, but the client has an agreement in place to purchase this. All owners and developers with interests to the north, east, and south east have an agreed approach to delivering the development and the bypass.

**1902, 1903:** If a bypass is preferable, the respondent will work with the adjoining developer and landowners to deliver it. However, this is predicated upon the allocation of site G128 Mameulah and the deletion of H1 (*see under Site H1*).

**1975, 2173:** In order to deliver the relief road in the easiest manner and remove ownership constraints, M1 should be extended northwards to include site G128 Mameulah.

**Modifications sought by those submitting representations:**

**Scale of Development**

**38:** Site M1 should be reduced to the northern half with the southern half deleted (site plan provided). Site H1 should be deleted.

**400:** Newmachar housing allocations should be reduced to 90 in Phase 1 of the Plan and 275 in Phase 2. The balance of the allocations should be provided in Oldmeldrum.

**834:** Delete site H1, If allocations must take place, allocate to Oldmeldrum instead.

**1197, 1198, 1201, 1202:** Delete site H1 and the great majority of site M1 at Newmachar (as defined by the settlement statement) from the Plan to achieve a scale of new housing and employment land that is genuinely proportionate to local needs.

**1390, 1404:** Sites M1 and H1 should be deleted. Allocations should be moved to Westhill.

**1417, 1425, 1430, 1451, 1453:** Proposals for Newmachar should be deleted.

**2342:** No development until community facilities and infrastructure are in place.

**2352:** M1 and H1 to contribute to strategic A947 improvements.

**2606:** No new development on M1 and H1 should be allowed to take place until the Aberdeen Western Peripheral Route is complete and a direct junction has been provided from the A947 onto the Aberdeen Western Peripheral Route avoiding Goval Bridge.

**Site M1**

**38:** Restrict development to area shown on attached map.

**1390, 1404:** Delete site H1 and M1

**1417,1430, 1451** Proposals for Newmachar should be deleted.

**1197, 1198, 1201, 1202:** Delete site H1 and the great majority of site M1 at Newmachar.

**1902, 1903, 1975**

To enable provision of the preferred bypass route identified by the feasibility study, site H1 should be omitted and the 125 houses reallocated to site G128 Mameulah, forming part of an expanded M1 site.

**1928:** Employment allocation should be reduced to better reflect demand in that area. Table 5 of Schedule 2 should be amended to reduce the employment land allocation in Site M1 from 16 hectares to 5 hectares.

**2173:** Site M1 to be allocated 6 hectares of employment land (reduced from 16).  
Site M1 to be extended to include site G128 Mameulah.

Allocations from H1 to be transferred to M1, new allocation to comprise 190 houses in Phase 1 and 375 houses in phase 2.

**2100:** Reduce or remove the allocations on all sites in Newmachar.

**2226:** M1 to be reduced to only include land behind Mameulah.

**1390, 1404:** Sites M1 and H1 should be deleted. Allocations should be moved to Westhill.

**1855, 1928:** Site G128 Mameulah should be allocated for 125 houses. Site G128 Mameulah should be developed alongside site M1.

### **Site H1**

**364, 2297:** Increase H1 allocation to 165 units and identify release of the housing and community facilities in phase 1.

**834:** Delete site H1.

**1197, 1198, 1201, 1202:** Delete site H1 and the great majority of site M1 at Newmachar.

**1390, 1404:** Delete site H1 and M1

**1417,1430, 1451** Proposals for Newmachar should be deleted.

**1810, 1811:** Delete site H1 and replace with land at Mameulah (G128).

**1855, 1928, 1975, 2173:** Delete site H1 and replace with land at Mameulah (G128).

**1902, 1903:** Delete site H1 and replace with land at Mameulah (G128).

**2632:** All units should be allocated in phase 1. Unit numbers should be increased from 125 to 165.

### **Site R2**

**364, 2297, 2632:** All H1 units should be allocated in phase 1. H1 unit numbers should be increased from 125 to 165. This will ensure the timeous delivery of R2

**1197, 1201:** If a pitch is required it should be allocated on site M1 not R2.

**1928:** If a pitch is required it should be allocated on extended site M1 not R2.

**1928, 1902, 1903:** The community/football facilities can be provided on site M1 or elsewhere in Newmachar.

### **Alternative Site**

**1810, 1811, 1855, 1902, 1903, 1928, 1975, 2173:** Delete site H1, add land to the north of M1 at Mameulah.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The allocations made in Newmachar are appropriate and sufficient for the purposes of delivering the strategy and aims of Structure Plan by allowing local growth and diversification in the Aberdeen housing market area. Newmachar is identified for a substantial allocation of 565 units, employment land and community facilities. This will provide the critical mass required to allow Newmachar to develop into a sustainable settlement with an appropriate provision of infrastructure and scale of services.

Many of the issues raised in relation this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions' paper (May 2010).

**Scale of development (Site M1 and Site H1)**

The support for the strategy in Newmachar is noted. The scale of the allocations will enable infrastructure issues to be overcome. The allocations are proportionately large, but given the strategy, are not considered to be excessive or contrary to the Structure Plan or Local Development Plan spatial strategy. For further information see Issue 66 *Spatial Strategy-Local Growth and Diversification Areas*.

The employment allocations could be reduced to a more proportionate level, but given the location in close proximity to Aberdeen and Dyce it is not accepted that there will be no demand. There is expected to be a high demand for housing in Newmachar, given its proximity to Aberdeen and the improvement in its connectivity through the Aberdeen Western Peripheral Route. The strategy plans up to 2023 with a view to also contributing to meeting the 3<sup>rd</sup> phase of the structure plan allocations up to 2030. A lack of demand for recent housing development is likely to be indicative of the product on offer, or possibly a site specific issue rather than reflective of Newmachar as a settlement. Development of family homes at Kingseat has continued.

The scale of development requires that a new primary school is provided, and contributions towards a new health facility. These facilities are the type found in a sustainable settlement. The development provides an opportunity to plan, in the long term, for a new by-pass route to overcome issues of separation of the community created by the existing road. Newmachar, in a regional context, is well connected in public transport terms; there is a half hourly bus service to Aberdeen and a less frequent service to Inverurie. It would be undeliverable and unnecessary to require all community facilities and the bypass prior to development taking place. It is recognised that allocations in Newmachar will add to congestion on the A947 but with direct access to the Parkhill junction of the Aberdeen Western Peripheral route and no major additional feeder roads in between, this is not expected to be significant/excessive.

**Site M1**

General

The positive comments on the suitability and deliverability of the site are noted. It is accepted that development will have an impact on the community but much of this will include positive impacts.

Employment Land

The housing allocations will help deliver the employment land and there are no infrastructure constraints which inhibit the concurrent delivery of the two uses. It is agreed that there are factors which favour development of employment land to the south of the M1 site. The scale of employment allocations may be excessive; the suggestion has been made that of 5ha of employment land would be more appropriate to the scale of development.

Landscape, Design, Environment

The positive aspects of the site are noted. A section of this large site is at risk of flooding but development will avoid this and the section could form part of the open space requirement. A flood risk assessment will be required. There are not known to be any significant drainage problems, but a drainage impact assessment will be required. The amenity the site provides as agricultural land will

be altered, but pedestrian connectivity throughout the site and green space provision will still allow and possibly improve this.

Accessibility

It is agreed that there are strong recreational and pedestrian connectivity attributes to the site's location which can be improved. The school is likely to be located on the site, but the bypass will mean that crossing the A947 will be significantly safer and represent far less of a barrier to east-west movement in the village.

Community Facilities

Site H1 is seen as a better location for football pitches. This is discussed below under site H1.

Bypass

The bypass will provide a major improvement to the settlement and the majority of the route is, subject to the detailed feasibility study, to be provided on site M1. For information on the implications of this for site H1 and the alternative site, see below.

Deliverability

It is agreed that the site is deliverable.

**Site H1**

General

The attributes of the site are noted. There are two deliverable locations for development in Newmachar, and a choice of sites is a positive thing (see Scottish Planning Policy, paragraph 72). As settlements grow, development is likely to have positive and negative impacts for those neighbouring. Negative impacts will be mitigated through adherence to the Plan's policies such as Policy 8 '*Layout, siting and design of new development*'.

Deliverability

The football pitch provision will form the largest part of the open space requirement on the site. The respondent is correct that the portion available for development does leave enough land for around 165 units at a higher density. Increasing the allocations does not aid deliverability and would require to be accommodated by a proportionate reduction elsewhere in the Local Needs Aberdeen Housing Market Area. There is a need to provide significant allocations to M1 in order to ensure the viability of the eastern expansion. If further allocations are desired on site H1, the developer could choose to develop 125 units on a portion of the site over the course of the plan, and retaining part of the site for further development in a future phase. The masterplan could be developed to detail how this would be achieved. The site should not be allocated purely in phase 1. There is a need for a balance of allocations across H1 and M1 in order to achieve the settlement strategy. The football pitches are expected to be deliverable from the 50 units first phase allocation without frontloading the allocation. There are other streams of funding available to aid this, including a proportional contribution from site M1.

Employment

The site will not deliver employment land as the best location for this is to the south of the M1 site. Business traffic would have to pass through the town to access the site.

Access

The comments in favour are noted. The transport authority is satisfied that access onto Corsduick Road can be provided. The requirement for an eastern bypass means that the A947 route could be diverted improving safety in the village centre and improving east-west pedestrian connectivity.

Community facilities

The rationale is not only based on the opening up of development land for such pitch provision. Aside from being the logical location for football pitches, the site is well located in the context of the strategy for Newmachar and contributes to providing a deliverable range of sites for development.



Bypass

The transport statement does not acknowledge the fact that the site has been selected for development in the context of a new development strategy for Newmachar which will reduce the danger and impermeability of the current A947. The eastern bypass will benefit all sites. Having the two sites contributing towards it through concurrently phased development will increase its deliverability. The ownership and funding constraint does not mean that development cannot be delivered.

**Site R2**

For comments on favouring the front loading of phasing of site H1 to aid football pitch provision see under site H1 Deliverability. The site is the best location for football pitches as it will provide a logical extension to the existing area. There is a clear need for the pitches to be provided as early as possible and site H1 is best placed to deliver this, rather than M1. Floodlighting may be required on the pitch on occasions, but employment sites are not the best location for recreation facilities.

**Alternative Site**

Main Issues Report Site G128

General

The attributes of the site are recognised. Development at G128 was not favoured due to a preference for development to the south and east of Newmachar. Scottish Natural Heritage caution against the development of the northern leg of the site and it was known that the developer had planned to provide community woodland on that section. Site G128 is entirely prime agricultural land of 3.1 grade, although technically this would not rule out an allocation.

Employment

The southern section of site M1 is generally a better location for employment than site G128. For response on the scale of employment land, see under Site M1.

Deliverability

It is agreed that the site would be a deliverable allocation, but there are other factors which rule out its allocation in this plan including: the scale of allocations required in Newmachar, and the attributes of development on site H1 and the south of M1 rather than to the north of M1.

Bypass

The strongest attribute of the site is its provision of land for the eastern bypass. The project is likely to take a long time to deliver, most likely over all three phases of the Structure Plan. The site could be identified by the developer of the M1 site as a future phase (phase 3) of development and incorporated into their masterplan to complete an extension to the bypass.

**Conclusion**

The development strategy and land allocations in Newmachar are sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

It is suggested that the employment land allocation should be reduced from 16ha to 5ha. As a local growth and diversification area settlement, this change will not affect the structure plan spatial strategy. A minor modification to Schedule 2 of the Plan will be required.

This change will require incorporation into the site masterplan and a change to the supplementary guidance.

**Reporter's conclusions:**

1. Newmachar is identified for a substantial allocation of 565 housing units; 190 units in phase 1

and 375 units in phase 2, and 16 hectares of employment land. This scale of development is proposed to provide the critical mass to allow Newmachar to develop into a sustainable community with an appropriate provision of employment land, infrastructure and services. This scale of development requires the provision of a new primary school and contributions towards a new health facility. It also provides the opportunity to plan, in the long term, for a new by-pass to overcome the separation issues created by the existing road through the centre of the village.

2. The feasibility of an A947 Eastern By-pass has been examined by consultants on behalf of the developers and landowners representing the four sites on the east side of the village; Main Issues Report (MIR) sites G13, G90, G138 & G128. The preferred route, route 4 in the feasibility study, passes through each of these sites. The study recommends that the eastern section of site M1 be extended northwards to include all the area between the route of the bypass and Hillbrae Way and that consideration be given to the future allocation of site G128 in order to complete the bypass route.

3. There is no indication in any evidence of the timescale for the construction of the proposed bypass and it has not been included as a proposal in the proposed Plan. The council indicates that the project is likely to take a long time to deliver, most likely over all three phases of the structure plan. Newmachar is well connected in public transport terms but the council acknowledges that allocations in Newmachar would add to congestion on the A947 until such time as direct access to the Aberdeen Western Peripheral Route (AWPR) is provided at the Parkhill/Goval junction.

3. A variety of comments have been received regarding the scale of the proposed development. These range from the view that there is insufficient demand for housing in Newmachar to justify the scale of allocations made in the Plan and such a scale of development is unsustainable, to the view that the scale of development proposed is necessary to foster a sustainable community. The community council submitted extensive comments in response to the MIR. The general position taken by the community council is that essential infrastructure should be in place before any housing development or should be established in parallel with new development. It is regarded as important that the timing of development is kept under control to ensure that house building does not outrun the provision of the necessary accompanying services and facilities. The community council endorsed the choice of the three preferred sites G8, G128 and G138.

### **Site M1**

4. Site M1 comprises two constituent parts; site G138 and the southern part of site G90. Site G138 lies to the north east of the village and extends to approximately 13.6 hectares. In the MIR, site G138 is identified as a preferred site for some 300 houses and a primary school site. An indicative masterplan indicates that the site can accommodate some 280 houses, a site for a new primary school and open space. The existing road network will accommodate this development with limited upgrade to existing roads and junctions. The Eastern Bypass is not required for the delivery of this site.

5. The site is on slightly rising ground and is in agricultural use. There are no notable features about this site. It is well contained by existing housing to the north-west and south-west and by public roads on the north-east and south-east. A housing development on this site would be a logical extension to the village.

6. The second part of site M1 lies to the east of Hillbrae Way and extends eastwards into more open countryside beyond the route of the proposed Eastern By-pass. It comprises site G13 (which is a 1.5 hectare site adjoining the A947) and the southern part of site G90, which was projected to accommodate some 300 houses in total. On the basis that site G138 can accommodate some 300 houses, the proposed Plan makes provision for an additional 140 houses on that part of site G90 that is included in site M1. The proposed Plan also identifies site M1 as the location for 16 hectares of employment land. However, in response to comments received, the council has commended that this allocation be reduced to 5 hectares.

7. On behalf of the land owner, it is requested that the boundary of site M1 be adjusted to reflect the

preferred bypass route and to include all of site G90 that is located between the bypass route and Hillbrae Way. This would accommodate a mixed development, including 300 houses and 5 hectares of employment land, which would be located at the southern end of the site.

8. The construction of an Eastern Bypass and the provision of land for housing and employment uses on the area between the proposed bypass and Hillbrae Way would support the council's strategy for Newmachar and its vision for a sustainable community. However, the deliverability of the bypass requires the co-operation of a number of landowners and the timing of this infrastructure is uncertain. There is no indication of the capital costs involved or of the length of time it would take to design, approve and build. The council has not sought to include the bypass as a proposal in the proposed Plan.

9. Furthermore, concerns have been raised in relation to the existing congestion on the A947 and the likely effects of increased commuting into Aberdeen as a result of any large scale allocations of land for housing. The council recognises that additional housing development at Newmachar will add to the congestion on the A947 at the Parkhill junction until such time as the AWPR is completed and direct access to it is provided. The AWPR is unlikely to be in place before 2016 at best.

10. In conclusion, the M1 allocation takes no account of the preferred route of the proposed Eastern Bypass, extending eastwards well beyond the suggested route. It is not considered prudent to include land within this allocation that might be located outwith the route of the proposed by-pass. There is an argument for allocating all of that part of site G90 between the preferred route of the bypass and Hillbrae Way for development. However, no decisions have been made on the precise route of the bypass and it is considered that it would be premature to allocate substantial areas of land for housing until there is more certainty about the delivery of the proposed bypass and about the timing of the construction of the AWPR. The intended review of the local development plan, which will re-examine the housing allocations for the period beyond 2016, would be the appropriate vehicle for assessing the requirement for further housing allocations in Newmachar based on the provision of an Eastern Bypass.

11. Removing that part of site M1 located east of Hillbrae Way from the Plan would also remove the employment allocation, which has been reduced to 5 hectares. In the interests of pursuing the council's strategy for Newmachar, the allocation of 5 hectares of land for employment uses in the southern part of M1 adjoining Hillbrae Way should be retained on the understanding that this does not prejudice the route of the proposed Eastern Bypass.

#### **Site H1**

12. Site H1 is allocated for up to 125 houses; 50 houses in phase 1 and 75 houses in phase 2, and the provision of sports facilities. The site will not deliver employment land. The landowner considers that the site is capable of accommodating around 165 houses and that the whole allocation should be included within phase 1. The landowner also considers that the site should take in all the land defined by public roads. The council acknowledges that the site has the capacity to accommodate 165 houses in addition to the football pitch provision but considers that the site should not be allocated purely to phase 1; the reason being the need for a choice of sites and for a balanced development at Newmachar.

13. This site is located close to the village centre, with pedestrian access. There are no technical constraints to its development and development of the site is not reliant on an Eastern Bypass. The Eastern Bypass would, nevertheless, benefit the site by reducing the volume of traffic through the village centre and by improving east-west pedestrian connectivity. Allocating the whole site for development in advance of the Eastern Bypass being constructed would potentially require infrastructure improvements to the Corseduck Road/A947 junction. Also, the development of the whole of the site in phase 1 of the plan would further increase congestion on the A947 at the Parkhill junction until such time as the AWPR is completed and direct access to it is provided. In these circumstances, it would be prudent to programme the development of the site over the two phases of the plan.

**Site R2**

14. Site R2 is reserved for the provision of football pitches. According to the council, site R2, which includes the existing football club pitch, is the best location for additional pitches. In addition, there is a clear need for these to be provided as early as possible and site H1 is best placed to deliver these, rather than site M1. Contributions to funding would be required from the phase 1 developments at site H1 and M1. There is no need to increase the phase 1 allocation on site H1 in order to fund the provision of additional football pitches.

**Alternative site**

Site G128

15. This site is located on the northern side of Newmachar, beyond the B979. It is situated on rising ground and is far more obtrusive in the landscape than sites G8 and G138. The site would accommodate some 190 houses and 3 hectares of employment land. In the latter respect, it has the advantage over sites G8 and G138, which do not incorporate any employment land. However, the southern part of site G90 is the preferred area for employment land.

16. The council acknowledges that land at Mameulah (site G128) would be required to complete the northern leg of the Eastern Bypass. However, as indicated above, this project is likely to take a several years to deliver and, in the meantime, sites H1 and M1 constitute more logical extensions to the present built-up area. The development of site G128 in advance of the construction of the bypass would be more likely to exacerbate traffic and road safety issues in the centre of Newmachar than the development of sites H1 and M1. As indicated by the council, site G128 could be considered for inclusion in future reviews of the local development plan when housing land requirements will be re-assessed.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

1. Amend the entry for site H1 at Newmachar in Schedule 1, Table 5 (p. 28) by replacing the figure ‘75’ in the Local Growth (AHMA) 2017-2023 column by the figure ‘115’.
2. Remove from the proposals map that part of site M1 located to the east of Hillbrae Way except for an area of 5 hectares situated in the southern part of site M1 adjoining Hillbrae Way, to be allocated for employment uses (E1).
3. Amend the entry for site M1 at Newmachar in Schedule 1, Table 5 (p. 28) by replacing the figure ‘300’ in the Local Growth (AHMA) 2017-2023 column by the figure ‘160’.
4. Amend the entry for Newmachar in Schedule 2, Table 5 (p.32) by replacing the entry M1 and the figure ‘16’ by the entry E1 and the figure ‘5’.

<b>Issue 82</b>	<b>Hatton of Fintray</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p11)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Fintray & Kinellar Community Council (124) Brian Taylor (127) William Lippe Architects Ltd on behalf of MTM Holdings Ltd (398, 404) Smiths Gore on behalf of Charlotte Teresa Lane (2053)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Hatton of Fintray.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Hatton of Fintray</b></p> <p><b>124:</b> Agree with all of the proposals for Hatton of Fintray, regarding it as the maximum acceptable development for the village.</p> <p><b>127:</b> Content with the proposal for 8 houses, as it will have a minimal negative impact on the surrounding countryside. But no more than the allocated 8 houses should be accommodated due to the village's ill-served public services.</p> <p><b>398:</b> Hatton of Fintray has a very high primary school pupil to household ratio of 0.4 which, given the current capacity of the school, allows for 10 houses to be accommodated at 0.35 or at 0.30 it would allow 13 houses. It is suggested that a proposal for 11 houses is a reasonable compromise. Road access, surface and foul water drainage can both accommodate the development of 11 houses.</p> <p><b>404:</b> The site can easily accommodate 11 houses which does not affect overall housing allowances. Only 40% of the original site is allocated and it does not include a connection or link to the existing road or housing.</p> <p><b>Alternative Site Hatton of Fintray</b></p> <p><b>2053:</b> There is scope in the village for further long term expansion through a small housing development, which will help support existing services such as the primary school. It would consolidate development opposite the primary school and would create a stronger village entrance. The site has no risk of flooding and no other known designations apart from being within the green belt boundary. A separate submission has been made in reference to amending the green belt boundary around Hatton of Fintray to allow the settlement greater room to expand in the future. Extensive landscaping is proposed to create a new settlement edge and contain the proposed development.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>398, 404:</b> Increase the allocation of site H1 to 11 houses and change the boundary of the site to accommodate the additional units and increased Sustainable Urban Drainage System to reflect the original G70 Development Bid site.</p> <p><b>2053:</b> Allocate the piece of land to the South of Hatton of Fintray opposite the primary school.</p>		

<p><b>Summary of responses (including reasons) by planning authority:</b></p>
<p><b>Overview</b></p> <p>The allocation made in Hatton of Fintray is appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and Structure Plan by allowing local growth and diversification in the Aberdeen housing market area. A site for 8 units has been proposed. This balances support for local services without breaching the capacity at the local school.</p> <p>Most of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions' paper 'Issues and Actions', Vol 5, Garioch, page 32, (May 2010)</p> <p><b>Site H1</b></p> <p>The support for the allocation and strategy at Hatton of Fintray is noted. 8 houses is an appropriate level of growth in the village, as it allows for growth within the confines of: the limited school capacity, the level of infrastructure in the village, and the role of the village within the Plan's Spatial Strategy.</p> <p>The respondent requests 11 houses and for the ratio of pupils to households to be lowered in the village from 0.4 to 0.35. It would be ill-advised for the Plan to ignore the advice of other Council services and not use the best available evidence on the pupils to households ratio at Hatton of Fintray. The school role forecasts used at the time predicted that the school roll will increase to 92% capacity in 2016. This allows for 4 pupils which, as the respondent states, at a ratio of 0.4 would allow for 10 houses. The school roll forecasts available at the time of preparing the Proposed Plan (2009 based) had predicted that only 8 houses could be accommodated by 2016. School roles for small rural schools are difficult to predict, however, it is clear that Hatton of Fintray Primary has fluctuated above and below capacity for the last 10 years. It would not be advisable for additional houses to be allocated to reach (and possibly breach) 100%, capacity unless there is an extremely good reason for doing so. Allowing for some, albeit very limited, extra capacity is a better option in terms of education provision.</p> <p>Although other external and internal services have indicated that the site could accommodate 11 units, it is not concluded that there is good reason for doing so. However, the points regarding the need to modify the boundaries of the site to allow for access to Hatton Court Road and for additional flexibility for the Sustainable Urban Drainage System are accepted and should be addressed through the Settlement Statement for the village.</p> <p><b>Alternative Site</b></p> <p>The allocated site is the best site in the village, providing the best possible location in design and deliverability terms. There is no need for additional allocations to support existing services, given the limitations to growth outlined above. The landscape and design attributes are not sufficient reasons to allocate the alternative site. In terms of allocating the site for further long term expansion, an allocation should be approached as a developer bid through the next development plan.</p> <p><b>Conclusion</b></p> <p>None of the modifications sought are supported. The development strategy and land allocations in Hatton of Fintray are appropriate and sufficient to meet the needs of the settlement strategy.</p>
<p><b>Any further plan changes commended by the planning authority:</b></p>
<p>No changes are commended.</p>



**Reporter's conclusions:**

**Site H1**

1. Site H1 occupies approximately 40 per cent of Main Issues Report (MIR) site G70, which is identified as a preferred site for development in the MIR. The prospective developer has requested that site H1 be extended to include the whole of site G70 and that the capacity be increased to 11 houses. The council has agreed that the boundaries of the site should be modified to allow access from Hatton Court Road and to provide additional flexibility for the provision of the Sustainable Urban Drainage System (SUDS). Although other external and internal services would have no objections to a development of 11 houses on the site, the council has indicated that the maximum number of houses allowable based on the 2009 based school roll forecast is 10 houses but that it would not be advisable to reach, or possibly breach, school capacity unless there is an extremely good reason for doing so. The council acknowledges that school rolls for small rural schools are difficult to predict and Fintray Primary School has fluctuated above and below capacity during the past 10 years. In fact, the 2010 based forecast predicts that the school will be operating at over capacity by 2016 (119%).

2. The indicative layout submitted on behalf of the prospective developer shows a development of 11 houses on the site. Contrary to the views of the prospective developer, it is not considered that the proposed development adequately reflects the form and density of the adjoining Hatton Court, taking account of the requirement for strategic landscaping along the western boundary and for the provision of SUDS. Furthermore, in view of the most recent school capacity forecast, it would be inadvisable to increase the housing allocation on this site above the 8 houses proposed in the proposed Plan.

**Alternative site**

3. The proposed alternative site is highly prominent in the landscape and forms part of the green belt. Any development on this site would be unduly obtrusive and would bear little relationship to the form of the existing village.

**Reporter's recommendations:**

Modify the Plan as follows:

Amend boundaries of site H1 to include whole of MIR site G70.

<b>Issue 83</b>	<b>Other Sites: Garioch Aberdeen Housing Market Area</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Knight Frank LLP on behalf of Tor Ecosse Ltd (846, 851)                  DDP LLP (Planning Consultants) on behalf of Church of Scotland General Treasurer (1187, 1188)                  Wallace Planning Ltd on behalf of Barratt East Scotland &amp; Dunecht Estates (1387, 1393, 1397, 1403, 1388, 1406, 1407, 2854)                  Halliday Fraser Munro on behalf of Mr &amp; Mrs Dow (1527, 1530, 1535, 1540, 1542)                  Halliday Fraser Munro on behalf of Messrs McIntosh (1640, 1642, 1644, 1649)                  Ryden LLP on behalf of Cabardunn Development Company Ltd &amp; Dunecht Estates (1870)                  Strutt &amp; Parker LLP on behalf of The Millbank Regeneration Joint Venture (1961, 2076, 2859)                  Nick Pilbeam (2246)                  Mr &amp; Mrs George Thomson (2906)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around other settlements in the Garioch.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Lyne of Skene</b>  <b>846, 851:</b> Tor Ecosse objects to the failure to allocate Main Issues Report site G59. It presents an ideal opportunity for small scale growth in Lyne of Skene . Development would enhance the role of the settlement as a rural service centre and maintain the village character There is capacity in the local school; the allocation would support the local school. The allocation would help overcome the sewage problem which has constrained development in the village in the past. Site EH1 and H1 in Dunecht should be removed to allow the development of site in Lyne of Skene.</p> <p><b>2246:</b> The respondent agrees with the non-allocation of sites in Lyne of Skene.</p> <p><b>Kirkton of Skene</b>  <b>1187, 1188 :</b> Object to the failure to allocate site to the north of Kirkton of Skene for housing development. The site is bounded by the settlement; it would be a logical extension to the settlement. It is of a suitable size to meet the needs of the village while respecting its setting. The site is accessible with good existing pedestrian and vehicular access. It is not visually prominent and would not detract from the amenity of the area. The site is available and deliverable.</p> <p><b>1388, 1406:</b> Object to failure to allocate site fh1 from the current Aberdeenshire Local Plan in the Proposed Plan. The site has capacity for 20 dwellings and there are currently two planning applications under consideration for the site.</p> <p><b>2854:</b> Kirkton of Skene's current H1 housing allocation should be carried forward for an enhanced allocation of 20 units. A site layout accompanies the submission. It details how the site can accommodate 20 units rather than the indicative 10 units allocated in the previous Aberdeenshire Local Plan (2006). Planning applications for the site are currently under consideration.</p> <p><b>1387, 1393, 1397, 1403, 1407, 2854:</b> Object to the failure to allocate land (Main Issues Report site G62) for 250 units, community facilities and new village centre. A new site 'H2' (Main Issues Report site G62) at Kirkton of Skene should be allocated for 250 units, community facilities and new village centre. The site is supported by a transport assessment (Colin Buchanan), the Westhill Capacity Study (2008), an indicative masterplan (HFM), an infrastructure statement (Cameron and Ross), a</p>		

landscape assessment (EDAW), an ecological survey, a report on community engagement (HFM) and discussions with Council services on education and planning gain (*all supporting documents attached*).

The site is in a sustainable location, adjacent Westhill with scope for increased connectivity.

Development would deliver affordable housing. The site would reduce the reliance on a 25% windfall contribution in the local growth and diversification areas and assist in relieving the shortfall in the housing land supply. The site is deliverable and will contribute 50 units per year to the housing land supply, and is a first phase site which is not reliant on the delivery of the Aberdeen Western Peripheral Route. Development would reinforce the settlement function of Westhill as well as an employment centre. Development is of a size which can be accommodated without major new infrastructure requirements. Development would fit with the landscape and character of Kirkton of Skene and ensure the avoidance of coalescence with Westhill. The site was incorrectly categorised as technically unsuitable for development in the Council's Main Issues Report, which has led to it being unfairly excluded from proving exercises and appropriate assessments since 2008. The Council has admitted that this was incorrect (*related correspondence attached to submission*), but this has unduly hindered the site's analysis in the Local Development Plan process (**1397**).

### **Upper Sauchen**

**1527, 1530, 1535, 1540, 1542:** Upper Sauchen is located west of Sauchen. As the site is on the A944 it complies with Scottish Planning Policy, The Structure Plan and The Aberdeenshire Local Development plan, all of which aim to locate development on public transport routes. Sauchen H1 is allocated for 50 units, but through a single developer which will result in a delay in its development. The Upper Sauchen site can contribute to the housing land supply because it is easy to deliver. Upper Sauchen will support Cluny primary school. The Development in the Countryside policy is restrictive in the Aberdeen Housing Market area and small scale allocations such as Upper Sauchen are required in order to allow sustainable development in small settlements. The site has been subject to a misinterpretation over the course of the Local Development Plan period (*see Issue 1 Process*).

### **Parkhill Goval**

**1640, 1642, 1644, 1649:** Land at Goval/Parkhill should be reserved for a park and ride associated with the north leg of the Aberdeen Western Peripheral Route at the only grade separated junction between the A96 to the west and the A90 to the east. The site has been incorrectly assessed as a large scale retail/commercial proposal of strategic significance, not a park and ride in the Main Issues Report, and no attempt was made to redress this since. This has hindered the allocation of the site. Aberdeenshire's Local Development Plan process has considered the development of a park and ride facility at Goval/Parkhill to be a strategic issue outwith the remit of the Local Development Plan. However, Aberdeen City has not determined a park and ride facility to be a strategic issue and has allocated land for such purposes. The Aberdeenshire Council approach is not considered appropriate in this instance. There is a requirement for a park and ride facility on this junction; it would support the Structure Plan's aims. The site is technically feasible; other sites have been discounted through the Jacobs appraisal study.

### **Garlogie**

**1870:** Object to the failure to allocate the land lying to the north of Roadside of Garlogie for residential development (site G37). It should be allocated for 16 houses, open space and play area. The village of Garlogie should be identified as a Rural Service Centre with provision for further development. Strategic landscaping would reinforce the village setting. The site setting already lends itself to a compact development which would fit with the landscape. A technical assessment shows the site is capable of development.

### **Millbank**

**1961, 2076:** Object to the non-identification of land at Millbank being carried forward to the new plan. Millbank requires a settlement statement showing the existing allocation.

**2859:** 5 houses have been granted permission recently on the site; another 35 are subject to positive pre-application discussions. The allocation should be made for 40 units on site M1.

Object to the non-identification of future housing land in addition to the carried forward allocation. Site layout attached.

**2906:** The site does not fit well with the settlement. The road is busy and unsafe. The A944 is already congested. There is no employment in the settlement and new residents will commute to Aberdeen.

**Modifications sought by those submitting representations:**

**Lyne of Skene**

**846, 851:** Land to the west of the B977 at Lyne of Skene (illustrated in attachment) should be identified for 20 units in phase 1 and 20 units in phase 2. Site EH1 and H1 in Dunecht should be removed to allow the development of site in Lyne of Skene

**2246:** Support the removal of development areas on Lyne of Skene.

**Dunecht**

**847, 850:** The allocations for H1 and EH1 at Dunecht should be significantly reduced and the remaining units allocated to Lyne of Skene.

**Kirkton of Skene**

**1187, 1188:** Allocate site to the north of Kirkton of Skene for up to 20 units in phase 1 of the plan

**1388, 1406, 2854:** Kirkton of Skene's current H1 housing allocation should be carried forward for an enhanced allocation of 20 units.

**1387, 1407, 2854:** Allocate Main Issues Report site G62) for 250 units, community facilities and new village centre.

**Upper Sauchen**

**1527, 1530, 1535, 1540, 1542:** Upper Sauchen (G113) should be added to the Sauchen and Cluny settlement statement and the Proposed Plan. It should be allocated for 10 units, with 2 sites: 1 in phase 1 for 3 houses; 2 in phase 2 for 7 houses (*map attached to submission*).

**Parkhill Goval**

**1642, 1644, 1649:** Land at Goval/Parkhill should be reserved for a park and ride associated with the north leg of the Aberdeen Western Peripheral Route at the only grade separated junction between the A96 to the west and the A90 to the east.

**Garlogie**

**1870:** Allocate the land lying to the north of Roadside of Garlogie for residential development (site G37). It should be allocated for 16 houses, open space and play area.

**Millbank**

**1961, 2076:** Identify Millbank sites being carried forward within the Plan.

**2859:** Allocate the existing site for 40 houses, employment and community facilities. Allocate "Reserve housing land after to 2016".

**2906:** Remove site M1.

**Summary of responses (including reasons) by planning authority:****Overview**

This response is in respect of sites in the Aberdeen Housing Market Area that fall within the “local growth and diversification area”. The strategy within this area is for growth in communities to meet local needs. Allocations are made where there is a specific need identified (see issue 66 Spatial Strategy, Local growth and diversification area).

**Lyne of Skene**

Site G59 was considered in the consultation on the Main Issues Report, but following widespread community engagement the Council's conclusion was to exclude the site, as Lyne of Skene has no facilities to support development and has relatively poor transport infrastructure. To upgrade the waste water treatment works would require large scale development and this would have unacceptable impacts on the character of this settlement. The development would support Dunecht primary school, but it is preferred that the focus of growth is in Dunecht itself, ensuring development is well related to services and promoting opportunities for walking to school. The allocation made in Dunecht is appropriate and sufficient and there is no requirement to consider alternatives at Lyne of Skene (See issue 79 Dunecht).

Further information on the sites is contained in the Issues and Actions paper (May 2010 Volume 5 Page 17 Dunecht and Lyne of Skene), which prepared following consultation on the main issues report and was produced to inform the allocations in the proposed plan.

**Kirkton of Skene**

Kirkton of Skene is not a settlement which requires development to support services. Kirkton of Skene primary school is over capacity and is forecast to be operating at 141% in 2016. There is no need identified to justify allocation of the site to the north of Kirkton of Skene.

The existing site, fh1, has been carried forward for development. It was subject to the later “addendum settlements” consultation under the settlement of Kirkton of Skene, which is why the site appeared to lose its allocation. These sites were dealt with separately, because in affect they were all already well established. The allocation has not been increased to twenty dwellings as there is no need to support local infrastructure. There is no local need in the settlement to justify additional development. There are also design and setting issues, including the need to preserve views of the church. There is a current application for 20 units on the site.

The scale of development proposed on site G62 does not relate to the needs of Kirkton of Skene and is therefore considered to be expansion of Westhill; and under Westhill an alternative site has been preferred (see issue 80, Westhill).

Further information on the sites is contained in the Issues and Actions paper (May 2010 Volume 5 Page 113 Westhill and Kirkton of Skene).

**Upper Sauchen**

This site (site G113) was considered in the consultation on the main issues report, but following wide spread community engagement the Council's conclusion was to exclude the site. Whilst Sauchen is on a public transport route the area has no services. Whilst there are small groups of houses within the area identified, none of these would be considered a settlement. Scottish Planning Policy states in paragraph 95 that in more accessible and densely populated rural areas most new development should be in or adjacent to settlements. Upper Sauchen is accessible to Aberdeen and is in an area of high demand for housing. It lies within the Aberdeen Housing Market Area. In line with Scottish Planning Policy, the approach taken within the plan for this area is to focus development on settlements, with development in the countryside restricted to avoid sporadic and intrusive development impacting on the character of the landscape. An allocation has been made at Sauchen and alternatives or additional sites do not require to be considered (See issue 77).

**Parkhill Goval**

In September 2010 the Council, within the Corporate Asset Management Plan and Capital Plan 2010-2025 confirmed that there would be no funding provided for the potential park and ride at Parkhill/Goval. This ruled out the need to allocate a site for a park and ride with associated small scale retail services. The park and ride facility has not been confirmed at any point and the NESTRANS Park and Ride Operations Study 2008 study stated that the AWPR would possibly reduce the need for a park and ride at Parkhill and favoured other locations on the A96 closer to Dyce. The structure plan advocates a network of park and ride facilities but does not identify the need for one at this location. The original bid for the site proposed an extensive retail/commercial development. The addition of the park and ride facility was made in a submission to the MIR consultation in July 2009. A more refined site boundary was added in February 2010.

The site was described as a large scale retail/commercial development in the main issues report (page G23). It was described as a strategic issue. The respondent states that “no attempt has been made to correct inaccuracies”. However, within the context of evolving proposals and locations for the bid, the committee paper presented to Garioch members in March 2010 clearly stated “ *Site G57 consists of a variety of different options centred around the Goval junction for development of commercial/retail services based on Park and Ride at Goval...it is acknowledged that the actual scale of the bid for commercial and/or retail development is relatively small in relation to the various land parcels put forward.*” Despite this there was still no reason to allocate land in the Proposed Plan. The rationale for a park and ride allocation with small scale retail uses at the future AWPR Goval junction has never been certain and this stance has been borne out by recent decisions. The need for retail facilities in this location could be considered under the plan’s Policy 2 *Town centres and retailing* and SG Retail 2 *Retail Development in the Countryside*.

**Garlogie**

This site (site G37) was considered in the consultation on the main issues report, but following widespread community engagement the Council’s conclusion was to exclude the site, as the settlement does not have many amenities, and those which do exist do not require support. It is also recognised the site scored poorly in the Westhill Capacity Study and that there are some relative constraints due to archaeological sites in the vicinity of the development.

Further information on the sites is contained in the Issues and Actions paper (May 2010 Volume 5 Page 30 Garlogie).

**Millbank**

The existing site at Millbank, sites EmpA/fe1/fh1 and site fh2, have been carried forward for development. It was subject to the later “addendum settlements” consultation under the settlement of Millbank, which is why the site appeared to lose its allocation. These sites were dealt with separately, because in affect they were all already well established and have previously been examined. There is also an approved development brief for the mixed use development at Millbank. The allocations have been carried forward as a mixed use development for up to 35 houses, employment land and community facilities. It is premature to consider any further development until the initial phases of development come forward and additional facilities are provided.

Further information on the sites is contained in the Issues and Actions paper (May 2010 Volume 5 Page 88 Millbank).

**Conclusion**

None of the modifications sought are supported. The development and land allocations in the Aberdeen Housing Market Area are already appropriate and sufficient.

**Any further plan changes commended by the planning authority:**

No changes are commended.



**Reporter's conclusions:**

**Lyne of Skene**

1. Site G59 lies behind the ribbon of houses that stretches westwards from the cross roads at Lyne of Skene. The site is very prominent in views from the B977 to the north. The scale of development proposed would fundamentally alter the character of the settlement. The hamlet lacks facilities and has relatively poor transport infrastructure. The allocation of land for 40 houses in this location would not be consistent with the principles of sustainable development set out in the vision and aims of the plan and in the spatial strategy.

**Kirkton of Skene**

2. Kirkton of Skene lies less than a kilometre from the western edge of Westhill. Representations have been received in relation to the omission from the plan of site fh1, identified in the adopted local plan for 10 units; the non-allocation of a site to the north of Glebeland with a capacity for up to 20 houses; and the failure to allocate land for 250 units, community facilities and new village centre (site G62).

3. In response to the representations received, site fh1 in the adopted local plan has been incorporated into the list of 'addendum settlements' in supplementary guidance. This identifies the site as EH1 with a capacity for 10 units. The allocation has not been increased to 20 units as requested but on 21 June 2011 the Garioch Area Committee delegated authority to the Head of Development Management and Building Standards to approve a planning application for 20 houses on the site. On the basis that the capacity of the site has been increased to 20 units, the final sentence in the note attached to Schedule 1, Table 5 will require to be amended to reflect the likely increase in windfall units.

4. The site to the north of Glebeland would extend development beyond the northern boundary of the settlement, which is clearly defined by a small watercourse. It is not considered that development in this direction constitutes a natural and logical extension to the settlement, as suggested by the landowner. Furthermore, Kirkton of Skene primary school is forecast to be operating at 141% capacity in 2016 and there is no justification for additional housing in the village, in addition to that proposed for site EH1.

5. In relation to the request that land be allocated for some 250 housing units in Kirkton of Skene, this scale of development would be totally out of proportion with the form and character of the existing settlement and there is no over-riding reason for such a scale of development at Kirkton of Skene. Proposals for Westhill are considered under Issue 80.

**Upper Sauchen**

6. Upper Sauchen lies in the countryside between Millbank and Sauchen. It is located on the A944, a public transport route between Aberdeen and Alford. The site considered in the main issues report, site G113, extends over a large area but only two small areas are suggested for development, which would accommodate some 10 houses in total. The proposed Plan's development in the countryside policy (policy 3), supplemented by SG Rural Development 1, does not support housing in the countryside in this location, which is within the Aberdeen housing market area. Consequently, housing development is only possible if sites are allocated in the proposed Plan. It is contended that the sites at Upper Sauchen could be delivered more quickly than site H1 at Sauchen.

7. Upper Sauchen lacks any services and the allocation of land for 10 houses in this location would not be consistent with the principles of sustainable development set out in the vision and aims of the plan and in the spatial strategy. This approach is reflected in policy 3, which promotes a sustainable settlement pattern and it would be inappropriate for the proposed Plan to subvert the aims of this policy by allocating sites in the countryside that are inconsistent with this approach.

**Parkhill/Goval**

8. Site G57, referred to as Dyce (north), was based on an initial development bid for a large scale

commercial/retail development in association with a park and ride facility at Parkhill/Goval. The representation to the proposed Plan relates only to the park and ride element and requests that land at Parkhill/Goval is reserved for a park and ride facility associated with the north leg of the Aberdeen Western Peripheral Route (AWPR).

9. The council's evidence indicates that no funding is provided in the capital programme 2010-2025 for a potential park and ride facility at Parkhill/Goval. The NESTRANS Park and Ride Operations 2008 Study indicated that the AWPR would possibly reduce the need for a park and ride facility at Parkhill and favoured other locations on the A96 closer to Dyce. Accordingly, the rationale for such a facility at Parkhill/Goval has not been proven and it would be premature to allocate a site for such a facility at this present time.

**Garlogie**

10. Garlogie lies in the countryside some 3 km west of Westhill on the B9119. The proposed site (site G37) projects into open countryside and any development on this site would constitute a significant intrusion into the landscape. The proposed development of 16 houses would also be out of scale with the form and character of this essentially linear settlement. There are limited facilities in Garlogie and there is no support for a development of this scale.

**Millbank**

11. Objections have been received to the non-identification of land proposed for employment and housing in the adopted local plan (EmpA/fe1/fh1). A request has been made that the areas identified as fh2\* in the adopted local plan (sites G105 & G106) should also be carried forward and allocated in the proposed Plan for development after 2016. An objection has been received to the allocation of further land for housing in Millbank, specifically that area identified as fh2\* situated to the east of Millbank Cottages.

12. Sites EmpA and fe1/fh1 in the adopted local plan have been subject to past examination and there is an approved development brief for the mixed use development of these areas. These sites offer opportunities for the delivery of community facilities and open space in addition to housing and employment uses. No development has yet taken place on the sites identified, although planning permission has recently been granted for 5 houses on the site to the south east of the crossroads. A decision on a planning application for the erection of 35 houses on the site to the south west of the crossroads is pending but there is no guarantee that any development will take place on the site.

13. Sites EmpA and fe1/fh1 have been included in the subsequent list of 'addendum settlements' in Supplementary Guidance as site M1, which is allocated for up to 35 houses, employment land and community facilities. Accordingly, no further action is required in relation to these sites. In relation to the areas identified as sites fh2\* in the adopted local plan, it is considered that it would be premature to allocate further land for housing in this small community. Furthermore, although site G105 might be considered a natural extension to development on site M1, site G106 is particularly prominent in views from the A944 and its development would require careful consideration. These are matters to be considered in the intended review of the local development plan.

**Reporter's recommendations:**

No modifications.

<b>Issue 84</b>	<b>Park</b>	
<b>Development plan reference:</b>	Section 6 The Proposals Map, (p23) Schedule 1, Table 6, (p28) Volume 3H Supplementary Guidance, Settlement Statements (p36-37)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Angus Donaldson (39) Crathes, Drumoak &amp; Durriss Community Council (933) Strutt &amp; Parker LLP on behalf of Faskally Investments (1018, 1028, 2060) Ryden LLP on behalf of Stewart Milne Homes (1883, 1884)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocation at Park – H1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b> <u>Support for H1</u> <b>933:</b> Support the allocation of H1 as it is consistent with organic growth. <b>1018, 1028, 2060:</b> Support the allocation of H1 for 6 houses.</p> <p><u>Objection to H1</u> <b>39, 1883, 1884:</b> Object to the allocation of H1. The respondents suggest that the settlement is reliant on Drumoak for services, in particular the school, and as such development should be relocated to Drumoak.</p> <p><u>Character</u> <b>39, 1883, 1884:</b> Site H1 would result in disjointed ribbon development which would harm the settlement and character of Park. The site would impact on views from the A93.</p> <p><u>Over-Development</u> <b>39:</b> Site H1 would unsympathetically extend a small, compact historically significant rural service centre with clearly defined boundaries. The site is wholly disproportionate to the size and setting of Park. Six houses would increase the settlement by approximately 50%.</p> <p><u>Affordable Housing</u> <b>39:</b> The small site is unlikely to attract providers of affordable housing, which could result in commuted financial contributions being sought. If allocations were made in Drumoak, it would deliver the necessary critical mass to attract housing associations and affordable housing providers.</p> <p><u>Services</u> <b>39:</b> Development is not needed in Park to support the shop and the hall. It is argued that 6 houses would have a minimal impact in any case.</p> <p><u>Transportation</u> <b>39:</b> The access for H1 from the A93 is dangerous, and the respondent queries whether an additional junction onto the A93 can be safely achieved.</p> <p><u>Previous plan inquiry</u> <b>39:</b> Site H1 was rejected by the Reporter at the previous Aberdeenshire Local Plan Inquiry.</p>		

**Modifications sought by those submitting representations:**

**39, 1883, 1884:** Object to the allocation of H1.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Park is located within the Local Growth and Diversification Area, within the Aberdeen Housing Market Area (see issue 66). Park is a small hamlet consisting of 17 houses, with a village shop and a village hall (albeit it may be in danger of closure). Park, located on the A93 main route into Aberdeen, is approximately 0.5 km from Drumoak and is connected via a footpath. Park has the planning objectives to meet local need and support local services.

The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. Further information on the site is contained in 'Issues and Actions Volume 6 May 2010' (page 112) which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

**Site H1**

Support for site H1

The support for the site is welcomed.

Objection to site H1

Development has been allocated at Park to support the services in the settlement (the shop and the hall). Drumoak has also received an allocation (see issue 85). Park is connected to Drumoak via a footpath and can easily utilise the services in Drumoak.

Character

The site extends the settlement but does not constitute "ribbon" development. Any impact on views is not normally considered a material planning consideration. A development brief is proposed for the site, and therefore there will be a further opportunity for engagement in relation to the layout and design of the site. The settlement currently fronts onto the A93, so it is inevitable that this proposal will be visible from the A93. However, any adverse visual impact can be mitigated through design.

Over-development

It is acknowledged that the scale of development represents a 35% increase in the size of the settlement, but 6 houses over the next 12 years is not excessive, particularly where the settlement has services to support.

Affordable Housing

There is a requirement for the development to contain 25% affordable housing: this could be provided for through low cost housing which is affordable by design. There is not a requirement to attract a social rented landlord (e.g. housing association).

Services

Allocations have been made in many settlements to support services. It is recognised that 6 houses may only have a limited impact, but as this development is within a short walking distance of the shop, these houses are likely to be disproportionately more beneficial than development elsewhere and will maintain a sustainable community.

Transportation

The Roads Authority have advised that there is no perceived issue with access. Access would be required from the A93, but there is sufficient distance from the existing junctions to allow an additional access.

Previous plan inquiry

The main reason that the site was rejected by the reporter was that it had not been allocated, and it was not needed to meet the structure plan requirements.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Park are appropriate and sufficient to meet the needs of the settlement strategy. The allocation is a small scale proposal to provide choice and support the services within the settlement.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. Park is a small settlement located only 0.5km west of the larger village of Drumoak. It has a small convenience store, which serves the two villages together with passing trade on the A93. There is also a village hall in a former church at the west end of Park, whose future is unclear.
2. It might be argued that the needs of this outlying village would be best met by an appropriate level of development in nearby Drumoak, which would secure a substantial contribution towards a replacement primary school and improved health services. The proposals for Drumoak are considered under Issue 85.
3. However, the proposal for 6 houses in Park is not at the expense of development in Drumoak. Indeed it offers the opportunity to make a further, albeit modest, contribution to the upgrading of services in Drumoak. It would also provide a small but worthwhile boost to the shop and hall in Park, without placing undue strain on local services.
4. A sympathetically designed scheme for the site should not damage the character of the village or the view from the A93. It appears that the council is now satisfied that the site could be safely accessed from the A93, but the means of access would be a matter to be resolved in a development brief for the site.

**Reporter's recommendations:**

No modifications.

<b>Issue 85</b>	<b>Drumoak</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (p23) Schedule 1, Table 6, (p28) Document 3H Supplementary Guidance, Settlement Statements (p5 & 6)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Crathes, Drumoak &amp; Durriss Community Council (933)                  Ryden LLP on behalf of Stewart Milne Homes (1883, 1884)                  Paul Geddes (2257)                  Julia Shand (2258)                  Marion McNeil (2261)                  Lee Bentley (2262)                  Drumoak School Council Chair (2316, 2379)                  Shelagh Marr (2590)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocations at Drumoak – H1.	
<b>Planning authority’s summary of the representation(s):</b>		
<p><b>Site H1</b>  <b>933:</b> The respondent supports the allocation.</p> <p><b>1883, 1884:</b> The proposed site is supported, but objection is taken to the limited scale as 35 houses are incapable of sustaining local services.</p> <p><b>2316, 2379:</b> The housing proposed is supported as long as the new Primary School is in place beforehand.</p> <p><b>Site R1 (Replacement Primary School)</b>  <b>933:</b> The respondent supports the allocation.</p> <p><b>1883, 1884:</b> The restriction placed on pipelines means that the location of the primary school is being compromised.</p> <p><b>2257, 2258:</b> The respondent states that a new school is desperately needed.</p> <p><b>2261:</b> Although the site is supported, concerns are raised about pedestrian access. It is requested that pedestrian access be provided from within the main area of the village.</p> <p><b>2262, 2316, 2379, 2590:</b> There is support for the site, and it is highlighted that the school is desperately needed and should be developed as soon as possible.</p> <p><b>Site R2 (Cemetery)</b>  <b>933:</b> Support the allocation.</p> <p><b>Alternative Site</b>  <u>K126</u>  <b>933:</b> The non allocation of the land to the south of the village due to its proximity to the River Dee SAC is supported.</p>		



**1883, 1884:** Considering the strategic location of Drumoak on the A93, and the frequent public transport service, objection is taken to the failure to allocate more development in Drumoak. There is a need to allocate more land in the Aberdeen Housing Market Area (see issue 25 New Housing Land Allocations) and Drumoak is capable of further growth. The allocation in Drumoak should reflect the aspirations of Main Issues Report bid K126 for a mixed use development comprising residential, employment and community uses.

**1883, 1884:** There is currently no employment land available in the settlement, and employment land is proposed as part of a larger expansion to create a sustainable community.

**1883, 1884:** A new school with capacity for 220 pupils is being proposed by the Council which would provide capacity for a further 400 houses, yet there is no development proposed to maximise the capital investment. Other settlements with the requirement of a new primary school have been the subject of significantly greater land release.

**1883, 1884:** The pipeline corridor is not a constraint to development, since there are potential mitigation measures, although the level of mitigation is dependent on the nature of the development proposed. Realignment of pipelines has been carried out in other settlements with no compromise in developer contributions. The pipeline should not be an impediment to proper planned growth of a settlement.

**1883, 1884:** Land to the south of the settlement is not constrained by proximity to the River Dee Special Area of Conservation or the Waste Water Treatment Works as stated in response to the Main Issues Report: there is a technical solution.

**Modifications sought by those submitting representations:**

**933:** Land to the south of the settlement should not be allocated.

**1883, 1884:** Support site H1 but request further land is released to provide employment land, a suitable school site and to create a sustainable community.

**2261:** Request pedestrian access be provided from within the main area of the village to site R1.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Drumoak is located within the Local Growth and Diversification Area, within the Aberdeen Housing Market Area. The settlement strategy within the local growth and diversification area focuses development on settlements that will allow the provision of important infrastructure, or have specific needs identified (see issue 66). Drumoak is located on the A93, and it provides a number of services. The settlement has pipeline consultation corridors running to both the east and west. Adopting the precautionary principle, and to avoid costly realignment, where there are alternatives these have been treated as absolute constraints. Development to meet the needs of the Aberdeen Housing Market Area can be located in other villages without impinging on areas at risk. This limits opportunity for expansion of the settlement. The primary school is operating significantly over capacity, and a replacement primary school is proposed.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the site is contained in 'Issues and Actions Volume 6 May 2010' (page 35) which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

**Site H1**

Support for the site is welcomed. The development will not be able start prior to the completion of the new primary school. Drumoak Primary School is currently operating at 237% capacity.

Drumoak is not within a strategic growth area as identified by the Structure Plan. Development in the settlement requires to be of a scale to support local needs only. The settlement has received significant growth over the past five years and there are capacity issues with both the primary school and the Academy at Banchory.

**Site R1**

Support for the site is welcomed.

The location proposed for the school is entirely appropriate in the context of the plan for the village, and is supported locally. Site R1 is relatively close to the existing site. Pedestrian access in the form of ‘safe routes to school’ will be required.

**Alternative Site**

Site K126

The level of growth already proposed in Drumoak is appropriate, and is discussed above under H1. There is no requirement to identify further development in the Aberdeen Housing Market Area (see issue 25 New Housing Land Allocations).

Regarding the provision of employment land, it is suggested that this is not a necessity. The proposal for employment as part of a wider mixed development is not supported as a larger allocation in the settlement is not supported.

The replacement of Drumoak Primary School is being progressed through the capital review programme. A 140 place school is proposed to meet current needs and accommodate modest growth in accord with the allocations in the proposed plan.

The consideration of pipeline corridors as a constraint is discussed above. The level of growth required to allow mitigation is not appropriate due to the reasons mentioned above (education constraints, consolidation of settlement following recent growth).

Land to the south is within close proximity to the River Dee Special Area of Conservation and the Waster Water Treatment Works. It is recognised that these do not constitute absolute constraints, but development to the north of the settlement avoids these restrictions and the potential for risk to the water quality in the Special Area of Conservation.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Drumoak are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**General**

1. Drumoak lies in the Aberdeen housing market area. However, it is in the local growth and diversification area, where the level of growth in each settlement should be appropriate to the size of the community, rather than a strategic growth area where most development is to be focused.
2. It is a significant Lower Deeside village in the Aberdeen-Banchory corridor where there is intense pressure for new housing. It has a number of facilities, including a post office, church, village hall, pub and bowling club, but is split by the A93 and lacks a coherent village core.
3. The village has seen substantial development in recent years, which has placed a severe strain on services. The waste water treatment works is at capacity, and the primary school is operating at

over twice its capacity. There are a number of additional constraints on further development, including the surrounding topography and the need to take account of high pressure gas mains to the east and west of the village, and the River Dee Special Area of Conservation (SAC) to the south.

4. The waste water treatment works could be upgraded to cater for new development, and a replacement primary school is programmed. However, the school is intended to accommodate 140 pupils, to reflect the council's vision of modest growth in the village.

**Sites H1, R1 and R2**

5. The proposed allocation of site H1 for 35 houses is consistent with the council's key planning objectives for the village, which are set out in the settlement statement. It would help to meet the local need for housing, and to support local services, without placing undue further pressure on schools or waste water infrastructure. The site is elevated but, in association with the construction of the new primary school at site R1 and the neighbouring cemetery extension at R2, the development would round off the village at its north end. There is no objection to the new school site, subject to the provision of satisfactory footpath links from other parts of the village.

**Alternative site (K126)**

6. It is hard to reconcile the ambitions of the respondent to build up to 400 houses in the village with the planning context summarised in paragraphs 1-4 above. That scale of development would exceed what is expected in a local growth and diversification area, and would require a larger primary school than envisaged. It would be likely to involve diverting high pressure gas mains, which is not necessary to accommodate housing for local needs.

7. It would also change the character of the village. Any development on site K126 south of Drumoak would run contrary to the community council's reasonable desire to conserve the landscape setting of the village, keeping the village on the river terrace and maintaining the landscape between the settlement and the River Dee.

8. Although the proposal would give a boost to local facilities, and additional employment land would be created as part of the scheme, I agree with the council that development on that scale would be excessive, and would be undesirable for the reasons in paragraphs 6-7 above.

**Reporter's recommendations:**

No modifications.

<b>Issue 86</b>	<b>Kirkton of Maryculter</b>	
<b>Development plan reference:</b>	Section 6 The Proposals Map, (p23) Schedule 1, Table 6, (p28) Volume 3H Supplementary Guidance, Settlement Statements (p20 & 21)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Andrew Norval (422) Ryden on behalf of Jacquelyn Liddell (541, 542)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocations at Kirkton of Maryculter.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b>  <b>422:</b> The site has no access issues: a previous visibility problem was removed by the realignment of the road and provision of a footpath. The site has access to all utilities. There is capacity within the Waste Water Treatment Works. The site is entirely deliverable.</p> <p><b>Alternative Site</b>  <b>K17</b>  <b>541, 542:</b> Object to the failure to allocate land, identified in the Main Issues Report as K17. K17 should be allocated as H2 for 4 houses. The allocation of this and H1 would improve public transport to the village. 10 houses were initially allocated to H1, which was reduced to 6, leaving 4 houses capable of allocation at K17. The site would enhance security of the Storybook Glen attraction, which is a major visitor attraction for Aberdeen, but which has been the subject of extensive vandalism in recent years. The site would enhance security through natural surveillance, but also would subsidise improved security measures. The site is a logical site for expansion: it forms a link between the village and the Storybook Glen Visitor attraction.</p>		
<b>Modifications sought by those submitting representations:</b>		
541, 542: Site K17 should be allocated as H2 for 4 houses.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Kirkton of Maryculter is located in the Local Growth and Diversification Area, within the Aberdeen Housing Market Area. The settlement strategy within the local growth and diversification area largely focuses development on settlements that will allow the provision of important infrastructure, or have a specific need identified (see issue 66). Kirkton of Maryculter is a hamlet of about 35 houses with limited services including a church, but development will support Lairhillock Primary School which is a rural school. The school is forecast to be at 53% capacity by 2016.</p> <p>The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the site is contained in 'Issues and Actions Volume 6 May 2010' (page 75) which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.</p>		

**Site H1**

Deliverability of the site is noted.

**Alternative Site**

K17

No weight can be placed on ‘allocations’ made in work leading up to the publication of the proposed plan. Any previous conclusions in draft publications have since been influenced by issues emerging from public debate. The housing requirement within the Aberdeen Housing Market Area has been met and there is no requirement to allocate a further 4 houses (see issue 25 housing land supply). The site is divorced from the settlement.

Enabling development proposals for economic need are not supported except in regeneration areas. In any case no evidence has been provided to justify such a proposal.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Kirkton of Maryculter are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. Kirkton of Maryculter lies in a local growth and diversification area, where the level of growth in each settlement should relate to local needs, but the scale will vary from place to place.
2. It is a small settlement, with minimal services, but there is a need for a measure of development to support the local primary school which is well below capacity. The proposed allocation of site H1 for up to 6 houses is an appropriate scale of development, and would represent a logical rounding off of the settlement on its south east side.
3. Site K17 at Storybook Glen, in contrast, is detached from the village, and would not represent an appropriate expansion of the settlement. The need to improve surveillance at the visitor attraction does not justify the proposal to construct 4 houses in the overflow car park.

**Reporter’s recommendations:**

No modifications.

<b>Issue 87</b>	<b>Other Sites: Kincardine &amp; Mearns Aberdeen Housing Market Area</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p23) Schedule 1, Table 6, (p28) Schedule 2 Table 7 (p33) Schedule 3 Table 2, 3 (p35 - 41) Volume 3H Supplementary Guidance, Settlement Statements Kincardine & Mearns	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ryden LLP on behalf of Alexander Adamson Ltd (178,179)  Ryden LLP on behalf of Mr &amp; Mrs I Sharp (188, 189)  Ryden LLP on behalf of R Thorne (279, 280, 2149, 2150)  Ryden LLP on behalf of Scottish Society for the Prevention of Cruelty to Animals (SSPCA) (283, 284)  Ryden LLP on behalf of L Pirie (370, 373, 2124, 2126)  BLUE Planning &amp; Development on behalf of Brodie Countryfare Ltd (929)  Bancon Developments (1432, 1456)  Halliday Fraser Munro on behalf of CHAP Homes (1478, 1480, 1481, 1482)  Ryden LLP on behalf of Cabardunn Development Company Ltd &amp; Dunecht Estates (1864, 1865, 1866, 1867)  Ryden LLP on behalf of Balgrannach Properties Limited (1890)  Maclay Murray &amp; Spens LLP on behalf of Forbes Homes Limited (2062)  Philip Dean (2243)  Gordon Duncan (2313, 2376)  Scottish Environment Protection Agency (2858)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in other settlements within the Kincardine & Mearns Aberdeen Housing Market Area.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Alternative Sites</b>  <u>Cammachmore</u>  <b>178, 179:</b> Request that land at Cammachmore (identified in the Main Issues Report as K105) is allocated for the development of four houses. The site is bound on three sides by residential development and inclusion of this site for development would result in a more cohesive building pattern.</p> <p><u>Woodlands, Netherley</u>  <b>188, 189:</b> Land at Woodlands, Netherley (site K107 in the Main Issues Report) should be allocated for five houses. The site is within an established group of houses. There is an existing dwellinghouse on the site. The site would form a more cohesive building pattern. The site is 800 metres from Lairhillock Primary school, 595 metres from an area of employment land, and 780 metres from the Inn. The primary school is operating at 85% capacity and development is needed to sustain the primary school. The site is well connected due to its proximity to the B979. The site is not within an area of ancient woodland: there is no evidence of such a designation. The woodland already has areas of cleared land and in any case only selective felling would be required. In addition, the woodland would screen the development. The pipeline consultation zone does not preclude development, and in any case the site sits within the middle/outer zone where the Health and Safety Executive would not advise against housing.</p> <p><u>Land to the south of the school, Lairhillock</u>  <b>279, 280, 2149, 2150:</b> Land at Lairhillock (site K104 in the Main Issues Report) should be allocated for 15 houses. The site lies 100 metres from Lairhillock Primary School, which is forecast to have a</p>		



declining roll. Development would meet the structure plan strategy in meeting an identified need. The site is also adjacent to the inn and tourist lodge.

Land to the west of the school, Lairhillock

**1432, 1456:** The respondent (duplicate response) objects to the failure to allocate land at Lairhillock (identified as site K46 as identified in the Main Issue Report). Land should be reallocated from Newmachar to Lairhillock. Lairhillock can contribute 67 houses including affordable housing, a nursery, offices, and some retail, immediately adjacent to the primary school. The development also offers clear links with the Elsick proposal. Further details are provided in the supporting document.

Netherley House

**1890:** Land at Netherley (site K114 in the Main Issues Report) should be identified for 4 houses. The hamlet of Netherley comprises of 20 houses. The site is highly sustainable in terms of proximity to services and has access to public transportation services. The site would deliver 25% affordable housing, contributing to a shortfall in the area. The site lies within 1.35km from Lairhillock primary school which has capacity for 120 pupils.

Rothnick Croft, Netherley

**370, 373, 2124, 2126:** Land at Rothnick Croft (site K64 in the Main Issues Report) should be allocated for a mixed use development including 10 houses and a nursery. The site is 920 metres from Lairhillock primary school, and is adjacent to the proposed new settlement at Elsick. This site would offer nursery provision and after school clubs. Development of 10 houses would facilitate the nursery school. The site would support Lairhillock Primary School. The development would increase employment opportunities in the area and Scottish Planning Policy suggests that economic development should be supported in all areas.

Stripeside, Netherley

**2062:** Land at Stripeside, Netherley should be allocated for approximately 100 to 150 houses. The site is immediately adjacent to the new settlement at Elsick, but to the west of the Aberdeen Western Peripheral Route (AWPR). Sites adjacent to Elsick should be given fresh consideration by the planning authority. Should Elsick proceed, this site is logical. The site would benefit from a junction onto the Fastlink section of the AWPR. There are deliverability concerns with Elsick, and so smaller sites with less infrastructure requirements should be considered. The site has the benefit of early delivery.

Mill of Uras

**2313, 2376:** The respondent requests that site K65 as identified in the Main Issues Report (Mill of Uras) is allocated. The site is more suitable than site M1 at Roadside of Kinneff.

Drum

**283, 284:** Land at Drum (K120) should be allocated for the development of up to 46 houses. The site is within an established cohesive grouping, and so both of the sites could be considered infill development. The sites are in close proximity to bus stops on the A93, and the local core path can be accessed.

Park, Drumoak

**929:** Land off the A93 at Park, to the west of Drumoak should be allocated for a tourist related leisure, retail and restaurant development. The proposal is for a sustainable tourist facility. Approximately 60 full time (FTE) and 30 part time (PTE) jobs would be created. Such a development would be compatible with paragraphs 3.11 and 3.12 off the Structure Plan.

Park Quarry

**1478:** Due to the allocation of ineffective sites, there is a need to allocate additional sites in the Aberdeen Housing Market Area. The surplus can be accommodated at Park quarry (site K77 in the Main Issues Report). Park Quarry is a brownfield site with locational benefits which justify its allocation.

**1480:** The site at Park Quarry (site K77) should be allocated given it is the largest brownfield site in the Aberdeen Housing Market Area. The site also meets structure plan requirements and conforms with the framework of the Local Development Plan.

**1481:** Scottish Planning Policy states that new development should 'promote regeneration and re-use of previously developed land'. The proposal to develop Park utilises one of the largest brownfield opportunities. It has been argued that there is a condition to reinstate the land to agriculture, but it is still better to use brownfield land rather than dig up valuable agricultural land elsewhere. The settlement would be well designed. A social enterprise is proposed which would ensure sustainability. A minimum of 30% affordable housing would be delivered. Detailed research into the microclimate has shaped the design of the settlement. There are no technical issues which can not be mitigated.

**1482:** If Park Quarry is allocated, the site will allow a significant site for a primary school. This site could replace Drumoak Primary.

Kirkton of Durriss

**1864, 1865:** The respondent objects to the failure to allocate land at Kirkton of Durriss for residential development (site K113 in the Main Issues Report). There is a need to sustain Durriss Primary School which has a falling school roll. Development of site K113 would enhance the choice and range of housing in the village, as well as sustaining services. The site is bound on two sides by development and there would be minimal landscape and visual impact.

Woodlands of Durriss

**1866, 1867:** The respondent objects to the failure to allocate land at Woodlands of Durriss for a residential development of around 125 houses (site K115 in the Main Issues Report). The Council fail to recognise that waste water treatment works are a constraint on the previously identified site. There is benefit in allocating additional land in that the cost of upgrading the works would be spread over more housing, thereby making development significantly more viable. There is a need to sustain Durriss Primary School which has a falling school roll: it is not sustainable to run the school at 50% capacity.

**2858:** Scottish Environmental Protection Agency have concerns with the intermittent poor performance of the Waste Water Treatment Plant and the impact of discharge on the receiving waters.

Denside of Durriss

**2243:** Site K214 should be allocated to overcome the shortage of affordable housing. The development would consist of well designed, low cost, affordable houses which would blend into the rural setting.

**Modifications sought by those submitting representations:**

**178, 179:** Land at Cammachmore (K105) should be allocated for 4 houses.

**188, 189:** Land at Woodlands, Netherley (K107) should be allocated for up to 5 houses.

**279, 280, 2149, 2150:** Land at Lairhillock (K104) should be allocated for 15 houses.

**1432, 1456:** Land at Lairhillock (K46) should be allocated for 67 houses and offices and retail uses.

**1890:** Land at Netherley (K114) should be allocated for 4 houses.

**370, 373, 2124, 2126:** Land at Rothnick Croft (K64) should be allocated for 10 houses and a nursery school.

**2062:** Land at Stripeside, Netherley should be allocated for approximately 100 to 150 houses.

**2376:** Land at Mill of Uras (K65) should be allocated.

**283, 284:** Land at Drum (K120) should be allocated for up to 46 houses.

**929:** Land off the A93 at Park, to the west of Drumoak, should be allocated for a tourist related development.

**1478, 1480, 1481, 1482:** Land at Park Quarry (K77) should be allocated.

**1864, 1865:** Land at Kirkton of Durriss (K113) should be allocated for up to 16 houses.

**1865, 1866:** Land at Woodlands of Durriss (K115) should be allocated for 125 houses.

**2243:** Land at Denside of Durriss, (K214) should be allocated for low cost housing.

**2858:** SEPA will object to any additional loading on the Waste Water Treatment Works serving Woodlands of Durriss.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The allocations within the Aberdeen Housing Market Area are appropriate and sufficient there is no requirement to consider alternative sites (see Issue 25 New Housing Land Allocations).

Further information on the sites is contained in the 'Issues and Actions Volume 6 May 2010' which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan. Relevant extracts of this document are enclosed as supporting information.

**Alternative Sites**

Cammachmore

The site was fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement the Council's conclusion was to exclude it. No need has been identified in Cammachmore. It is not desirable to allocate development so close to the A90 in case of the need for future upgrades. The site is not bound on three sides by residential development, it is bound on three sides by roads, and only one side by residential development.

Lairhillock / Netherley Education Overview

Lairhillock Primary School was built in 2007, to replace the two smaller rural primary schools of Maryculter and Netherley. The school remains in a rural location. The school roll is forecast to decline to 53% capacity by 2016, but a more relaxed rural development policy is likely to result in additional pupils.

Woodlands, Netherley

The site was identified in the Main Issues Report (K107) as a constrained site, due to proximity of the pipeline consultations zones. It is acknowledged that the Health and Safety Executives 'Planning advice for developments near hazardous installations' (PADHI) guidelines allow some development to take place in consultation zones. However, to meet the aim 'sustainable development' the view was taken that development should avoid risks where possible. The site is currently wooded, and is identified in the ancient woodland inventory as: 'Category 2b long established woodland of plantation origin'. The Scottish Government's 'Control of Woodland Removal' policy has a presumption in favour of retaining woodland resources. Scottish Planning Policy (paragraph 146) states that ancient, semi-natural and long established woodland is 'an important and irreplaceable national resource that should be protected and enhanced'. The site is remote from any services. There is no pedestrian link to Lairhillock Primary School.

Land to the south of the school, Lairhillock

Site K104 was fully debated at the Main Issues Report stage, and the Council's conclusion was to

exclude it. It is acknowledged that the site is in close proximity to the primary school. As mentioned above Lairhillock Primary School serves a rural catchment, and was not intended to attract development. Lairhillock Primary will be supplemented by development permitted through the rural development policy. There is no identified need for housing in this location.

Land to the west of the school, Lairhillock

The site (K46) was fully debated in the consideration of responses to the Main Issues Report, and the Council's conclusion was to exclude it. It is acknowledged that the site is in close proximity to the primary school, but as mentioned above the school serves a large rural catchment and was not intended to become the centre for a new settlement.

The Structure Plan states that within local growth and diversification areas, development should be focussed in existing settlements (page 11). Also, Scottish Planning Policy states that new housing development should be integrated with public transport networks (paragraph 79). There is no opportunity to reallocate the allocations from Newmachar to Lairhillock, as the allocations in Newmachar are both appropriate and sufficient (see Issue 81).

A planning application has been submitted on part of the site (APP/2010/3244).

Netherley House

Site K114 was fully debated at the Main Issues Report stage and following widespread community engagement the Council's conclusion was to exclude it. It is recognised that there are approximately 20 houses in the hamlet at Netherley House but there are no services or public transport serving the group of houses. Planning Advice Note 75 (page 24) recommends that housing development should be within about 400metres of a bus stop. The site is approximately 800metres from the nearest bus stop. The primary school is approximately 2km from the site.

Rothnick Croft, Netherley

Site K64 was fully debated at the Main Issues Report stage and following widespread community engagement the Council's conclusion was to exclude it. Rothnick Croft is remote from services. The site is approximately 1.5km from Lairhillock Primary School. There is a nursery unit at Lairhillock Primary School. The site is remote from any other services, and would result in an increase in car usage. The site will be separated from Elsick by the Aberdeen Western Peripheral Route Fastlink. Policy 10 'Enabling Development' does not support enabling development for economic purposes in this location.

Stripeside, Netherley

The site was not proposed at any previous stage so there has been no site assessment or public debate on the site. The site is currently in agricultural use and is distant from any service centres. The Structure Plan states that within local growth and diversification areas, development should be focussed in existing settlements (page 11). Also Scottish Planning Policy states that new housing development should be integrated with public transport networks (paragraph 79). The site is not immediately adjacent to the site at Elsick, the Aberdeen Western Peripheral Route Fastlink separates the Elsick proposal and this site.

Mill of Uras

The site was fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement the Council's conclusion was to exclude it. Mill of Uras is a small hamlet of about 12 houses. There are no services in the settlement. Development could not be reallocated from Roadside of Kinneff as it is a different housing market area (the rural housing market area).

Drum

Site K120 was fully debated at the Main Issues Report stage and following widespread community engagement the Council's conclusion was to exclude it. Both sites are adjacent to small groups of houses but could not be considered infill development. Small groups of houses with no services are not classed as settlements and therefore it is not appropriate to propose development in these locations. It is acknowledged that the sites are close to bus stops on the A93, but this does not in

itself make this a sustainable, or an appropriate location for development.

Park, Drumoak

The site was not proposed at any previous stage so there has been no site assessment or public debate on the site. Structure Plan paragraph 3.12 states that there is a need to diversify the economy within the local growth area, and that tourist related developments have a role to play, but that employment growth is central to making sustainable communities and reducing the need to commute. This site is remote from settlements and services, and would increase travel by car. The Proposed Plan has interpreted the Structure Plan as allowing significant opportunity within the Rural housing market area where there is greater need. Allocations for tourist uses are not proposed, but can be dealt with under the general policies of the plan.

Park Quarry

Site K77 was fully debated at the Main Issues Report stage and following widespread community engagement the Council's conclusion was to exclude it. The housing requirement within the Aberdeen housing market area has been met and there is no requirement to allocate further housing (see Issue 25 New Housing Land Allocations).

The site is not a strategic location as identified in the Structure Plan: the site is not in a strategic growth area. There is no need identified in this location for this scale of development. Need has been accommodated at Drumoak. Paragraph 48 of Scottish Planning Policy supports regeneration of previously developed land, but also requires development to reduce the need to travel, take account of exiting infrastructure, and prevent development at risk from flooding. A condition on the permission requires the land to be fully reinstated to agriculture. The proposal is for a new settlement which has no existing infrastructure. Part of the site is identified as at risk of flooding, and there is concern about the impact on the River Dee Special Area of Conservation.

The proposal does not meet all of the criteria under paragraph 85 of Scottish Planning Policy as; there are opportunities for the growth of other settlements, the level of public transport service is unknown, the site could have an adverse effect on an international designation and could promote development in an area at risk of flooding.

The approach taken to the design of development of the site is commended. However, there is no need for this scale of development in this location.

Kirkton of Durriss

Durriss Primary School is predicted to be operating at 52% capacity by 2016. Kirkton of Durriss is 2km from Durriss Primary. Kirkton of Durriss is a settlement identified in appendix 1 of SG Rural Development 1, which will allow small scale development on unallocated sites adjacent to the settlement. Development permitted through the rural development policy is sufficient to sustain the primary school.

Woodlands of Durriss

Durriss Primary School is predicted to be operating at 52% capacity by 2016. Woodlands of Durriss is a settlement identified in appendix 1 of SG Rural Development 1, which will allow small scale development on unallocated sites adjacent to the settlement. Development permitted through the rural development policy is sufficient to sustain the primary school.

At 125 houses, the scale of the proposed development is not appropriate for the settlement. Woodlands of Durriss currently consists of about 35 houses, so this proposal would increase the settlement by about 350%. The level of development proposed far exceeds what might be justified in terms of upgrading the waste water treatment works. If the existing site (EH1) remains constrained at the local development plan review, consideration can be given to its removal.

Denside of Durriss

Site K214 was fully debated at the Main Issues Report stage and following widespread community engagement the Council's conclusion was to exclude it. The site is located within the countryside,

remote from services. The strategy promoted by the Structure Plan for rural areas is to focus new housing within existing settlements. This is particularly relevant for affordable housing, where access to services and public transport is required. Any development in this location would be best considered under the relevant rural development policies.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in the Aberdeen housing market area are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**General**

1. Elsewhere in this report we consider the overall adequacy of housing allocations in the Aberdeen housing market area. We acknowledge that the major allocations at Elsick and Laurencekirk are unlikely to deliver the rate of development anticipated in the Plan, especially in the first time period. However, we consider that this potential shortfall could be absorbed by the generous housing supply already committed and allocated in the Portlethen to Stonehaven and the south of Drumlithie to Laurencekirk strategic growth areas, and in the wider Aberdeen housing market area.

2. We are also anxious to avoid allocating additional sites in the area which might threaten the progress of the developments at Elsick and Laurencekirk, for the reasons given in the report under Issues 41 and 48.

3. The alternative sites addressed below are considered on their individual merits, but in the context of our conclusions on the wider issues elsewhere in the report.

**Cammachmore**

4. Site K105 is a narrow strip of land alongside the A90, and bounded by roads on three sides. The proposed construction of up to 4 houses on the land would represent a northwards extension of the ribbon development which currently terminates at the junction with the trunk road. There is no particular need for additional housing in the hamlet which would justify the proposal.

**Sites at Netherley/Lairhillock**

5. The proposals for sites K46 and K104 west and south of the new Lairhillock Primary School would involve substantial new developments in the countryside outwith any defined village. Developments on this scale would be contrary to Scottish Planning Policy and structure plan policy to focus new housing in or adjoining existing settlements, particularly those well served by public transport. The new primary school is designed to cater for an extensive rural catchment area, and it is not necessary or appropriate to develop a new settlement at Lairhillock to increase the school roll.

6. Site K107 at Woodlands, Netherley forms part of an area shown on Scottish Natural Heritage’s inventory of ancient and semi-natural woodland as long established woodland of plantation origin. Its development for housing would be contrary to Scottish Government policies which seek to protect and enhance such areas as a national resource. The site is also detached from any settlement or services, and the development is not justified by the availability of spare capacity at the nearby primary school.

7. Site K114 at Netherley House is in a remote location some 2km from the primary school at Lairhillock. The hamlet around Netherley House has no services or public transport, and there is no justification for a housing allocation there which would be contrary to the policies of the structure plan and Scottish Planning Policy.



8. The neighbouring sites at Rothnick Croft (K64) and Stripeside, Netherley are also in remote location detached from any services, and some distance (1.5km) from the primary school. They would be divided from the new settlement at Elsick by the Aberdeen Western Peripheral Route/Fastlink road, which would mark the western boundary of the new settlement and would present a physical barrier at this point. The community and employment benefits of providing a nursery school at Rothnick Croft would not be sufficient to warrant the construction of 10 houses in this remote countryside location. The proposal to build 100-150 houses on an extensive area of rough grazing at Stripeside would be in clear breach of structure plan and Scottish Government policies referred to above.

**Mill of Uras**

9. Mill of Uras is an attractive cluster of houses in the countryside to the west of the A92, but it lacks any services which would justify its designation as a settlement for the purposes of the local development plan. It would therefore be inappropriate to identify site K65 for development. It could not be designated as a replacement for the allocated site at Roadside of Kinneff, as that site is in a different housing market area.

**Sites at Durris**

10. The development of housing on the sites at Kirkton of Durris (K113), Woodlands of Durris (K115) and Denside of Durris (K214) would help to support Durris Primary School, which has a falling school roll. However, Kirkton of Durris and Woodlands of Durris are identified in supplementary guidance as settlements where small scale development may be allowed on unallocated sites adjacent to the settlement.

11. The proposal to construct 125 houses on the site at Woodlands of Durris is entirely out of keeping with the nature and scale of the settlement, and is larger than is required to maintain the school, and to enable the sewage treatment works to be upgraded. The proposed site at Kirkton of Durris is a substantial open field of over 3 hectares on the north side of the South Deeside Road. Its development for housing would represent a significant eastwards expansion of the settlement.

12. Denside of Durris is a remote, scattered hamlet which has no services and is not identified as a settlement. It is therefore an unsuitable location for a housing allocation in the Plan, though there may be scope for very limited development under the council's rural development policies.

**Drum**

13. There is a collection of buildings at Drum, including the new garden centre to the north of the A93, and the animal welfare centre to the south. However, it cannot be regarded as a settlement for the purposes of the local development plan. It contains no facilities except for the garden centre, although there are bus stops nearby on the A93. There is little justification for the development of up to 46 houses on site K120, which comprises two separate parcels of land some distance apart on either side of the A93. The Plan allocates 35 houses on a site in the village of Drumoak, which is approximately 1km to the west.

**Park, Drumoak**

14. The proposed development at Park would be similar to an existing leisure, retail and restaurant development west of Elgin, and has the potential to generate a substantial number of tourism jobs and benefit the local economy. However, the proposal was not considered in the main issues report, and has therefore not been subject to consultation with statutory bodies and local interests. It would not be appropriate to allocate the site at this stage.

**Park Quarry**

15. Site K77 is a sand and gravel quarry on the south side of the River Dee, some 0.7km to the south of Drumoak. The site adjoins the River Dee Special Area of Conservation (SAC). Concerns have been expressed about the impact of the development on the SAC, the risk of flooding, the effect on the A-listed Park Bridge, and the capacity of the road network to accommodate this scale of development.

16. Part of the site is still in operation as a quarry, but other parts have already been restored to agriculture and recreation (a fishing pond). The planning permission for the quarry requires the full restoration of the land on completion of extraction activities, so whilst the site is currently brownfield its status will change following restoration.

17. The proposed development, referred to as 'Park Village', is a major proposal of strategic significance. It is intended to develop a new settlement of 1500 houses (including 25% affordable homes) during the plan period, together with a village centre, 5 hectare business campus, primary school and other community facilities. The promoters of the development have carried out a considerable amount of detailed work on the project, including a masterplan, design framework, landscape and visual assessment, and a transport statement. They have also conducted an extensive consultation exercise on what is designed to be an exemplar of a sustainable community.

18. Even assuming that technical solutions could be found to overcome any issues of drainage and flooding, and the impacts on nearby listed buildings, there are a number of reasons why this proposal should not form part of the Plan;

- the site is not within one of the strategic growth areas which the structure plan expects to be the main focus for development in the area up to 2030;
- a development of this scale would be contrary to the spatial strategy of the Plan;
- suitable sites have been identified elsewhere in the housing market area in accordance with the strategy;
- the proposal is not justified by the local need for housing;
- adequate provision is made for local need nearby at Drumoak;
- the quarry site is due to be restored for agricultural use;
- the proposal would spread built development into attractive countryside forming part of the landscape setting of the River Dee;
- the road network in the area is already congested, notably the North and South Deeside Roads;
- the construction of a new bridge close to the existing Park Bridge would be likely to detract from the setting of this A-listed structure.

**Reporter's recommendations:**

No modifications.

<b>Issue 88</b>	<b>Inchmarlo</b>	
<b>Development plan reference:</b>	Section 6 Proposals Maps Marr (p24) Schedule 1 Tables 7 (p29) Schedule 2 Tables 1-7 (p34) Schedule 3 Table 2-3 (p36 & 41)) Volume 3I Supplementary Guidance, Settlement Statements (p42)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Halliday Fraser Munro on behalf of Frank Burnett (1657, 1658) Jean Henretty (2581)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land allocations in and around Inchmarlo for up to 60 houses.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Inchmarlo</b>  <b>1657, 1658</b> The allocation at Inchmarlo of 60 houses is age restricted and should not be counted against overall housing figures.</p> <p><b>2581:</b> Representation states that the estate provides high priced executive housing which is not required. The plan should consider mixed use and affordable housing on more sustainable sites accessible to facilities.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>2581:</b> No further housing should be developed on site H1 Inchmarlo.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Inchmarlo lies to the west of Banchory within the Aberdeen Housing Market Area and in the "local growth and diversification area" identified within the Structure Plan. The allocations proposed aim to support the established Inchmarlo Continuing Care Community. Inchmarlo Continuing Care Community supports independent living with minimum intervention until additional support is required. Further information on the sites is contained in the Issues and Actions paper (Volume 7 page 61 Inchmarlo and Bridge of Canny East) which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.</p> <p><b>Site H1</b>  Whilst the houses at Inchmarlo are targeted at a specific market they contribute to general housing figures and the impacts in terms of services will be equivalent to any other houses. The housing requirements within figure 8 page 17 of the Structure Plan do not exclude housing for occupants over 55 and set out the requirement for the whole population.</p> <p>The housing proposed is to support the Inchmarlo Continuing Care Community which is an established retirement village with care home. There is currently a range of homes from one bedroom apartments to four bedroom houses which are available to those over 55 or younger people if their health condition warrants. Therefore a mix of housing is available. The development</p>		

will be required to provide at least 25% of houses which are classed as “affordable”. As an established facility it is appropriate to support its continued viability and enable Inchmarlo to build on the services provided. Mixed use proposals have been made within other towns within the Local Growth and Diversification Area.

**Conclusion**

The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Site H1**

1. Site H1 encompasses the existing Inchmarlo Continuing Care Community, which is an established care home and retirement village. The allocation permits the development of up to 60 further houses. A range of homes are presently available, ranging from one bedroom apartments to four bedroom houses and at least 25% of the proposed houses will require to be “affordable”. The additional houses will support the continued viability of the facility. Although the proposed houses are targeted at a specific age range, they contribute to the overall supply of housing in a similar fashion to sheltered housing and should be counted against the housing requirement. The housing requirement is informed by the housing strategy, which requires a range of tenure and types of housing.

**Reporter’s recommendations:**

No modifications.

Issue 89	Banchory	
<b>Development plan reference:</b>	Section 6 Proposals Maps Marr (p24) Schedule 1 Tables 7 (p29) Schedule 2 Tables 7 (p33) Schedule 3 Table 2-3 (p36 & p41) Volume 3I Supplementary Guidance, Settlement Statements Marr (p8)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>D Burgess (14) Graham Peter (149) Forbes Burn (361, 362) Banchory Boys Football Club (366, 600) June Edge (384) Sheila Mclean (389) A Entwistle (443, 1366) J Entwistle (445, 1365) Jim Donnelly (446, 1364) C Donnelly (447, 1362) Sheena Youngson (448, 1361) C Thomas Rae (449, 1360) Jo Coutts (450, 1359) Irene Ruddiner (451, 1357) S W Ruddiner (452, 1356) B Deepak (453, 1355) James Cowe (454, 1354) S Napier (455, 1352) S Duffy (456, 1350) D Mason (457, 1349) J Kirk (458, 1348) G Morrison (459, 1346) K McDonald (461, 1345) C Ross (462, 1343) J Ross (463, 1342) Barbara A Pinsent (464, 1341) C Duffy (466, 1338) Scottish Natural Heritage (579, 1138) Knight Frank LLP on behalf of Bett Homes Ltd (920, 921) Derek Burgess (966) Lynn Dickinson (967, 1999) Julie Dey (968, 2022) Jenny Hall (969, 2021) Grant Park (970, 2020) Janice Innes (971, 2019) Jim Williamson (973, 2017) J G Meiklejohn (974, 2016) R Evans (979, 2012) Hugh de Laurier (980, 2011) R Bain (981, 2010) G Livingstone (982, 2009) J Ironside (983, 2008) D Ironside (984, 2007) C Dickinson (985, 2006) V J Bruce (986, 2005)</p>	<p>Martin Girvan (996, 2023) Louise Mitchell (997, 2000) J Fleming (1029, 2024) T Gray (1030, 2025) Jill Pratt (1031) Eddie Gray (1032, 2045) Sheila Christie (1033, 2044) Dianne Christie (1034, 2043) Frances Getliff (1035, 2042) Susan Hennessy (1036, 2041) Sally Hammond (1037, 2040) Yvonne Campbell (1039, 2039) Mr &amp; Mrs Peter Cordiner (1041, 2038) Linda Furnival (1043) Lynn Irvine (1045, 2035) W Irvine (1048, 2034) Brian McPherson (1049, 2033) Stella McPherson (1050, 2032) Niall Davidson (1051, 2031) Claire Vannet (1053, 2030) David Thomson (1055, 2029) Julie Rogers (1056, 2028) Andrew Smith (1059, 2027) Marco Peacock (1060, 2026) Christine Peacock (1063, 2036) Andrew Richards (1119) Katherine Richards (1120) Craig &amp; Sarah Duffy (1129) Bancon Developments (1435, 1445, 1461) Tulloch Homes Ltd (1573) Halliday Fraser Munro on behalf of Frank Burnett Ltd (1655, 1656, 1657, 1658) Ryden LLP on behalf of Sandlaw Farming Company Ltd (1861, 1862) Banchory Community Council (1880) Ryden LLP on behalf of M McKay (1886) Ryden LLP on behalf of Westhill Developments Ltd (1926, 1927) Scottish Environment Protection Agency (1979) Linda McIntyre (2013) Ken McIntyre (2014) Angela Furnival (2037) Rotary Club of Banchory-Ternan (2211) Sharon Kirk (2222) Sarah Duffy (2533) Henretty (2578, 2579, 2580, 2581)</p>	

<p>M McGregor (987, 2004)                  J C McGregor (988, 2003)                  J Edge (989)                  K Hassall (990, 2001)                  Richard Hassall (991, 1996)                  Elle Hassall (992, 1997)                  Eleanor Hassall (993, 1995)                  Alison Burgess (995, 1998)</p>	<p>Matthew W Merchant Chartered Architect (2706, 2707, 2708, 2709)                  Clare Gordon (2728)                  Derek Burgess (2754)                  Reiach &amp; Hall Architects on behalf of Landowners of Proposed Sites (2853)                  Mark Tasker (2934)</p>
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<p><b>Provision of the development plan to which the issue relates:</b></p>	<p>Housing and Employment Land allocations in and around Banchory, sites H1, H2, M1 &amp; M2.</p>
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**Planning authority’s summary of the representation(s):**

**General**

Reallocation of units on site R4

**1435, 1461:** The developer states that sites M2 and H2 should have a greater allocation as the reservation of R4 for education and the relocation of effective units from that site has resulted in a reduction of 40 houses in the effective land supply.

Housing numbers

**1657, 1658:** The Marr Area Committee removed 50 houses from Banchory’s allocation and these were not replaced.

**1435, 1445, 1461:** The developers state that taking the loss of the 40 effective sites into account, the first phase of development in Banchory only delivers 5 “new” houses which will hamper delivery of new housing and affordable housing in the town. An affordable housing contribution for the rezoned R4 housing has already been provided and the demonstration eco-village on site M1 is unlikely to provide affordable housing. To ensure the delivery of affordable housing commensurate with the identified demand additional housing land requires to be allocated within Banchory (1445).

**1435, 1461:** The developer contends that allocations are insufficient to maintain current build rates. An allocation of 600 units between 2011 and 2023 is required to meet current build rates. An aim of the Structure Plan is to increase completions and therefore in excess of 600 units is required.

**1435, 1461:** The developer states that Banchory offers considerable infrastructure capacity and allocations do not make efficient use of this which does not accord with the Structure Plan or the spatial strategy for local growth and diversification areas.

**1657, 1658:** Respondents state the allocation at Inchmarlo of 60 houses is age restricted and should not be counted against overall housing figures.

**1657, 1658:** Respondents consider there is inherent flexibility within the Structure Plan and Local Development Plan to allow allocation of specific sites without affecting strategy. Housing demand in Banchory will not be met with an allocation of 45 houses and existing allocations will at most provide catch up between 2007 and 2010 in terms of meeting demand. Therefore further allocations should be made.

Focus of development to north and east

**921, 1861, 1862, 1886, 2706, 2707, 2708, 2709:** Representations object to the focus of development to the north and east of Banchory on sites M1, M2 and H2. A more balanced approach, choice of location and type of housing is promoted. The approach taken in Banchory does not meet Scottish Planning Policy which requires plans to allocate a range of effective sites, advocates a sustainable approach to integrating housing with public transport and anticipates the majority of housing land will be met within or adjacent to settlements. Sites M1, M2, and H2 are considered to



be too remote from the town centre and it is suggested continued growth in this area will detract from town centre vitality and viability. It is considered that the setting of the town will be adversely affected by continued development to the north and that there is limited landscape capacity due to topography. Growth to the north and east of Banchory will contribute to Hill of Banchory Primary school and make no contribution to Banchory Primary school which has a falling role.

**149, 921:** Concern is also expressed that the allocations made in Banchory favour one developer.

#### **Site M1 Banchory**

**2222, 2580:** Further clarity is sought as to what a demonstration eco-village is and it is suggested tighter limitations are required on the type of development.

**2580:** Respondent states that separate allocations should be made for the uses proposed within the site, and that the land for community facilities is reserved. The number of units proposed is reduced and the boundary to the north-east should remain along the link road to prevent further housing and employment. There is no need for a park and ride scheme.

#### **Site M2 Banchory**

##### Flood risk

**149, 2934:** Objects to site M2 as it is a natural floodplain and is prone to flooding. A watercourse runs through the site which is a tributary to the River Dee SAC.

##### Recreation

**149, 921, 1120:** Representations object to M2 as it is an important recreational asset for Banchory.

##### Landscape and environment

**920, 1120, 2934:** Representations object on the grounds development would have an adverse impact on the landscape setting and would breach the skyline. The site has no trees to screen it and it is proposed to remove the landscape buffer to the north of BUS 1 (2934).

**921, 1120, 1119, 1861:** Several representations state the site has high wildlife, environmental and biodiversity value including designated sites and should be protected. In particular the western section of M2 was identified by a representation as being ecologically sensitive and having high wildlife, landscape and historic value (1120). Representation states development would be likely to have an adverse impact on the Loch of Leys Nature Conservation Area (1861).

**579, 921, 1138:** Scottish Natural Heritage state part of M2 is a Long Established Woodland of plantation origin and no justification has been given for the allocation that shows how this complies with Scottish government policy or the safeguarding policies. Concern is expressed in respect of the loss of open mature Scots pine and semi-natural broadleaf woodland (921).

**579,1138** Scottish Natural Heritage state that whilst there are no records of red squirrel on the site the woods are likely to be part of a network used by red squirrel and the Scottish government policy sets out a strong presumption against developing woodland supporting UKLBAP priority species.

**149:** There is a water main through the site and concern is expressed about the removal of woodland prior to development

##### Accessibility

**2581, 2934:** The location on the edge of Banchory is considered to be contrary to the Structure Plan due to the accessibility to the town centre and the likelihood of M2 providing a sustainable mixed community .

##### Density and mix of housing

**2934:** The density of development proposed on the eastern part of M2 is very high and not comparable to Hill of Banchory.

**921:** Objects to the focus of development on site M2 as it does not provide a mix of housing opportunities and the site would not integrate well with Banchory.

Deliverability

**921:** Objects to M2 as the site is unlikely to be deliverable as it is one location and one developer.

**Site H1 Banchory**

**1573:** Representation supports the allocation and confirms its deliverability.

**Site H2 Banchory**

**1119** Development of site H2 is considered to have a lower environmental impact than site M2.

**2580** The settlement boundary should not be extended to the north.

**Banchory Alternative Sites**

**920, 921: Land at Upper Abreadie** should be allocated as a small infill site. It would not exacerbate the east/west spread of development and is an alternative to large scale releases. Development would integrate more easily with the town and provide a choice of locations. The site is not constrained by physical or natural features, no adverse impact on the landscape would occur, the site would provide affordable housing, and formal open space. The site is close to the town centre reducing dependence on private cars.

**1655, 1656, 1657, 1658: West Banchory** (M63 and M64) should be allocated as a sustainable mixed use site to ensure the Structure Plan Strategy is delivered and to maintain a 5 year land supply. Proposal is consistent with strategic policy aims including economic development, improved local facilities and affordable housing. Site is less sensitive in environmental terms, closer to recreational facilities and closer to the town centre than other identified sites in Banchory and should be considered as an extension to Banchory. Supporting information for the planning application proves the proposal will have a positive impact on Banchory. The Housing Land Audit also provides a case for early release of West Banchory.

**1861, 1862: Land at Braehead farm** should be allocated in preference to M2. Site has capacity to accommodate 300 houses and a visitor attraction with green recreational areas. Site provides an opportunity to create a gateway into Banchory and other benefits such as road realignment would accrue. The site is located close to the town centre. The peaks of Scolty Hill, Craig of Affrusk and Hill of Maryfield are the significant factor in forming the setting of Banchory rather than the proposed site. Allocation would address issue of sprawl to east.

**1886: Land at Auchattie** should be allocated as it is significantly closer to the town centre than M1 and M2. Development at Auchattie would provide a choice of location, choice of residential offer and boost service provision in the town centre. The development would support Banchory primary. Development would be well contained in the landscape with minimal visual impact. There are no technical difficulties in providing infrastructure and benefits such as reduction in speed limit, a footpath, provision of open space and infrastructure upgrades could be achieved. The area should be identified to absorb a proportion of phase 1 housing as part of Banchory or as a settlement in its own right.

**1926, 1927: Land at Deebank** south of the River Dee should be allocated for small scale residential development. Banchory is considered to be an appropriate location for development and a further allocation should be made. The site at Deebank is adjacent to the B974, core paths, and the settlement boundary. The site is 600m from the town centre. The site is bounded by existing development so would have minimal impact on amenity and landscape. The site has no constraints and has no flooding issues.

**2706, 2707, 2708, 2709: Land at Corsee Wood** should be allocated. The site is easily accessible from the town centre, is owned by the Forestry Commission and development would be integrated into the woodland. A mixed use development consisting of housing, workspace, care facilities,

woodland and walkway enhancement is proposed as a community driven project through the National Forest Land Scheme.

**2580, 2581, 1880** Representations were received expressing support for the Corsee Wood proposal as it would provide 100% affordable housing, is outwith the protected P7 area and development could be expanded further north in the future and would provide opportunities for employment in the west of the town.

**2853:** Site at **West Banchory Sunset Seat** should be identified for housing. At previous Local Plan Inquiry it was considered the site might at sometime accommodate development that would not compromise the viewpoint, its surroundings or established planting.

**2579:** As site BUS2 is developed by one supermarket a new business centre is required to sustain employment growth.

**Site R1 Banchory**

**14, 361, 366, 384, 389, 1129, 2533, 2728 443, 445 to 459, 461 to 464, 466, 966 to 971, 973, 974, 979 to 993, 995 to 997, 1029 to 1037, 1039, 1041, 1043, 1045, 1048 to 1051, 1053, 1055, 1056, 1059, 1060, 1063, 1338, 1341 to 1343, 1345, 1346, 1348 to 1350, 1352, 1354 to 1357, 1359 to 1362, 1364 to 1366, 1995 to 2001, 2003 to 2014, 2016, 2017, 2019 to 2045, 2754:** Respondents object to the reservation of R1 on the grounds that it is a popular and valuable local amenity that is widely used.

**14, 443, 445 to 459, 461 to 464, 466, 966 to 971, 973, 974, 979 to 993, 995 to 997, 1029 to 1037, 1039, 1041, 1043, 1045, 1048 to 1051, 1053, 1055, 1056, 1059, 1060, 1063, 1338, 1341 to 1343, 1345, 1346, 1348 to 1350, 1352, 1354 to 1357, 1359 to 1362, 1364 to 1366, 1995 to 2001, 2003 to 2014, 2016, 2017, 2019 to 2045, 2754:** Respondents object to reservation of R1 on the grounds that there are no parks nearby.

**14, 384, 389, 1129, 443, 445 to 459, 461 to 464, 466, 966 to 971, 973, 974, 979 to 993, 995 to 997, 1029 to 1037, 1039, 1041, 1043, 1045, 1048 to 1051, 1053, 1055, 1056, 1059, 1060, 1063, 1338, 1341 to 1343, 1345, 1346, 1348 to 1350, 1352, 1354 to 1357, 1359 to 1362, 1364 to 1366, 1995 to 2001, 2003 to 2014, 2016, 2017, 2019 to 2045, 2754:** Objection is made to R1 on the grounds that there are traffic management issues with the area being very busy at present making it difficult for traffic and pedestrians to cross the North Deeside Road and the addition of a medical centre or other community facility would make this worse.

**14, 443, 445 to 459, 461 to 464, 466, 966 to 971, 973, 974, 979 to 993, 995 to 997, 1029 to 1037, 1039, 1041, 1043, 1045, 1048 to 1051, 1053, 1055, 1056, 1059, 1060, 1063, 1338, 1341 to 1343, 1345, 1346, 1348 to 1350, 1352, 1354 to 1357, 1359 to 1362, 1364 to 1366, 1995 to 2001, 2003 to 2014, 2016, 2017, 2019 to 2045, 2754:** Objection is made to R1 on the grounds that the area surrounding the site has the greatest concentration of industrial and properties and the loss of the green space will make matters worse.

**14, 1129, 1880, 2222, 2211, 2728, 443, 445 to 459, 461 to 464, 466, 966 to 971, 973, 974, 979 to 993, 995 to 997, 1029 to 1037, 1039, 1041, 1043, 1045, 1048 to 1051, 1053, 1055, 1056, 1059, 1060, 1063, 1338, 1341 to 1343, 1345, 1346, 1348 to 1350, 1352, 1354 to 1357, 1359 to 1362, 1364 to 1366, 1995 to 2001, 2003 to 2014, 2016, 2017, 2019 to 2045, 2754:** It is considered that moving the medical practice out of the town centre and to R1 will harm the High Street.

**443, 445 to 459, 461 to 464, 466, 966 to 971, 973, 974, 979 to 993, 995 to 997, 1029 to 1037, 1039, 1041, 1043, 1045, 1048 to 1051, 1053, 1055, 1056, 1059, 1060, 1063, 1338, 1341 to 1343, 1345, 1346, 1348 to 1350, 1352, 1354 to 1357, 1359 to 1362, 1364 to 1366, 1995 to 2001, 2003 to 2014, 2016, 2017, 2019 to 2045, 2754:** Respondents highlight that the Banchory Community Plan states "There is a very strong desire to retain an improved Health Centre in the centre of the town and not to affect many people's travel abilities by moving it from the centre."

**389:** Object on the grounds physical activity should be encouraged and such a facility should not be lost.

**1435, 1461 14, 362, 1129, 1880, 2222, 2211, 2728:** Respondents prefer the town centre location of the medical centre due to its centrality and access to public transport.

**14:** One respondent was advised that a primary school could be located on the site which was considered unacceptable due to noise levels.

**362:** The site is protected within the extant plan and the protection should continue.

**366, 600, 2211:** Representations state additional football pitches are required not just replacements. Creation of sports facilities has not kept pace with development.

**600:** Banchory Boys Football Club (BBFC) regularly uses the Silverbank facility and object to its loss. The representation highlights that at least 13 football sides use Silverbank. The representation also highlights the deficiencies in other available pitches which can make them unusable for part of the year.

**1435, 1461:** It was noted that the site R1 was not considered in the Main Issues Report and as such has not been the subject of proper community consultation.

**1435, 1461:** The Silverbank facility is an important community facility and should be protected in its existing form. Alternatives for reservation for a medical centre include R4 or other opportunities in town.

**384:** It is suggested the medical centre should be located in the centre of the village or on the outskirts.

**2211:** A land swap should be considered between the medical centre and the putting green and tennis courts.

**1979:** Scottish Environment Protection Agency raises no significant flooding concerns for the site.

#### **Site R2 Banchory**

**1880:** Concern is raised that the facilities proposed on this site have not been developed.

**2578, 2579:** Representations state that as the primary school is built the remainder of the site should be reserved for potential education and community facilities allowing community facilities to be consolidated onto fewer sites.

**1979:** Scottish Environment Protection Agency raises no significant flooding concerns for the site.

#### **Site R3 Banchory**

**1979:** Scottish Environment Protection Agency raises no significant flooding concerns for the site, but given the presence of a nearby well, a drainage assessment may be required to assess any groundwater impacts.

#### **Site R4 Banchory**

**579, 1138:** Scottish Natural Heritage state R4 is a Long Established Woodland of plantation origin and no justification has been given for the allocation which shows how this complies with Scottish government policy or the safeguarding policies. They note that whilst there are no records of red squirrel on the site the woods are likely to be part of a network used by red squirrel and the Scottish government policy set out a strong presumption against developing woodland supporting UKLBAP priority species.

**1880:** Representation supports reservation of the site for education.

**2222:** Representation states further clarification should be given as to what facilities are proposed on the site.

**2579:** Representation objects to the reservation as education facilities should remain on one or two campuses and the council should consolidate community facilities onto fewer sites to ensure their accessibility and sustainability.

**Modifications sought by those submitting representations:**

**Site M1 Banchory**

**2580:** Divide site M1 to indicate separation between housing and community land.

**Site M2 Banchory**

**1435, 1461:** Increase allocation on M2 to 345 houses, 1094m<sup>2</sup> retail and 2188m<sup>2</sup> office accommodation on M2 and 2 ha of employment land. Increase H2 to 107. Extend M2 to include potential area A for 96 houses and potential area B for 126 houses.

**579, 1138:** Either remove M2 and R4 or provide justification for the allocation that relates to the criteria in Scottish Government Policy on the control of woodland removal; and more details requirements for the Masterplan for these areas should be set out that require some of this woodland to be retained as part of a functional habitat and give detailed requirements for compensatory planting within the SG for Banchory.

**1119, 2581:** Delete M2.

**1120:** Delete east section of M2.

**Site H2 Banchory**

**2580:** Do not extend settlement envelope to the north.

**Banchory Alternative Sites**

**920, 921:** Allocate land at Upper Arbeadie for up to 50 houses.

**1655, 1656, 1657, 1658:** Allocate West Banchory for a mixed use development including hotel, tourism, leisure, business and up to 125 houses in phase 1.

**1861, 1862:** Allocate site at Braehead, Auchattie for 230 houses.

**1886:** Identify Auchattie as a settlement within Supplementary Guidance and prepare settlement statement.

**1886:** Draw settlement boundary around Auchattie and identify land for phase 1 housing as part of Banchory or as settlement in its own right.

**1926, 1927:** Allocate land at Deebank (M87) for up to 14 houses.

**2706, 2707, 2708, 2709:** Allocate land at Corsee Wood for a mixed use development including housing, workspace, care facilities and woodland and walkway enhancement.

**2853:** Allocate site A at Sunset Seat, Banchory West for housing.

**Site R1 Banchory**

**1435, 1461:** Omit site R1 from the plan.

**361:** Delete site R1 and replace with "Site P10 is protected to conserve the playing fields and recreational open space." Amend plan.

**362, 443, 445 to 459, 461 to 464, 466, 966 to 971, 973, 974, 979 to 993, 995 to 997, 1029 to 1037, 1039, 1041, 1043, 1045, 1048 to 1051, 1053, 1055, 1056, 1059, 1060, 1063, 1129, 1338, 1341 to 1343, 1345, 1346, 1348 to 1350, 1352, 1354 to 1357, 1359 to 1362, 1364 to 1366, 1995 to 2002, 2003 to 2014, 2016, 2017, 2019 to 2045 , 2754, 2533, 2728:** Delete R1 and change to protected greenspace.

**366:** Change location of R1.

**384:** Build a new medical centre in the centre of the village or the outskirts (not on R1).

**Site R2 Banchory**

**2578, 2579:** Reserve R2 for potential education and community facilities such as a future secondary school with community centre.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Banchory is within the Aberdeen Housing Market Area Local Growth Area. The allocations in Banchory take into account the Structure Plan, and local needs and capacities. The level of development reflects the needs of the community, the levels of development Banchory can sustain, and takes account of recent levels of development and planning consents.

Re-allocation of units on site R4

The developer contends that the reservation of site R4 has resulted in a loss of 40 houses from the effective land supply. Site R4 is formed from site fh2 for 110 houses and part of site fh1 for 90 houses within Aberdeenshire Local Plan. Site fh1 was granted planning consent for 44 houses and the area reserved for R4 would result in a loss of 25 houses. The reservation also results in a loss of 110 houses from site fh2 and therefore a total of 135 houses are carried over to site M2 to account for the reservation. Therefore, a like for like replacement has been made. Any loss from the effective land supply which may result from the underdevelopment of site fh1 would be made up for elsewhere in the Aberdeen Housing Market Area (see Issue 25).

Housing numbers

Due to the weight of public opinion the Council decided that the 300 houses proposed in the Main Issues Report was an excessive allocation for Banchory and existing development needed time to bed in. The housing allocation at Banchory was therefore reduced to 250, with the majority of this in phase 2. The housing removed at this time was replaced in other areas of the Aberdeen Housing Market Area Local Growth Area. The Council’s view was that current high build rates in Banchory should not be maintained due to the impacts on the character of the town. Sufficient land has been allocated within the Local Growth and Diversification Area to meet the Structure Plan’s aim to increase completions. Provision is made within Policy 5 Housing land supply to draw down extra land from phase 2 allocations (2017 to 2023). Therefore, there would be an opportunity for draw down if there are issues of maintaining a five year effective supply. Issues relating to the general sufficiency and maintenance of housing land supply are dealt with in Issue 12 Housing land supply and issues relating to the specific allocation of sites and their effect on the housing land allocations are dealt with in Issue 25 New housing land allocations.

The affordable housing contribution for the rezoned R4 housing has already been provided in the Hill of Banchory development. As site M2 is a new allocation the requirement for 40% affordable housing would apply. Any affordable housing already provided in respect of the rezoned housing would be deducted from the 40% requirement. There is no requirement for additional housing allocations to be made.

Whilst the houses at Inchmarlo (see Issue 88) are targeted at a specific market they contribute to general housing figures and the impacts in terms of services will be equivalent to any other houses (with the exception of education). The housing requirements within figure 8 on page 17 of the Structure Plan do not exclude housing for occupants over 55, and set out the requirement for the



whole population.

Focus of development to north and east

The focus of development to the north and east will utilise existing infrastructure and link to more mature development. An allocation in this area also provides confidence for developers to invest in community facilities at Hill of Banchory, for which land has been reserved at R2. This will help to address the imbalance perceived by respondents. Opportunities to develop close to the town centre at the scale required is limited and constrained by recreational uses and potential impacts on the setting of Banchory. The distance to the town centre is an issue and the masterplan will be important to ensure development is well connected to the existing settlement and employment areas. Developers have confirmed the deliverability of the sites and they are therefore effective. A range of sites are promoted across the Aberdeen Housing Market Area providing a choice in location and housing type.

Sites were assessed on their relative merits and not on the basis of the anticipated developer. The sites were fully debated through the Main Issues Report.

**Site M1**

The proposal on site M1 includes a demonstration eco-village which will showcase low and zero carbon housing and test latest technology. A tighter limitation on development is not appropriate as this may restrict innovation and flexibility should be given to Development Management to assess the appropriateness of proposals.

It is not appropriate to separately reserve land for community facilities as the site is to be brought forward through a masterplan. Locating a park and ride facility at M1 would allow the car park to be used for the recreational and tourist activities proposed as well as the transport interchange minimising costs and maximising use. The site is also visible and easily accessible to main routes, which is likely to be key to its success.

**Site M2**

Flood risk

Scottish Environment Protection Agency have not objected to the site, but have noted the site has a number of watercourses running through it which may be a flood risk. It is accepted that one of the qualities of the Loch of Leys Nature Conservation Area is its marshland habitats and that drainage from the site will require to ensure current flows to this area are maintained. It has been stated within the Settlement Statement that proposals on site M2 should protect the Loch of Leys Local Nature Conservation Area. Text has also been added to the supplementary guidance in respect of a flood risk assessment for the site.

Recreation

A large area of the original bid for this area has been protected or remains unallocated. Through engagement on the masterplan recreational use of these areas can be enhanced.

Landscape and natural heritage

Site P9 is protected to conserve the Loch of Leys Nature Conservation area, and the masterplan for site M2 will require to take this protection into consideration. The Ecological Appraisal undertaken by the developer of M2 supports this and has identified the need to protect the Loch of Leys Nature Conservation Area. The Landscape Capacity Study for Banchory carried out for the developer of M2 identified the north of Banchory as suitable for development. The existing buffer to the north of BUS1 is protected in the Supplementary Guidance Settlement Statements for Marr, page 8, as site P7 which is protected to conserve the landscape buffer.

Part of the site is long established woodland of plantation origin. However, it has little biodiversity value and Scottish Planning Policy (paragraph 146) does not have a strong presumption against its removal. Development of the site allows for the protection and enhancement of the Loch of Leys Local Nature Conservation Area. The area of long established woodland within site M2 is relatively small in the context of the large areas of woodland around Banchory that are recorded within the

Ancient Woodland Inventory. Open space requirements could include wildlife corridors to allow red squirrels to move between woodland areas.

Accessibility

All bid sites of sufficient size to accommodate the level of development appropriate for Banchory were distant from the town centre, and some had unacceptable impacts on landscape and setting. Site M2 builds on existing development to the south and provides developers with the confidence to invest in facilities at Hill of Banchory.

Density and mix of housing

The density proposed on site M2 reflects the expectation in SG Housing 1: Housing Land Allocations 2007-2016 on page 63, that residential development will be provided at approximately 30 houses per hectare. This should also encourage a greater mix of house types and sizes. In addition the proposals will require to comply with Policy 6 Affordable Housing. Integration of the new development with older parts of Banchory is an issue for the masterplan stage.

Deliverability

Deliverability of the site has been confirmed by the developer. Whilst the water main crosses the site this is not a constraint to development.

**Site H1**

The support for development of site H1 is welcomed.

**Site H2**

The levels of development on site H2 are restricted due to the suitability and ability to provide two access points. The site does not go beyond the established woodland edge which forms a suitable settlement boundary.

**Alternative Sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

Upper Arbeadie

The land at Upper Arbeadie, site M51, was fully debated at the Main Issues Report stage, but following widespread community engagement the Council's conclusion was to exclude the site, as development in addition to site M2 would lead to over-development.

West Banchory

The land at West Banchory, sites M63 and M64, were fully debated at the Main Issues Report stage as part of Inchmarlo. The proposal is for a Resort and Golf Club with residential development. The housing is included as enabling development to help deliver the leisure and recreational uses. Following widespread community engagement the Council's conclusion was to exclude the sites, as no business case was put forward in relation to the levels of residential development being sought.

South of Banchory: Braehead Farm, Auchattie and Deebank

Allocations to the south of Banchory at Braehead Farm, Deebank and Auchattie, (sites M86, M87 and M94) were fully debated at the Main Issues Report stage and following widespread community engagement the Council's conclusion was to exclude the sites due to the significant adverse impacts on the landscape and setting of Banchory.

Corsee Wood and Sunset Seat

Land at Corsee Wood and Sunset Seat were not proposed at any previous stage, so there has been no site assessment or public debate on the sites. There is therefore no reason to alter the allocations in the proposed plan which are already appropriate and sufficient. Development would have significant impacts on the landscape and a large portion of the area is designated as an Area of Landscape Significance. Part of Corsee Wood is also long established woodland of plantation origin.

**Site BUS2**

It is not necessary to make a replacement allocation for the area of BUS2 just because it has planning consent for a new supermarket. Other business sites are already available at BUS1 and a new allocation is made within M1.

**Site R1**

R1 is reserved for community uses including a potential health centre. There are at present no specific development proposals and the reservation of the site would not mean a new health centre could not be proposed elsewhere. The existing health centre adjacent to the Bellfield carpark has no capacity for expansion and it is appropriate for the local plan to reserve land for this essential community facility. Site R1 is central relative to surrounding population and is not located on the edge of the town. The site is adjacent to the main route through Banchory allowing the site to be accessible by public transport. Replacement playing field provision could be made within site M1 and SG LSD5: Public Open Space requires development to make provision for open space in line with the size of development which may include provision of pitches. Development of the site would require to comply with other relevant local development plan policies and therefore issues such as traffic impacts would require to be assessed and mitigated if necessary.

Due to the public concern over the potential loss of the playfields a minor modification has been made to the supplementary guidance settlement statement for Banchory. The Supplementary Guidance has been amended to include a requirement for replacement facilities, including a full size football pitch, should the existing playing fields be utilised for the development of healthcare facilities on site R1.

**Site R2**

Reservation of site R2 solely for education is not appropriate as proposals already exist for a leisure centre upon the site. Development of community facilities at this location will redress the imbalance perceived by respondents. Allocations on site M2 will provide confidence for developers to invest in community facilities at Hill of Banchory.

**Site R3**

The presence of the well is noted and appropriate wording in relation to a drainage impact assessment has been added to the supplementary guidance.

**Site R4**

Site R4 is reserved for potential education facilities. As a reserved site there are at present no specific development proposals and the reservation of the site would not mean a new school could not be proposed elsewhere or consolidated on the existing site.

The site is long established woodland of plantation origin but it has low biodiversity value. As a consequence Scottish Planning Policy does not have a strong presumption against its removal. Development of the site allows for the reservation of the site for education uses and therefore has clear public benefits. The area of long established woodland within site R4 is relatively small in the context of the large areas of woodland around Banchory that are identified within the Ancient Woodland Inventory. Open space requirements could include wildlife corridors to allow red squirrels to move between woodland areas.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Banchory are appropriate and sufficient to meet the needs of the settlement strategy.

<b>Any further plan changes commended by the planning authority:</b>
<p>No changes to the plan are commended.</p> <p>The Settlement Statement has been changed to include a requirement for replacement facilities, including a full size football pitch, should the existing playing fields be utilised for the development of healthcare facilities on site R1. The supplementary guidance has also been amended to show the requirement for a flood risk assessment for site M2 and a drainage impact assessment for site R3.</p>
<b>Reporter's conclusions:</b>
<p><b>Site M1</b></p> <p>1. This site is allocated for a mix of uses, including 30 houses, tourism and community uses, and a park and ride facility. The site has been partially developed with the construction of a church and the laying out of playing fields. The demonstration eco-village of 30 houses would showcase low and zero carbon housing and test latest technology. It would be unduly restrictive to define the precise boundaries for the various uses proposed for the site, and to impose restrictions on the type of housing proposed, in advance of the preparation of a development brief. These are matters to be addressed in the masterplan for the site.</p> <p><b>Site M2</b></p> <p>2. This allocation covers two areas of ground at either end of the Lochton of Leys road. The two sites together are allocated for a mix of uses to include 285 houses and 2 hectares of business land with 135 houses in phase 1 and 150 houses in phase 2. The first phase allocation of 135 houses replaces the loss of a similar number of houses as a result of the reservation of the majority of housing sites fh1 &amp; fh2 in the adopted local plan for potential education facilities (site R4). The net result of allocation M2 is therefore an additional 150 houses in phase 2 of the plan. The total number of houses allocated to Banchory over the plan period amounts to some 380 houses, including the 135 houses carried forward from the ALP, a build rate of just over 30 units per year.</p> <p>3. It is argued by the developers of Hill of Banchory that the current (2010) build rate in Banchory of 50 units per year should be maintained, which equates to a required allocation of 600 units in total for the period 2011-2023. The indicative master plan for Hill of Banchory prepared on behalf of the developer proposes some 178 units for the eastern portion of M2 plus 2 hectares of employment land, and 167 units plus retail and office accommodation on the western portion; a total of 345 houses compared with the 285 houses in the proposed Plan, an additional 60 units. Across the timescale of the proposed Plan, this level of development, together with the development of sites M1 (30 units), H1 (15 units) and H2 (50 units), would equate to a build rate of 37 units per year.</p> <p>4. In addition to increasing the capacity of the allocated site M2 the indicative masterplan proposes some 107 units on site H2 compared with the 50 houses proposed in the proposed Plan. The indicative masterplan also proposes the development of two areas of land included within the protected area P9, which would accommodate an additional 222 houses. In total, the developer's proposals would increase the housing allocation on site M2 to 567 units. Together with sites H1, H2 and M1, the allocation for Banchory would total 719 units, including the 135 houses carried forward from the adopted local plan. This level of development across the timescale of the proposed Plan would equate to a build rate of 60 units per year.</p> <p>5. It is argued that this scale of allocation is far more appropriate for Banchory and reflects the availability of roads, schools and other infrastructure required. The development of site M2, as enlarged, would deliver affordable housing, employment land, community and leisure facilities. It is contended that the various developments would have minimal visual and environmental impacts and would offer long term protection and management of the Local Nature Conservation Area (LNCS), including Loch of Leys.</p> <p>6. Other respondents have raised concerns regarding the impact of the proposed allocation of site</p>

M2. Concerns have been raised in relation to the flooding of the eastern portion of M2; the impact on the landscape setting; the impact on the recreational use of this area; the impact on the designated Long Established Woodland of Plantation Origin at Lochton of Leys; and the potential adverse impact, particularly of the western portion, on the wildlife, environmental and biodiversity value of the established woodland and the Loch of Leys LNCS.

7. In relation to flooding, the Scottish Environment Protection Agency (SEPA) has not objected to proposed allocation M2. The site lies outwith the Loch of Leys LNCS and the need to protect this area and its marshland habitats is recognised by the developer and the council. The proposed masterplan for the site will require to incorporate measures to ensure that current flows to this area are maintained.

8. Whilst the western part of site M2, and part of site R4, are within the area designated Long Established Woodland of Plantation Origin, it is the case that much of the woodland in this area has already been removed and that the remaining woodland on site R4 is predominantly coniferous in nature with little biodiversity value. The area of woodland within the western portion of site M2 is relatively small in the context of the large areas around Banchory that are recorded as long-established and, again, is predominantly coniferous in nature with little biodiversity value. The removal of this woodland would not therefore be inconsistent with the requirements of Scottish Planning Policy.

9. In relation to landscape impact, the Landscape Capacity Study carried out for the developer identified the north of Banchory as suitable for development. The existing landscape buffer on the north side of BUS 1 is protected as is the Loch of Leys LNCS. The proposed masterplan for the site would require the provision of open space for recreational use, and could include wildlife corridors to allow the movement of wildlife through the area.

10. In conclusion, therefore, it is considered that there are no grounds for removing site M2 from the proposed Plan. As regards the scale of housing proposed, the density indicated by the developer for a development of 345 houses, at 18-21 units per hectare, is below the expectation in SG Housing 1 that residential development should be provided at approximately 30 houses per hectare. The scale of development proposed is deliverable and there does not appear to be any rationale behind limiting the number of houses on site M2 to 285 units.

11. In relation to the developer's request that site M2 be increased in area, this proposal would include land within the Loch of Leys LNCS, protected for its marshland habitats and biodiversity value (area P9). There is no over-riding reason for setting aside the protection of this area in favour of the development of an additional 222 houses. Sufficient land has been allocated in the Local Growth and Diversification Area (AHMA) in the proposed Plan to meet structure plan requirements.

### **Site H2**

12. Site H2 is allocated for 50 houses in phase 2 of the plan. The indicative master plan prepared on behalf of the developer proposes some 107 units at a density of 23 units per hectare, which is below the expectation in SG Housing 1 that residential development should be provided at approximately 30 houses per hectare. There are no landscape or environmental constraints that would preclude the scale of mixed housing development proposed in the developer's indicative masterplan. However, the scale of development on this site is restricted due to the inability to provide two access points. Until this is resolved, the capacity of the site is limited to 50 housing units.

### **Site R1**

13. The reservation of this site for community uses, including a potential health centre, has generated a large number of objections on the grounds that it is a popular and valuable local amenity. Due to the concerns over the potential loss of playing fields, the council has made an amendment to the Supplementary Guidance to include the requirement for replacement facilities, including a full size football pitch, should the site be developed for healthcare facilities.

14. There are no specific proposals for a new health centre at the present time; the site is only being reserved to safeguard the site for a potential future development. The site is in a central location and adjoins the main route through Banchory, a public transport corridor. It would be an appropriate location for a new health centre. Replacement playing field provision could be made within site M1.

15. The council acknowledges that the reservation of the site for a potential health centre would not preclude a development elsewhere within Banchory. This site may well not, therefore, be developed for this purpose. Consequently, the reservation of this site could be causing a great deal of unnecessary uncertainty and the appropriateness of reserving this site for a health centre at this time is open to question. There would appear to be little likelihood of the site being developed for any other purpose that might prejudice its availability for a new health centre should one be required and its reservation for a potential health centre would appear premature until such time as there is more certainty about the need for a replacement health centre.

**Site R2**

16. Site R2 is reserved for community uses including a primary school. A dance studio already exists on the site and there are proposals for a leisure centre on the site. It would therefore be inappropriate to reserve the site solely for education purposes when other uses exist on the site and other uses are planned.

**Site R3**

17. Supplementary guidance has been amended in response to SEPA's concerns.

**Site R4**

18. Site R4 is allocated for housing in the adopted local plan (fh2 and part fh1). As indicated above, in relation to site M2, it is the case that much of the woodland in this area has already been removed and that the remaining woodland on site R4 is predominantly coniferous in nature with little biodiversity value. Also, the woodland within site R4 is relatively small in the context of the large areas around Banchory that are recorded as long-established. The removal of this woodland would not be inconsistent with the requirements of Scottish Planning Policy.

**Alternative housing sites**

19. It has been established in relation to Issues 12 & 25 that sufficient housing land has been allocated within the Local Growth and Diversification Area (Aberdeen Housing Market Area) to meet structure plan requirements. In relation to Banchory, it is recommended that the capacity of site M2 be increased to reflect the indicative master plan prepared by the developer. The focus of development at Hill of Banchory will utilise existing infrastructure. As a result of this increased allocation, the total number of houses allocated to Banchory over the plan period amounts to some 440 houses, including 135 houses carried forward from the adopted local plan. Land is identified for the development of 180 houses in phase 1 and 260 houses in phase 2. Whilst this is an increase on that proposed by the council, across the timescale of the local development plan, this scale of development equates to a build rate of some 37 units per year, which is well below the current rate of 50 units per year.

Upper Arbeadie

20. Site M51 is visually contained by existing woodland and tree planting. It has high recreational value and has a well-used footpath running diagonally across it. The proposed development would safeguard open space and incorporate the existing footpath into the layout. The site is easily accessible from existing residential development to the south. Some 50 houses could be accommodated on the site and the site is deliverable. It would offer an alternative to concentrating development at Hill of Banchory. However, the removal of allocated sites at Hill of Banchory cannot be substantiated in view of the investment in infrastructure in that area and there is no requirement for additional housing allocations in Banchory at this time. It will be for the review of the local development plan to re-assess housing requirements and housing supply in the light of changing circumstances and consider the allocation of further land in phase 2 of the plan.



West Banchory

21. Sites M63 and M64 lie to the east and west of the Glassel Road to the north of Inchmarlo House, which is located on the western edge of Banchory. It is specifically requested that this area be identified for a mix of uses, including hotel, tourism, leisure and business and up to 125 houses. A portion of the site is already in use as part of the Inchmarlo Golf Course. The housing element is considered necessary to deliver the hotel site, associated infrastructure improvements and community facility improvements. Housing would be located around the golf course within the woodland setting and on land to the north of East Mains. Planning permission for the erection of tourism, leisure, business and residential development on the site was refused in March 2011. A revised application including a reduced number of houses (60 mainstream and 20 affordable), submitted in July 2011, was approved in November 2011 subject to a Section 75 Agreement. In doing so, the council considered that the economic and local benefits resulting from the tourism, leisure and business uses outweighed the non-compliance of the housing element with development plan policy in respect of housing in the countryside.

22. Notwithstanding the decision of the council to grant planning permission for a mixed tourism, leisure, business and residential development on this site, it remains to be determined whether the site should be allocated for such purposes in the proposed Plan. This site is divorced from the built-up area of Banchory and is some 3 kilometres from the town centre. It is considered that the allocation of land for business and residential development in this location would not be consistent with the principles of sustainable development set out in the vision and aims of the plan and in the spatial strategy. The non-allocation of the site for such purposes does not, however, preclude the council from considering the development of the type proposed against the appropriate policies of the proposed Plan.

Corsee Wood and Sunset Seat

23. The Corsee Project encompasses a large area of commercial woodland stretching from Upper Arbeadie in the east to the Glen O'Dee Hospital in the west. The majority of the land is owned by Forest Enterprise. The project envisages a community led mixed development of housing, workspace and care facilities within a woodland setting. The site could accommodate some 300 houses, including affordable housing. Whilst this is an innovative project, no site assessment has been carried out and its deliverability has not been tested. Accordingly, it would not be appropriate to consider this proposal for inclusion in the proposed Plan.

24. Separate representations have been received in relation to an area of ground located to the north of Hillcroft Road and lying to the south west of the Upper Arbeadie site. It forms part of Sunset Wood, within which is a viewpoint, Sunset Seat. This site has not been the subject of any site assessment and its deliverability has not been tested. Accordingly, it would not be appropriate to consider this proposal for inclusion in the proposed Plan.

Deebank

25. Site M87 is situated on the south side of the River Dee between the river and the B974. Deebank comprises some 20 dwellings and the site is located between a large detached property in its own grounds, Riverstone House, to the east and other housing to the west. The site comprises a paddock with a belt of trees along the road side and other trees along the boundaries to the east and west. An indicative layout shows a residential development of 14 dwellinghouses with a new vehicular access in a central position. This scale and layout of development would be totally unrelated to the existing form of Deebank, which is essentially composed of houses strung along the roadside. Deebank lies outwith the settlement boundary of Banchory and any small-scale housing on this site falls to be considered against the appropriate policies of the proposed Plan.

Braehead Farm and Auchattie

26. It is requested that site M94 at Braehead be allocated for a development of up to 230 houses with the remaining land reserved for development post-2023. A separate representation requests that a settlement boundary be drawn around the small community of Auchattie, which lies to the south west of Braehead, and that the area be identified for housing in the first phase of the plan. It is argued that Auchattie has the landscape capacity to absorb part of the housing requirement for the

period 2011-2016.

27. Either of these proposals would result in a major intrusion of development into the countryside south of the River Dee, although visual impact from the main road through the area, the B974, would be mitigated by existing woodland and proposed planting. However, the view from Scolty Hill, a popular viewpoint, would be significantly affected by these developments. Major investment in roads and drainage infrastructure would be required to deliver these proposals. The deliverability of any development within the timescale of the proposed Plan is uncertain.

28. These proposals have been put forward as an alternative to the council's allocation of site M2. It has been concluded above that there are no grounds for removing site M2, which will utilise existing investment in infrastructure at Hill of Banchory. There is no requirement for additional housing allocations in Banchory at this time. It will be for the review of the local development plan to re-assess housing requirements and housing supply in the light of changing circumstances and consider the allocation of further land in phase 2 of the plan and post 2023.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

1. In Schedule 1, Table 7 (p.29), modify the entry for site M2 in the Local growth (AHMA) 2017-2023 column by replacing the figure 150 with the figure 210.
2. Delete site R1 from the proposals map (p. 24).

<b>Issue 90</b>	<b>Other Sites: Marr AHMA</b>	
<b>Development plan reference:</b>	Section 6 Proposals Maps Marr (p24) Schedule 1 Tables 7 (p29) Schedule 2 Tables 7 (p34) Schedule 3 Table 2-3 (p36 & p41) Volume 3I Supplementary Guidance, Settlement Statements Marr	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Crathes, Drumoak & Durriss Community Council (933) Ann Martin (944) Heather Sabnis (1012) James Stewart Henderson (1127) Halliday Fraser Munro on behalf of S Ironside & C Laurie (1405, 1547) Halliday Fraser Munro on behalf of Mr & Mrs A P George (1651, 1653) Ryden LLP on behalf of Dunecht Estates (1848) Ryden LLP on behalf of Glenview Developments Ltd (1935) Strutt & Parker LLP on behalf of Monymusk Estate (2058) Mark Bramwell on behalf of Kirkton Development (2099) Archial Planning on behalf of A & W Duncan (2753)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in other settlements in the Aberdeen Housing Market Area part of Marr.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Crathes Site EH1</b></p> <p><b>933:</b> Site EH1 is inappropriate for 45 houses. The principles within the approved Crathes Development Brief demonstrate the unsuitability of the site for 45 houses and a recent application was withdrawn as it failed to meet the requirements of that brief.</p> <p><b>933:</b> There are no opportunities to build within the landform and the southern area (Fh1 in extant plan) should be removed with the more northerly area (A in extant plan) reduced to 15 houses.</p> <p><b>1127:</b> The respondent questions the need for 45 luxury homes and suggests the number of units should be reduced.</p> <p><b>2099:</b> Object to site EH1 as it would destroy the unique landscape character and local identity. The level of housing proposed is ludicrous and does not comply with development guidelines.</p> <p><b>933, 1012 :</b> The field where the sewage treatment plan is proposed does not form part of EH1 and is subject to flooding. The location of the sewage treatment plan includes two ancient river terraces which contain many archaeological artefacts.</p> <p><b>1127:</b> Respondent notes drainage will be a considerable and expensive issue.</p> <p><b>933:</b> The Crathes Development Brief has been publicly consulted upon and should be given masterplan status and treated as Supplementary Guidance.</p> <p><b>1848:</b> Support allocation of EH1 as it is on a public transport corridor, can take advantage of quick commuting times and is in an area of high housing demand. Development will support local services including village hall, primary school, and Milton of Crathes.</p>		

**Monymusk**

**2058:** Support continuation of the allocations from the extant plan as sites EH1 and EH2 in Monymusk. However, the Aberdeenshire Local Plan allocations made by the Reporter were indicative to be informed by a masterplan yet the proposed plan figures are fixed.

**2058:** Object to lack of future housing allocations in Monymusk. Land to north of St Andrews should be allocated as “housing area after 2016” for 44 houses in line with the approved Monymusk Masterplan. Phase 3 of the Monymusk Masterplan should be included as Reserve housing land post 2016, to meet shortfalls in housing numbers due to over-reliance on windfall. Phase 3 is the obvious direction for growth and should be identified.

**Alternative Sites**

**1405, 1547: Monymusk Station** The representations state it is important to allocate land in the Local Growth Area to ensure the survival of local services. Insufficient comfort that Monymusk Station could be developed under revised development in the countryside policy. Allocation of Monymusk Station would address the absence of new allocations at Monymusk, would increase contributions to required infrastructure and would redevelop a brownfield site. There is no evidence of protected species on site and the site has low ecological value. Allocation of Monymusk Station would be consistent with the decision to allocate development at Drumdelgie.

**1651, 1653: Woodend of Glassel** The representations state it is important to allocate land in the Local Growth Area to ensure the survival of local services, as there is insufficient comfort that the site could be developed under the revised development in the countryside policy. Effective sites, such as this unconstrained brownfield site, require to be allocated to ensure Structure Plan allowances are met. Competing tourist accommodation has placed the existing holiday chalet business on the site under threat and an allocation will allow the business to survive as it is proposed to retain two chalet lodges. The site benefits from being close to a bus and school route and development would increase contributions to required infrastructure. The enabling approach taken at Drumdelgie should also be applied to Woodend of Glassel.

**944: Bridge of Canny East** Object to failure to identify site at Bridge of Canny East (M59 in Main Issues Report) for 3-5 houses. The ground has little agricultural value and development would complement new houses opposite.

**1935: Bridge of Canny East** Bridge of Canny East should be allocated as a Rural Service Centre and an allocation made on M58 for up to 3 houses. The site is outwith the 1 in 200 year flood risk area.

**2753: Mains of Invery** Site at Mains of Invery should be allocated for residential development as the countryside policy would not allow this to be developed in full, the site is well screened, is less than a mile from Banchory town centre, will not have any adverse impact on landscape, will have no adverse impact on neighbouring properties, and will improve the site through removal of dilapidated buildings.

**Modifications sought by those submitting representations:**

**Crathes Site EH1**

**933:** Amend Crathes settlement statement to "Site EH1 is carried forward from the previous local plan for up to 45 houses. The existing Crathes Development Brief is required to be upgraded to Masterplan status and treated as Supplementary Guidance in the context of Policy 8".

**1127:** Reduce number of units on site EH1 Crathes.

**2099:** Remove site EH1 Crathes from the plan.

**Monymusk**

**2058:** Amend initial phase for site EH1 to read "south of St Andrews" and that land to north of St Andrews will be delivered in the period after 2016 as in the Monymusk Masterplan.

**2058:** Re-annotate EH2 as a housing site as per the Monymusk Masterplan.

**2058:** Identify land to north of St Andrews in the period after 2016 for 44 houses as shown in the Monymusk Masterplan.

**2058:** Identify phase 3 of the Monymusk Masterplan as Reserve Housing land post 2016.

**Alternative Sites**

**1405, 1547:** Allocate site at Monymusk Station for 8 houses in the first phase of the plan.

**1651, 1653:** Allocate site at Woodend of Glassel for up to 7 houses in the first phase of the plan.

**944:** Allocate site at Bridge of Canny East (M59 in Main Issues Report) for 3-5 houses.

**1935:** Identify Bridge of Canny East as a settlement and allocate site M58 for up to 3 houses.

**2753:** Allocate site at Mains of Invery for 9 houses.

**Summary of responses (including reasons) by planning authority:**

**Overview**

This response is in respect of sites in the Aberdeen Housing Market Area that fall within the "local growth and diversification area." The strategy within this area is for growth in communities to meet local needs. Allocations are made where there is a specific need identified, including providing opportunities to increase numbers going to primary schools where the roll is dropping. Both Crathes and Monymusk primary schools have falling rolls and consequently have had allocations "rolled forward" from the previous plan as suggested by paragraph 78 of Circular 1/2009. Sites are carried over in both Crathes and Monymusk to meet local needs, which are of a scale that reflects the existing settlement. The allocations made in Monymusk and Crathes are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan.

**Crathes Site EH1**

Site EH1 is an existing site carried over from the Aberdeenshire Local Plan and it was subject to examination in that plan (see paper apart Report of Aberdeenshire Local Plan Inquiry Issue 219 Crathes). Crathes is on a public transport corridor making this a sustainable location. The allocation will also support the school.

The "Planning Brief for Housing Development Crathes" (September 2006) demonstrates how development of 45 houses can be accommodated on the site. The site has a low density, at approximately 8 houses per hectare to take account of the established low density, the informal layout of existing development and visual impacts. The low density will also help conserve the site's topographic features. Whilst one application has been withdrawn (APP/2007/0091) this does not mean subsequent applications would not meet the Development Brief. The allocation is made for 45 units, but does not stipulate what size or type of housing should be constructed. The development will require to comply with plan policies including Policy 6 Affordable Housing.

The comments regarding the sewage treatment plant refer to the withdrawn planning application APP/2007/0091, where the sewage treatment plant was proposed outwith the allocation boundaries. If future applications show the treatment plant outwith the site this will be a matter for Development Management to consider. The landowner's agent has advised that waste water treatment can be

provided for the site.

Due to public concern over development of this site a minor modification is proposed requiring a separate piece of Supplementary Guidance to be developed specifying layout and design proposals required for site EH1 in Crathes.

### **Monymusk**

It is recognised that there is potential in the Aberdeenshire Local Plan for sites to be developed at a higher number of units than stipulated and this has been a concern raised by several communities. To address this issue the new Local Development Plan only supports increases in the number of units above that stipulated in the plan in exceptional cases, such as where there is an overriding public benefit. (see Supplementary Guidance, SG Housing 1: Housing land allocations 2007 – 2016 page 63)

Whilst site EH1 is carried forward from the Aberdeenshire Local Plan it is intended that the initial allocation for 43 houses will be developed in the most southerly section of the site with subsequent phases identified in the masterplan to the north. The whole site area has been shown to ensure a masterplan is developed for the entire area despite only the initial phase being allocated in the plan. If the entire Monymusk Masterplan were allocated this would result in 30% growth of the village which is excessive given the existing size of the settlement. It is premature to allocate Phase 3 of the Monymusk Masterplan, as this would be outwith the 10 year timeframe of the Local Development Plan.

### **Alternative Sites**

The allocations made within the Aberdeen Housing Market Area are already appropriate and sufficient and there is no requirement to consider alternative sites.

#### Monymusk Station

The site at Monymusk Station was raised in response to the main issues report consultation but has not been the subject of public consultation. The site lies within the countryside of the Aberdeen Housing Market Area, and it is considered more sustainable to make allocations within existing settlements such as Monymusk. The site allocated at Drumdelgie provides the opportunity for the removal and redevelopment of a dilapidated and redundant building which has become an eyesore. The site at Monymusk Station differs from Drumdelgie as it does not contain building and redevelopment of the site would not result in the removal of any eyesore. The site at Monymusk Station would be unlikely to meet the requirements of Policy 3 Development in the Countryside.

#### Woodend of Glassel

The site at Woodend of Glassel (site M78 in the main issues report) was given full consideration following the publication of the Main Issues Report. Following widespread community engagement the Council's conclusion was to exclude it as it would create a dispersed settlement pattern. The site differs from the situation at Drumdelgie where the existing buildings are dilapidated and redundant, as there is a tourist accommodation business operating at Woodend of Glassel. The proposal would be inconsistent with SG bus 4: Tourist Facilities and Accommodation which presumes against the conversion of existing tourist accommodation to other uses. (See Issues and Actions Volume 7 page 117 Woodend of Glassel).

#### Bridge of Canny East

Both sites M58 and M59 at Bridge of Canny East were also fully debated at the Main Issues Report stage and following widespread community engagement the Council's conclusion was to exclude both sites. No sites were allocated at Bridge of Canny East due to the lack of services, and it is more sustainable to focus development in nearby Banchory. Development of site M59 would also have significant adverse visual impacts and the proximity of site M58 to an area of flood risk was a concern. The sites proposed would be unlikely to meet the requirements of Policy 3 Development in the Countryside (see Issues and Actions Volume 7 page 61 Inchmarlo and Bridge of Canny East).



**Mains of Invery**

Mains of Invery, site M76 in the main issues report, was fully debated at the Main Issues Report stage and following widespread community engagement the Council's conclusion was to exclude it as it lies within the countryside, with no services and is not part of a settlement. It is more sustainable to focus development in nearby Banchory. The site would be unlikely to meet the requirements of Policy 3 Development in the Countryside (see Issues and Actions Volume 7 page 12 Banchory).

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in the Aberdeen Housing Market Area are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

It is suggested that a minor modification is made to the plan to add a footnote to Policy 8 Layout, siting and design of new development stating the requirement for a separate piece of Supplementary Guidance to provide a statutory basis for putting the development brief for site EH1 Crathes into practice.

No other changes are commended to the plan.

**Reporter's conclusions:**

**Crathes Site EH1**

1. Site EH1 is an existing site carried over from the adopted local plan. The northern part of the site is allocated for housing development during the period 2000-2005. The southern part is identified for future housing during the period 2006-2010. A development brief for the whole site was prepared in 2006. Although no development has yet taken place, the appropriateness of the site for future housing is established. Regarding the concerns that have been raised in relation to the number, design and layout of the proposed houses, the development brief provides guidance on how around 45 houses can be accommodated on the site. The council's suggested minor modification to Policy 8 of the proposed Plan to provide a statutory basis for putting the development brief for site EH1 into practice is noted.

**Monymusk**

2. Site EH1 has been carried forward from the adopted local plan, within which the site is identified as sites ch1, fh2 & fh3 with a combined capacity of 43 houses. Planning permission has been granted for 24 houses on that part of the site to the south of St. Andrews (site ch1 in the adopted local plan) and this development is underway. The Monymusk Masterplan suggests an indicative capacity of 44 houses for the northern part of the site (sites fh2 & fh3 in the adopted local plan) and the council has signalled its intention to grant planning permission for this number of houses on this part of the site. The anticipated total number of houses to be built on the whole of site EH1 is therefore likely to exceed the number proposed in the adopted local plan by a considerable margin. Site EH1 is not shown as a proposal in the proposed Plan and the allocation of this site for an increased number of houses is outwith the scope of this examination. The council has identified site EH1 as contributing 43 windfall units to the Local growth (AHMA) during the period 2007-2023. On the basis that the total figure is likely to be in the region of 65-70, the final sentence in the note attached to Schedule 1, Table 7 will require to be amended to reflect the likely increase in windfall units. Consequential changes to the description of the site in the SG will be required.

3. Site EH2 has also been carried forward from the adopted local plan, within which it is identified as being suitable for special needs housing but with no indication of the proposed number of houses. Planning permission has been granted for 7 mainstream houses on the site. Site EH2 is not shown as a proposal in the proposed Plan and the re-allocation of this site is outwith the scope of this examination. However, the final sentence in the note attached to Table 1 in Schedule 1 will require

to be amended to reflect the increase in windfall units. Consequential changes to the description of the site in the SG will be required.

4. The Monymusk Masterplan identifies the field to the north of site EH1 for future development post 2015 (phase 3) with an indicative capacity of 46 housing units. Whilst the council approved the master plan for Monymusk in 2007, the allocation of this field for development during the timeframe of the proposed Plan is not supported. Site EH1 has an estimated capacity of some 65-70 houses in total and the inclusion of the field to the north would increase the allocation to over 110 houses. It is considered that such a scale of development within a period of 16 years would be excessive given the size of the settlement.

### **Alternative Sites**

#### Monymusk Station

5. Monymusk Station comprises a disparate group of houses in the countryside located in the vicinity of a former station on a dismantled railway. The allocation of land for housing in this location would not be consistent with the principles of sustainable development set out in the vision and aims for the plan and in the spatial strategy.

#### Woodend of Glassel

6. Glassel/Brathens has a dispersed settlement pattern. The site comprises a holiday chalet development in the countryside unrelated to any defined settlement. The allocation of land for housing in this location would not be consistent with the principles of sustainable development set out in the vision and aims for the plan and in the spatial strategy. Any redevelopment of this site should be assessed against the proposed Plan's policy for development in the countryside.

#### Bridge of Canny East

7. The site referred to as site M58 lies to the south of the site allocated for future housing in the adopted local plan (fh1), which is currently under development for 9 houses. That part of site M58 immediately to the south of the development site comprises sloping ground with a flatter area adjacent to the Burn of Canny, which is within the functional floodplain of the burn. Site M59 is located on the north side of the A93 in a prominent position and any development on this site would have a significant visual impact. Bridge of Canny East is not a defined settlement and the allocation of land for housing in this location would not be consistent with the principles of sustainable development set out in the vision and aims for the plan and in the spatial strategy. Any further development should be assessed against the proposed Plan's policy for development in the countryside.

#### Mains of Invery

8. Mains of Invery is located in the countryside to the south of Banchory. The allocation of land for 9 houses at this location would not be consistent with the principles of sustainable development set out in the vision and aims for the plan and in the spatial strategy. Any housing development at this location should be assessed against the proposed Plan's policy for development in the countryside.

### **Reporter's recommendations:**

Modify the proposed Plan as follows:

#### **Monymusk**

The final sentence of the note attached to Schedule 1, Table 7 to be amended to reflect the increase in housing units to be provided on sites EH1 and EH2.

<b>Issue 92</b>	<b>Banff</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Schedule 1 Table 2 (p25) Schedule 2 Table 2 (p30) Schedule 3 Table 3 (p37) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p3)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Ian Tillet (141) H MacDonald, J Watt, A MacDonald (169) Scottish Environment Protection Agency (1979) Andrew Priest (2303)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Banff.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>M1 and H1 Banff</b></p> <p><b>2303:</b> The respondent believes there is no requirement for 800 houses in Banff, and is concerned that there may not be sufficient capacity in Banff Academy for the potential number of students that 800 houses in Banff would bring.</p> <p><b>H1 Banff</b></p> <p><b>2303:</b> Expresses concern that their view of the countryside would be lost due to the number of houses proposed on the site, as it is likely that taller houses will be built than the current scheme of bungalows and 1.5 storey houses.</p> <p><b>2303:</b> Expresses concern that given the number of houses proposed the road beyond the cemetery is not suitable (not wide enough), there is limited public transport, and no retail or play areas are proposed on site.</p> <p><b>2303:</b> Expresses concern that developing beyond the strip of trees through the middle of the site would be detrimental to the town as they are believed to be the original boundary of Banff, and it would further reduce the few remaining 'green belt' areas.</p> <p><b>R1 Banff</b></p> <p><b>1979:</b> The site should not be allocated for a cemetery until a groundwater assessment is undertaken to identify any mitigation measures necessary to meet the recommendations in the <i>Groundwater Protection Policy for Scotland v3</i>.</p> <p><b>141, 169:</b> Express concern that reserving approx 20 acres of land for a cemetery is excessive and should be reduced.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>2303:</b> Reduce the number of houses proposed in site H1.		

**2303:** Reduce the size of site H1 to the strip of trees running through the middle of the site.

**1979:** Allocate site R1 only once a groundwater assessment has been undertaken.

**141, 169:** Reduce the size of R1 to 2 hectares.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Banff is located within the Local Growth and Diversification Area, and Regeneration Priority Area, within the Rural Housing Market Area. Allocations have been proposed to enhance Banff's role as regional service centre, provide housing choice and affordable housing for local need. It would be inappropriate to allocate large scale development in a smaller settlement. The number of houses proposed is also determined by the capacity of the settlement to absorb growth. Banff has sufficient capacity in existing services and infrastructure to absorb the scale of growth proposed. Banff Academy is forecast to operate at 71% capacity by 2016. Therefore, the additional houses will not adversely affect capacity of the Academy.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. A few of the issues raised in relation to this settlement/policy were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 2, Banff and Buchan' paper (May 2010 pages 5 to 8).

**Site M1 Banff**

The site is currently allocated in the existing plan as sites eh1 and fh2 and re-allocating these allocations would help to define the western boundary of Banff, which is currently lacking. The Aberdeenshire Local Plan allocated land at a very low density. The density of the site M1 was increased given the context of Banff's built form, and to use the land more efficiently and sustainably. There is sufficient capacity in Banff Academy to accommodate the proposed development, and is discussed above.

**Site H1 Banff**

Site H1 is carried forward from the Aberdeenshire Local Plan (as sites B and fh1): thus the principle of development on site H1 was considered at a previous examination (see attached extract of Local Plan Inquiry Report, Volume 2 Banff and Buchan, pages 3 and 4). A masterplan is required for the site and that is the appropriate opportunity for engagement in relation to the detail of the site, its layout, siting and design.

There is sufficient capacity in Banff Academy to accommodate the proposed development, and is discussed above.

The scale of development would provide the developer contributions required to upgrade local road networks and other infrastructure, where necessary. Site H1 is located a short distance from site M1, which is allocated for leisure facilities and retail units, as well as housing.

The settlement statement for Banff requires strategic landscaping to provide a western boundary, which could link to Colleonard Sculpture Park to the south of the site. There is little evidence to suggest that the strip of trees, which runs parallel to a track road, is the original boundary of Banff. The row of trees does not extend northwards and stop at Colleonard. There are dwellings to the north-west of the strip of trees at Mains of Colleonard, and site H1 does not extend beyond these houses. Furthermore, there is no green belt designation in Banff. However, the development will require the provision of open space, which could include the strip of trees in its design. This would be set out in the masterplan, which would be subject to community engagement.

**Site R1 Banff**

Site R1 is a reservation rather than an allocation in order to safeguard the land for a new cemetery. In light of this, the need for a groundwater assessment prior to the adoption of the plan is unnecessary.

The Aberdeenshire Local Plan protects an area twice the size as site R1 for a cemetery extension,

and its scale has been significantly reduced in the proposed plan. Protecting an area of land at this scale provides long-term security, especially as there is development interest west of Banff (site M1), and it provides flexibility in the design and layout of the cemetery.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Banff are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Sites M1 and H1**

1. Site M1 was previously allocated in the Aberdeenshire Local Plan as site eh1 for 60 houses and site fh2 also for 60 houses, and additionally includes part of the P3 site shown in that plan as being reserved for a possible cemetery extension. The council rightly considers now that this represented an unreasonably low density and so an inefficient allocation of the land concerned. It has concluded therefore that the M1 site could and should be allocated as M1 for a total of up to 400 houses in 2 phases (including the 120 units carried forward from the previous plan allocations here), as well as leisure and retail units – and a primary school in the second plan period. Unfortunately, in Table 2 of Schedule 1 of the proposed Plan there is a typographical error in that the council’s proposals for the M1 site are wrongly summarised as being for a total of 320 additional houses (split as 120 units in the first part of the plan period and 200 units in the second part). In reality, irrespective of how it is split between the earlier and later parts of the plan period, that total should not be 320 but 280 units (to make up the council’s updated position for an allocation for up to 400 houses on site M1, allowing for the 120 units carried forward from the previous plan allocation). The M1 site currently has an undefined western edge as the land allocated forms part of a larger area of open fields. The council is rightly concerned that, as part of a proposed new masterplan for development of the M1 site, consideration should be given to the requirement for its western boundary to be defined through strategic landscaping.

2. Site H1 was also identified in the Aberdeenshire Local Plan, as sites B and fh1 – the former being for 55 houses and the latter, to the west of it, for 40 houses in the longer term. The H1 proposal is now for up to 400 houses in two phases of 200 units, with no indication of how these phases would be split geographically. In seeking to justify this pronounced increase in proposed density of development for the land identified for only 95 houses in the previous plan, the council simply states that, in its view, the earlier allocation represented an unreasonably low density and so an inefficient allocation of the land concerned.

3. Clearly, the principle of new housing development on the M1 and H1 sites was established in the Aberdeenshire Local Plan. Banff is located within the Local Growth and Diversification Area – and is in a Regeneration Priority Area within the Rural Housing Market Area, as shown in the approved structure plan. This, together with the remarkably low density of the eh1/fh2 and fh1/B land allocations in the Aberdeenshire Local Plan – which the council quite properly now questions on efficiency of land resources and sustainability grounds – helps to justify some increase in the overall allocations on these same land parcels now being put forward as M1 and H1. Furthermore, there is no persuasive evidence to challenge the council’s assertion that there are no overriding infrastructure constraints to prevent implementation of the higher density of housing now proposed for these sites. As the council points out, the scale of development here would provide the developer contributions required to upgrade local road networks and other infrastructure, where necessary. Accordingly, there is insufficient reason to modify the council’s proposal for up to 400 houses on the M1 site – comprising 280 units (to be split evenly between the first and second plan periods, in the absence of other guidance) in addition to the 120 units carried forward from the previous plan.



4. The council proposes to more than quadruple the density of the H1 allocation to up to 400 units, compared with the previous allocation for 95 houses, when it was known as sites B and fh1 in the Aberdeenshire Local Plan. In addition to the factors outlined above, it is important to consider the local and wider context of site H1. There are widely acknowledged constraints on expansion on the eastern edge of Banff, in the vicinity of the Duff House estate policies. The previous report of the inquiry into the Aberdeenshire Local Plan stated in relation to sites A (immediately to the east of site B), B and fh1 that: “The policies of Duff House are clearly of landscape importance. The house and its grounds lie very close to the urban area of Banff and yet retain their significance within the wider landscape. I do not believe that the extension of the town through the development of sites A, B and fh1 would have a detrimental impact on the Duff House policies, particularly in view of the strategic landscaping required along the southern boundaries of the sites. Careful design should ensure acceptable development and therefore achieve the necessary balance between landscape protection and town expansion. I conclude that the local plan does not require modification in this respect.”

5. The local and strategic contexts have not changed significantly since that inquiry and so there remains a need for development on the H1 site to be carefully controlled through sensitive design – and this includes imposing appropriate limitations on the overall density of development there to respect the local and wider contexts. Whilst some increase in density is merited for the reasons outlined earlier, given its local context and wider sensitivities – in particular in order for the scale of development of the H1 site not to be unbalanced and out of keeping with the overall scale and character of Banff – it would be appropriate for the H1 allocation to be limited to no more than 295 houses in total, and for this to be reasonably evenly distributed over the two plan phases. Accordingly, in Table 2 the total of new housing being allocated would be shown as up to 200 units in two equal phases, after allowance has been made for the carrying forward of 95 units from the previous plan. Finally, there is reference made, quite properly, by the council to the need for a masterplan for the whole development of H1 and it points to the requirement to provide strategic landscaping, in particular to define the western boundary of the H1 site.

**Site R1**

6. There are representations raising concerns that the land area R1 reserved for cemetery use is excessive. The Scottish Environment Protection Agency states that the site should not be allocated for that purpose unless and until there has been a groundwater assessment there. As the council points out the site in question formed part of a larger area identified in the Aberdeenshire Local Plan (as P3) for “possible cemetery extension”. Most importantly, R1 is shown on the proposals map of the proposed Plan and is detailed as “reserved for a cemetery extension” in the proposed supplementary guidance. Based on the available information, it is in the public interest for the council to retain this land as a reservation in principle as part of the new Plan. The specific concerns of the Scottish Environment Protection Agency are matters for the council to consider at a later stage when detailed proposals are brought forward.

**Reporter’s recommendations:**

Modify the proposed Plan by:

1. Amending the entry for site M1 Banff in ‘Table 2 New housing land – Banff and Buchan’ of Schedule 1 by replacing the figure ‘120’ in the Local Growth (RHMA) 2007 to 2016 column by the figure ‘140’ and by replacing the figure ‘200’ in the Local Growth (RHMA) 2017 to 2023 column by the figure ‘140’.
2. Amending the entry for Banff in ‘Table 2 New Housing land – Banff and Buchan’ of Schedule 1 by replacing the figure ‘200’ in both the Local Growth (RHMA) columns for 2007 to 2016 and 2017 to 2023 by the figure ‘100’.



<b>Issue 94</b>	<b>Crudie</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Schedule 1 Table 2 (p25) Schedule 2 Table 2 (p30) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p13)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Veronica Williamson (527)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Crudie.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Alternative site Crudie</b> 527: Requests land at Crudie Cottage be allocated for housing in any future development plans.</p>		
<b>Modifications sought by those submitting representations:</b>		
527: Allocate land at Crudie Cottage for future housing in the plan.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b> Crudie is a small settlement within the Rural Housing Market Area. The allocations in the settlement are carried forward from the existing Local Plan (sites A and fh1) as site EH1. Further information on sites in Crudie is contained in the 'Issues and Actions Volume 2, Banff and Buchan' paper (May 2010, pages 16 and 17), which was informed by the Main Issues Report consultation.</p> <p><b>Alternative site Crudie</b> The allocation within Crudie (site EH1) is already sufficient to meet the needs of the settlement in the plan period. The new site was not proposed at any previous stage, so there has been no site assessment or public debate on the site.</p> <p>There is limited capacity in the Crudie Sunnybank Septic Tank to serve the site. However, if the detailed assessment of the site, which is possible under cover of a planning application, is positive, then new development in Crudie would be permitted under Supplementary Guidance <i>SG Rural Development 1: Housing and business development in the countryside</i>. Crudie is listed in Appendix 1 of the policy, which allows small scale housing developments within 400m of the edge of the built up area. There is therefore no need for the new site to be allocated at this stage without such assessment.</p> <p><b>Conclusion</b> The modification sought is not supported. The site could also be considered for a housing allocation when the plan is next reviewed.</p>		
<b>Any further plan changes commended by the planning authority:</b>		
No changes are commended.		

**Reporter’s conclusions:**

1. Crudie Cottage is a free-standing residential property set in trees immediately to the south of the A98 road that passes through the small hamlet of Crudie. There are a number of houses along the opposite (north) side of the main road. Nevertheless, immediately to the north-west, as well as to the south and south-east of Crudie Cottage, there are open fields and paddocks fronting onto the southern edge of the A98. The representation suggests that a strip of land either side of Crudie Cottage facing onto the main road could be considered for housing allocation in future plans. In principle this would match the pattern of the existing development on the opposite side of the road and the proposed new housing land for 15 units, allocated there in the Aberdeenshire Local Plan (shown as EH1 in document 3D). If the site now in question was allocated, firstly, there would need to be careful consideration given to defining its south-western edge as the land concerned forms part of larger open fields and paddocks – with no natural or other boundary features to delineate or contain it.

2. The council points out that the EH1 site already provides sufficient new housing land to meet the needs of this small settlement for the plan period. In addition attention is drawn to the local constraints on foul drainage that would need to be satisfactorily addressed before any further development was approved in the vicinity of Crudie Cottage. Furthermore, the land of concern in the representation was not considered at the Main Issues Report stage so there has been no formal assessment of its overall deliverability, let alone its suitability for allocation in the local and wider planning contexts. Based on all of these considerations the council is justified in concluding that there is not sufficient reason to justify allocating the site in the local development plan, whilst acknowledging that this is a matter that could be revisited when the plan is next reviewed.

**Reporter’s recommendations:**

No modifications.

<b>Issue 95</b>	<b>Cairnbulg and Inverallochy</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Schedule 1 Table 2 (p25) Schedule 2 Table 2 (p30) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p9)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Cairnbulg Boathaven Ltd on behalf of A C Watson (350) Margaret Tait on behalf of David Grant (524) Lewis Cardno (551) Sharon Garden (552) Ian Buchan (553) Marilyn Ritchie (635) Charles Whyte (667) Carolann Cowe (668) George Duthie (669) B Ritchie (670) Nicole Ritchie (671) W Buchan (672) E Jerry (673) Alice Honeyman (674) J Honeyman (675) M Bruce (676) Mary Bruce (677)</p>	<p>S Stephen (678) G Stephen (679) Eric Lyon (680) E Tait (681) S Whyte (682) W Whyte (683) S Strachan (684) C Strachan (685) L Finnie (686) S Harper (687) A Harper (688) S Buchan (689) A Buchan (690) Stevie Lyon-Crawford (691) Betty Whyte (692) Robert Tait (695) Sybil Buchan (830) Scottish Environment Protection Agency (1979)</p>	
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Cairnbulg and Inverallochy.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Cairnbulg and Inverallochy</b> <b>350, 695:</b> Express concern that development in this location would represent ribbon development, and affect the proposal for wildlife tourism along the coast and overload the sewage pumping tank (695).</p> <p><b>Site H2 Cairnbulg and Inverallochy</b> <b>524, 551, 552:</b> Express concern about developing on the periphery of the settlement. Suggest new housing should be more centralised and closer to existing amenities, including the school.</p> <p><b>Site R1 Cairnbulg and Inverallochy</b> <b>350, 524, 551, 552, 553, 635, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 695:</b> A petition expresses concern that locating a cemetery next to a play area and residents is not an appropriate location.</p> <p><b>830:</b> Objects to a cemetery to the rear of their property, preferring affordable housing instead.</p> <p><b>1979:</b> The site should not be allocated for a cemetery until a groundwater assessment is undertaken to identify any mitigation measures necessary to meet the recommendations in the <i>Groundwater Protection Policy for Scotland v3</i>.</p>		

**Alternative sites Cairnbulg and Inverallochy**

**524, 551, 552:** New housing should be located towards the centre of the two villages and nearer to the amenities on site P2.

**350, 553:** New housing should be located on land between the two villages to even them up (**553**).

**552:** The Health centre should be in the centre of the village.

**350, 524, 551, 552, 553, 635, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692:** Respondents suggest either extending the existing cemetery [at St Combs], or locating it further back towards the coast/harbour.

**695:** A cemetery along the coast (e.g. on site H1) would be more appropriate than where it is proposed as it would seal off the village coastal limit and have less impact on the landscape setting.

**Modifications sought by those submitting representations:**

**350, 695:** Delete site H1.

**524, 551, 552:** Delete site H2.

**350, 524, 551, 552, 553, 635, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 695:** Delete R1.

**524, 551, 552, 553, 635, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692:** Relocate R1 closer to the sea towards the harbour or extend the existing cemetery [in St Combs].

**350, 695:** Reserve site H1 for a cemetery (R1).

**1979:** Allocate site R1 only once a groundwater assessment has been undertaken.

**830:** Allocate site R1 for affordable housing.

**524, 551, 552:** Allocate land for housing on site P2.

**350, 553:** Allocate land for housing between the two villages (i.e. between the rail track and Rathen Road).

**552:** Identify land for a health centre in the centre of the village.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Cairnbulg and Inverallochy are located within the Local Growth and Diversification Area, and Regeneration Priority Area, within the Rural Housing Market Area. There is substantial capacity in Inverallochy Primary School (forecast to be at 39% of its capacity by 2016) and redeveloping the harbour area offers employment and tourism opportunities. In light of this, and its location within the Regeneration Priority Area, allocations have been proposed to provide a choice of housing and employment land opportunities, and to sustain existing services.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this there is no requirement to consider alternative sites. Further information on the sites/policies is contained in the 'Issues and Actions Volume 2, Banff and Buchan' paper (May 2010, pages 10 to 12) which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

**Site H1 Cairnbulg and Inverallochy**

The site follows the linear layout of the settlement, and as the dwellings are likely to be accessed off a separate road, technically it would not constitute ribbon development. Furthermore, there is an opportunity to influence the layout and design of the houses through the masterplan, which is required for the site.

With regards to the sewage network, Scottish Water has not highlighted any concerns.

The impact to wildlife tourism is likely to be minimal given that the site is located between the settlement and harbour area.

**Site H2 Cairnbulg and Inverallochy**

Development between the two villages was considered at the previous Local Plan Inquiry (see attached extract of Report, Volume 2 Banff and Buchan pages 5 and 6). It was recommended that land should be identified between the two villages as possible future housing (fh3\*). This area was later considered in the Main Issues Report, as site BB150, which was put forward for development by the local authority. However, since the publication of the Main Issues Report and the Proposed Plan there has been no developer interest to develop on this site. In contrast, there is developer interest to develop sites H1, H2 and H3, which were identified as preferred sites in the Main Issues Report (sites BB12, BB25 and BB51, page BB5). Site H2 is also allocated in the current plan as sites eh4 and fh1.

**Site R1 Cairnbulg and Inverallochy**

The Council's Landscape Services identified a need for a new cemetery in Inverallochy, as the existing cemetery is outwith the settlements and it has not been possible to secure land to extend it. They advise that a new cemetery must be large enough to be divided into two separate areas for residents of Cairnbulg and Inverallochy to be buried separately. It is emphasised that site R1 is a reservation and not an allocation. In light of this, the need for a groundwater assessment prior to the adoption of the plan is unnecessary. Reserving a site does not preclude a cemetery being identified elsewhere. However, it is necessary to safeguard land for a new cemetery given the identified need for a new cemetery and the level of development interest in the area. A sensitive layout and design for the cemetery could reduce any adverse impact on the amenity of residents.

There is sufficient housing land proposed in Cairnbulg and Inverallochy without allocating site R1 for affordable housing. Under any circumstances, affordable housing needs have not been identified as a particular issue by the Housing service (see schedule 4 in the Proposed Plan, p42).

**Alternative sites Cairnbulg and Inverallochy**

Development on sites P2 is not supported. These sites were protected in the Aberdeenshire Local Plan and, following consultation with the community council, have been retained as protected areas of open space for a play area and parkland. The sites were not proposed for development at any previous stage so there has been no site assessment or public debate on this possibility. However, it is intrinsically unacceptable to use this kind of open space when it is not necessary.

There are no deliverable alternative sites available near the school for a new health centre. Therefore, the most appropriate location for a health centre is within site H2, which is also closest to the centre of the two settlements.

Reserving site H1 for a new cemetery is not supported as there is already developer interest to develop the site for housing. The cemetery in St Combs is adjacent to the coast and there is insufficient space to accommodate a large scale extension.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations/reservations in Cairnbulg/Inverallochy are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. The council has highlighted the fact that Cairnbulg and Inverallochy, as well as being located within the Local Growth and Diversification Area, lie within a Regeneration Priority Area. This makes these settlements appropriate in principle for the council's efforts to promote new employment and housing opportunities at suitable locations. Such initiatives are rightly aimed at helping to sustain and develop existing local services and facilities, including the local primary school, which is operating at well below its capacity. It is in this context that the representations concerning particular sites are considered in more detail below.

**Site H1**

2. The representations argue that this particular allocation for up to 50 new housing units should be deleted as it would constitute ribbon development. Concerns are also raised about the capacity of the local sewerage system and impacts on local wildlife tourism – although no particular issues in that regard have been highlighted. Whilst development of site H1 would extend the existing linear settlement pattern north-westwards onto flat scrub land, it would not constitute ribbon development. The scale and configuration of this rectangular site is such that its development would probably require a separate access within an overall masterplan. In addition to setting out layout and design details, the masterplan process would enable issues such as the protection of local wildlife interests and other amenity concerns to be addressed. The council points out that Scottish Water has not raised any concerns about the local sewerage network. Based on all these considerations, there are no valid planning reasons to justify deletion of allocation H1.

**Site H2**

3. The representations seek to argue that growth should be directed where possible to more central sites that are more accessible to the local school and other amenities – rather than developing this site, which is regarded as peripheral. It is noted that the council has explored the scope for developing a more centrally located site, shown as fh3 in the Aberdeenshire Local Plan and BB150 in the Main Issues Report. Nevertheless, given the lack of market interest in that location the council quite reasonably opted to allocate the other preferred sites from the Main Issues Report – including H2. Indeed there has been developer interest in site H2, following its inclusion as an allocation (as eh4 and fh1) in the existing Aberdeenshire Local Plan. Taking all these considerations into account, there is no technical or other planning reason to justify deleting H2 from the local development plan.

**Site R1**

4. The Scottish Environment Protection Agency states that the land area R1 reserved for cemetery use should not be allocated for that purpose unless and until there has been a groundwater assessment there. Other representations question the suggested location for a new cemetery and one favours affordable housing on the R1 site. Most importantly, R1 is shown on the proposals map of the proposed Plan and detailed as “reserved for a cemetery extension” in the Proposed Supplementary Guidance document 3D. Based on the available information, and in the public interest, it is reasonable for the council to retain this land as a reservation in principle as part of the new Plan. The specific concerns of The Scottish Environment Protection Agency are matters for the council to consider at a later stage when detailed proposals are brought forward. Meanwhile the case put forward for removing this reservation and instead allocating the land concerned for housing is not persuasive, particularly when there is already sufficient provision made in existing proposed allocations for general and affordable housing needs to meet local and strategic requirements.

**Alternative sites**

5. There are representations suggesting that the two small sites comprising P2 on the plan forming part of the settlement statement should be allocated for housing as they are close to local amenities.



The council has rightly rejected those suggestions as the sites concerned are existing play and amenity parkland areas that merit protection from development, for the benefit of the existing community. Indeed these are important local amenity areas that should be safeguarded from built development. It is also noted that the council has concluded that there are no suitable sites available near the existing school to allocate for a new health centre, as sought by one representation.

**Reporter's recommendations:**

No modifications.

<b>Issue 96</b>	<b>Fraserburgh</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Schedule 1 Table 2 (p25) Schedule 2 Table 2 (p30) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p17)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Wallace Planning Ltd on behalf of National Grid Property (572) Ian Downie on behalf of Hill of Kier Ltd, Irvine Christie, Blairythan Partnership, Whitecairns Estates Ltd, Mr & Mrs S Ged (1689) Ryden LLP on behalf of Claymore Homes (1829, 1831, 2120, 2122) Scottish Environment Protection Agency (1979)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Fraserburgh.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1 Fraserburgh</b>  <b>1689:</b> The site is marketability constrained and increasing the capacity of the site from 200 to 600 houses serves no purpose.</p> <p><b>1979:</b> The Scottish Environmental Protection Agency requests that the allocation of a cemetery is shown on the proposals map, as a new cemetery is mentioned in the settlement statement text for Fraserburgh, but no specific site appears in the supplementary guidance or on the Plan.</p> <p><b>Site H1 Fraserburgh</b>  <b>1829, 1831, 2120, 2122:</b> Requests that the allocation of houses in site A in the current plan (150 houses) is carried forward into site H1 in its entirety.</p> <p><b>1829, 1831, 2120, 2122:</b> Express concern that the boundaries of site H1, which were amended to address perceived concerns relating to flooding, are illogical and divide the site into two parts. The respondent suggests these concerns are unproven and can be addressed by requesting a Flood Risk Assessment as part of the planning application for the site.</p> <p><b>1979:</b> The Scottish Environmental Protection Agency reports that the 1 in 200yr Indicative Flood Map is erroneous in this area and objects to the site, as it is partially at medium to high risk from flooding, unless additional text is added to the Plan or Supplementary Guidance highlighting the flood risk.</p> <p><b>Site R4 Fraserburgh</b>  <b>1829, 1831, 2120, 2122:</b> The respondent does not support the allocation of R4 at the scale proposed, as the boundaries of the site are illogical and divide site H1 into two parts. The flooding concerns are unproven and can be addressed by requesting a Flood Risk Assessment as part of the planning application of the site. The respondent suggests site H1 should be allocated as one large site and proposes that sites H1 and R4 should revert back to the previous boundaries as in the Fraserburgh settlement statement of the 16<sup>th</sup> March 2010 Banff and Buchan Area Committee.</p> <p><b>1979:</b> The Scottish Environmental Protection Agency reports that the 1 in 200yr Indicative Flood Map is erroneous in this area and objects to the site, as it is partially at medium to high risk from flooding, unless additional text is added to the Plan or Supplementary Guidance highlighting the flood risk.</p>		

**Site CC2 Fraserburgh**

**1979:** The Scottish Environmental Protection Agency notes that the majority of the site is at medium to high risk from flooding and the flood risk should be assessed in a Flood Risk Assessment prior to the site being allocated. The Flood risk Assessment must demonstrate that the functional floodplain is safeguarded and development in this area will not increase the risk of flooding elsewhere. The flood risk constraint should also be highlighted in the plan or Supplementary Guidance.

**Sites BUS2, BUS3 and BUS4, Fraserburgh**

**1979:** The Scottish Environment Protection Agency objects to these sites as they are partially within the 1 in 200 year flood risk area. They state that the flood risk should be highlighted and the need for a flood risk assessment.

**Alternative sites Fraserburgh**

**572:** Requests that a brownfield site (gasworks) in Mid Street, be identified as a regeneration development opportunity for residential, classes 1, 2 and 3 and other uses.

**Modifications sought by those submitting representations:**

**1689:** Reduce the capacity of site M1 from 600 to 200 houses.

**1979:** Allocate a land for a new cemetery on the Proposals Map and Supplementary Guidance within site M1.

**1979:** Delete site H1 unless the following wording is included in the supplementary guidance text for Fraserburgh “Part of this site lies within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and an appropriate buffer strip will be required adjacent to the existing watercourse.”

**1979:** Delete site R4 unless the following wording is included in the supplementary guidance text for Fraserburgh “Part of this site lies within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and an appropriate buffer strip will be required adjacent to the existing watercourse.”

**1829, 1831, 2120, 2122:** Increase the size of site H1 to include part of site R4 and include the full allocation of houses for site A in the Aberdeenshire Local Plan within site H1.

**1979:** Delete site CC2 unless a detailed flood risk assessment is undertaken prior to the site being allocated in the Local Development Plan. Should the Flood Risk Assessment for site CC2 indicate development is appropriate on the site, the flood risk constraint should be highlighted in the supplementary guidance for Fraserburgh, and a design statement should highlight the possibility of improving the status of the Kessock Burn (downgraded to moderate, due to morphological pressures). Any design should seek to deculvert the burn and improve channel morphology. This should be carried out along side any design of allocation BUS4.

**1979:** Delete sites BUS2 unless text is added to the supplementary guidance “Part of this site lies within SEPA’s indicative 1 in 200 year flood risk area, or is known to flood from other sources. A detailed flood risk assessment will be required to accompany any future development proposals for this site and an appropriate buffer strip will be required adjacent to the existing watercourse.”

**1979:** Delete sites BUS3 unless text is added to the supplementary guidance “Part of this site lies within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and an appropriate buffer strip will be required adjacent to the existing watercourse.”

**1979:** Delete site BUS4 unless text is added to the supplementary guidance “Part of this site lies within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and an adequate buffer strip

will be required adjacent to the existing watercourse.” Any design statement should highlight the possibility of improving the status of the Kessock Burn which is downgraded to moderate due to morphological pressures. Any design should seek to deculvert the burn and improve channel morphology, and is carried out along side any design of allocation CC2.

**572:** Allocate land at the former gasworks site on Mid Street for a mixed use regeneration development opportunity.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Fraserburgh is located within the Local Growth and Diversification Area, and Regeneration Priority Area, within the Rural Housing Market Area. Development is proposed to enhance Fraserburgh’s role as a regional service centre, provide a choice of housing, employment land opportunities and affordable housing for local need, and to sustain existing services. Fraserburgh has sufficient capacity in existing services and infrastructure to absorb the scale of growth proposed.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. A few of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the ‘Issues and Actions Volume 2, Banff and Buchan’ paper (May 2010, pages 20 to 24).

**Site M1 Fraserburgh**

The site is currently allocated in the existing plan as site fh1, and was identified as a preferred site for a mixed use development in the Main Issues Report (site BB36, pages BB8 and BB9). Given there is already developer interest to develop the site, it is not marketability constrained.

The density of site M1 was increased given the context of Fraserburgh’s built form, and to use the land more efficiently and sustainably. It would be inappropriate to allocate large scale development in a smaller settlement. The number of houses proposed is also determined by the capacity of the settlement to absorb growth, and constitutes 20% growth over the plan period. Fraserburgh has sufficient capacity in existing services and infrastructure to absorb the scale of growth proposed.

It is accepted that the plan could state more precisely where the new cemetery should go. An existing development brief for site fh1 requires a 3ha extension to the existing cemetery on this site, and indicatively shows a cemetery on its western boundary. However, to allow for flexibility in the layout of the mixed use site, it would not be appropriate to pre-judge the precise location of a cemetery before a masterplan is considered. On site M1 there is a requirement, and developer commitment, to provide a new cemetery.

**Sites H1 and R4 Fraserburgh**

Sites H1 and R4 are currently allocated in the existing local plan as sites P<sup>2</sup>, P<sup>3</sup>, eh4 and A. The number of houses carried forward from allocation A in the Aberdeenshire Local Plan reflects approvals actually granted on the site, which were in excess of what was allocated.

The boundary of site H1 initially extended further westwards, but the Council took a view, which placed greater weight on the potential flood risk on part of the site, and reduced the area of H1. However, the proposed number of houses was not reduced, as part of the open space requirement for H1 could be provided on site R4.

Regarding potential flood risk on the sites, text has been added to the supplementary guidance to clarify that a flood risk assessment will be required, to satisfy the Scottish Environment Protection Agency’s concerns. Parts of the sites that may not be developable following detailed flood risk assessment could be incorporated into the open space requirement for the sites at the masterplanning stage.

**Site CC2 Fraserburgh**

The majority of this site has already been developed or is subject to planning consent. Therefore, the principle for development on this site has already been established. In light of this we do not agree that there is a need for further Flood Risk Assessment to be undertaken or that the plan or supplementary guidance should mention flooding constraints affecting site CC2.

**Sites BUS2, BUS3 and BUS4, Fraserburgh**

Regarding potential flooding risk on site BUS2, text has been added to the supplementary guidance to clarify that a flood risk assessment will be required, to satisfy the Scottish Environment Protection Agency’s concerns. Parts of the site that may not be developable following detailed flood risk assessment and could be incorporated as open space.

The majority of sites BUS3 and BUS4 have already been developed or are subject to planning consent. Therefore, the principle for development on this site has already been established. In light of this we do not agree that there is a need for further Flood Risk Assessment to be undertaken or that the plan or supplementary guidance should mention flooding constraints affecting sites BUS3 and BUS4.

**Alternative sites Fraserburgh**

There is no need to specifically allocate the gasworks site in Mid Street for a mixed use development, as the site can be developed as infill development in accordance with Policy 8 *Layout, siting and design of new development* and supplementary guidance *SG LSD4: Infill development*.

**Conclusion**

None of the modifications sought by the respondents that would result in a change in housing numbers, new allocations, or amendments to the site boundary should be supported. The development strategy and land allocations in Fraserburgh are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes to the plan are proposed.

The following changes have been made to Volume 3D Supplementary Guidance: Settlement statements Banff and Buchan:

In the supplementary guidance for Banff and Buchan, under the settlement statement for Fraserburgh, add under section ‘Settlement infrastructure’, “in site M1” after “new cemetery”.

In the supplementary guidance for Banff and Buchan, under the settlement statement for Fraserburgh, add under section ‘Proposed sites’ for site H1, “Part of sites H1 and R4 lie within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for these sites and an appropriate buffer strip will be required adjacent to the existing watercourse.”

In the supplementary guidance for Banff and Buchan, under the settlement statement for Fraserburgh, add under section ‘Protected land’ for site BUS2, “Part of site BUS2 lies within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and an appropriate buffer strip will be required adjacent to the existing watercourse.”

**Reporter’s conclusions:**

1. The council has highlighted the fact that Fraserburgh, as well as being located within the Local Growth and Diversification Area, lies within a Regeneration Priority Area. This makes it appropriate in principle for the council’s efforts to promote new employment and housing opportunities at

suitable locations here. Such initiatives are rightly aimed at helping to sustain and develop existing local services and facilities. It is in this context that the representations concerning particular sites are considered in more detail below.

**Site M1**

2. One representation argues that there is no justification for increasing the number of houses being allocated on this site. The scale of the allocation here has risen from the 200 houses proposed when the site was known as fh1 in the Aberdeenshire Local Plan to become an allocation for up to 600 houses in total on the same site in the proposed Plan. The representation argues that the site is constrained in terms of its marketability. In response, the council provides reasoned justification for the enlarged housing allocation on this site, on the basis that the higher density now envisaged is more compatible with the existing housing densities in the town and the fact that this would be more efficient and more sustainable. Furthermore, the council contends that Fraserburgh has the capacity to absorb the higher scale of growth now envisaged on sites M1 and H1 – including with regard to the capacity of existing facilities and services. There are no substantive arguments put forward in the representations to challenge those assertions.

3. The other representation seeks clarification in the plan as to the location of the proposed new cemetery that is expected to be included on part of the M1 site. The council acknowledges that such a provision would be beneficial in principle. Nevertheless, its stated preference – to keep location of the cemetery unspecified at this stage – is consistent with the flexible approach being intentionally adopted to the overall layout of site M1. In due course a masterplan will be finalised for the whole area concerned at which time such details would be fully addressed. Meanwhile, it is noted that the council’s stated requirement for a cemetery on this site has been matched by a developer commitment to provide one. In summary, the concerns raised in the representations have been satisfactorily addressed, such that there is no valid planning reason for the council’s proposed allocation for site M1 to be modified.

**Sites H1 and R4**

4. As in the case of site M1, the proposals for sites H1 and R4 are essentially carried forward in land use terms from the Aberdeenshire Local Plan – although the boundaries of the land identified for housing have been adjusted to exclude areas affected by localised concerns about flood risk. The areas now shown as R4 – for park, sport and recreation facilities – have been correspondingly amended to reflect those changes. Furthermore, the council points out that text has been added to the supplementary guidance to clarify that a flood risk assessment will be required. It also states that parts of the site that may not be deemed developable following that detailed assessment could be incorporated into the open space requirements for the allocated housing areas at the masterplanning stage. This approach is soundly based and pragmatic, enabling the detailed planning of the area concerned to be undertaken on a logical and accountable basis with regard to flood risk. Accordingly the council is justified in concluding that there is insufficient reason to amend the overall capacity of the housing allocation for site H1.

**Site CC2**

5. The sole representation in this case is from the Scottish Environment Protection Agency, raising concerns about flood risks affecting much of this area allocated for commercial development – in particular for large format retail stores. Site inspections have confirmed that much of the CC2 site has now already been developed with large format stores and the council has stated that there are other planning consents in place here, covering the majority of the site. Accordingly, it is reasonable for the council to conclude that the principle for development of this site has already been established and that is consistent with the allocation proposed in the finalised plan. In this context, the council is justified in arguing that there is no case for the new local development plan to state explicitly that flood risk assessment needs to be undertaken on this particular site. Such assessments would still be required, however, in advance of any new planning permissions being granted for sites within the allocated area or indeed elsewhere in the vicinity.

**Sites BUS 2, BUS 3 and BUS 4**

6. All BUS designations relate to allocations made in the Aberdeenshire Local Plan and carried



forward in supplementary guidance – and do not represent new proposals. Accordingly, concerns expressed in respect of those allocations of the extant plan do not form part of the local development plan examination – and so are matters for the council to address.

A new site proposed for allocation at Mid Street

7. The land in question is a former gas works site that has now largely been cleared and is awaiting redevelopment. This flat, brownfield site is located at a local road junction in the heart of the existing built up area of Fraserburgh. Here the surrounding streets are characterised by a mix of residential and small-scale commercial developments, including neighbourhood shops on the opposite street corners. The council does not take issue with the assertion made in the representation that this brownfield site would be suitable for residential, classes 1, 2 and 3 and possibly other uses. It is correct, however, in stating that in this case the site – being brownfield and a local infill opportunity – does not require or merit a formal allocation in the new local development plan. As the council points out, in these circumstances the site can be put forward for development, through the lodging of a planning application. That application would then be determined on its particular merits in the context of the development plan policies that are applicable at the time it is considered as well as taking into account any other material considerations.

**Reporter’s recommendations:**

No modifications.

<b>Issue 97</b>	<b>Gardenstown</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Schedule 1 Table 2 (p25) Schedule 2 Table 2 (p30) Schedule 3 Table 3 (p37) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p25)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
George Gordon (162) Laszlo Novak (952, 2138) Gardenstown & Crovie Estate Ltd (2722)		
<b>Provision of the development plan to which the issue relates:</b>	Allocations in and around Gardenstown.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Gardenstown</b>  <b>162:</b> Requests if site H1 can be brought forward into phase 1 of the plan, as the respondent has received a number of enquiries asking if there are any suitable sites available to build on. Notes that no progress appears to have been made on the other sites (EH1 and EH2), which are located at the opposite end of the village.</p> <p><b>952, 2138:</b> Express concern with the proposed direction the village is spreading and that the allocation will result in another modern extension to a traditional village.</p> <p><b>Site EH1 Gardenstown</b>  <b>952, 2138:</b> Expresses concern with development on the site as the ground has poor land stability, its location will not fit within the coastal landscape, strategic landscaping will obstruct views of the cliffs and there is no demand for houses in Gardenstown.</p> <p><b>2722:</b> Expresses concern that the land owner has no interest in developing site EH1.</p> <p><b>Alternative sites Gardenstown</b></p> <p><u>Land along Bracoden road to the primary school</u>  <b>952, 2138:</b> Suggests new housing should be zoned along the stretch of road running from the village to its primary school, pool and library, rather than allocating site EH1 for housing. The respondent suggests zoning housing along the road to the school would bring these assets into the village and would encourage foot and cycle travel.</p> <p><u>Site EH2 Gardenstown</u>  <b>952, 2138:</b> The respondent suggests changing the use of site EH2 from housing to protected land for recreational use, as there is little green space in the village for safe play and it is on the route to the primary school.</p> <p><u>Land adjacent to site EH1 Gardenstown</u>  <b>2722:</b> Requests the extension of site EH1 to include a triangular piece of land northwest of the site for 8 affordable houses.</p>		

<b>Modifications sought by those submitting representations:</b>
<p><b>162:</b> Bring forward site H1 into the first phase of the plan.</p> <p><b>952, 2138:</b> Delete sites EH1, EH2 and H1 for housing.</p> <p><b>2722:</b> Allocate land/extend site EH1 to the northwest of site EH1 for up to 8 (affordable) houses.</p> <p><b>952, 2138:</b> Allocate land for housing to the east of the village, along Bracoden Road that leads towards the school.</p> <p><b>952, 2138:</b> Allocate site EH2 as protected land for recreational use.</p>
<b>Summary of responses (including reasons) by planning authority:</b>
<p><b>Overview</b></p> <p>Gardenstown is located within the Local Growth and Diversification Area, and Regeneration Priority Area, within the Rural Housing Market Area. An allocation of up to 25 houses and the continuation of two housing sites within the current plan have been proposed to provide a choice of housing, protect the character of the settlement and coastal landscape, and sustain local services.</p> <p>The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. In light of this there is no requirement to consider alternative sites. Further information on the sites/policies is contained in the 'Issues and Actions Volume 2, Banff and Buchan' paper (May 2010, pages 25 and 26) which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.</p> <p><b>Site H1 Gardenstown</b></p> <p>Only the existing sites in Gardenstown were initially put forward for development from the local plan (sites A and fh1), but the Council took a view, which placed greater weight on the perceived community benefit, and put forward site H1 for development in the second phase of the plan. This would ensure there is a sufficient supply and choice of housing land continuously during the lifetime of the plan. Bringing forward site H1 into the first phase of the plan would not ensure there is a continuous supply of housing land during the lifetime of the plan. However, if site H1 was brought forward, it would be more appropriate that only part of the site is allocated in phase 1 to ensure a continuous supply of housing land during the plan period.</p> <p>There is limited opportunity to develop in Gardenstown, as only two sites were put forward for development; both to the west of the settlement (see Main Issues Report, page BB20).</p> <p>The topography of Gardenstown separates the historic part of the settlement along the coast (designated as a conservation Area) and the modern 'upland' extension. Therefore, the scale and location of H1 is unlikely to affect the character or setting of the Gardenstown Conservation Area.</p> <p><b>Site EH1 Gardenstown</b></p> <p>The modern extension of Gardenstown is on the northwest slope of Hill of Findon and the site is allocated in the current local plan as site fh1. The stability issues are noted, but the site is less steep compared with the rest of Gardenstown and new houses have been constructed in the last five years on site ch1.</p> <p>The strategic landscaping is a requirement of the current local plan and the location of the strategic landscaping has been defined in the proposed local development plan to strengthen the boundary treatment of the settlement. Furthermore, the nature of the landscaping need not be trees, but shrubs or grasses. The visual impact of the strategic landscaping is unlikely to be significant given that it is on a hill.</p>

It would be premature to remove the site from the plan, as there is still an interest in developing in Gardenstown, given the steady rate of planning applications and enquiries received for developing on existing allocations in the current plan (e.g. EH2). The school also has a declining roll (forecast to be at 41% capacity in 2016).

**Alternative sites Gardenstown**

The allocations within Gardenstown are sufficient to meet the needs of the settlement in the plan period. The alternative sites have not been proposed at any previous stage, so there has been no site assessment or public debate on these sites.

Land along Bracoden road to the primary school

No specific site for housing has been put forward by either the land owner or any developer for development along Bracoden Road, towards the primary school. In light of this, it is not expected that any site in this location would come forward for development.

Site EH2 Gardenstown

Site EH2 is allocated in the current plan as site A and two planning applications are pending on this site for the development of up to 11 houses. In light of this, there is clear intent to develop the site, and it is not appropriate at this stage to remove the allocation for housing and protect it for recreational use.

Land adjacent to site EH1 Gardenstown

The proposed location of the 8 houses below site EH1 could impact on the setting of Gardenstown Conservation Area.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Gardenstown are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. Gardenstown is located within the Local Growth and Diversification Area and a Regeneration Priority Area of the Rural Housing Market Area. Two of the sites are already allocated or identified for housing in the extant Aberdeenshire Local Plan (for 10 and 15 houses respectively) but remain undeveloped. These EH1 and EH2 sites are being carried forward by the council but with an increased capacity, such that between them they are now allocated for up to 36 houses for implementation during the local development plan period. It is in this context that the representations are considered in turn below.

**Site H1**

2. The only new housing land allocation put forward by the council for Gardenstown in the proposed plan is H1 on the western edge of the settlement. This rectangular, sloping site is situated alongside the northern edge of the B9129 road that leads down into the village. This proposed allocation is shown as being for up to 25 houses in the second plan period. The council argues that this will ensure that there is a sufficient supply and choice of housing land throughout the plan period, taking into consideration the carry forward and enlargement of the two site allocations from the previous plan. It also justifies this particular site selection by stating that opportunities to develop in Gardenstown are limited as only two sites were put forward for development, both on the west side of the settlement – and site H1 forms part of one of them.

3. The settlement statement includes a proposed band of strategic landscaping (P2) along the western edge of the H1 with the aim of improving the boundary treatment of the settlement. Given

the sloping topography of the site in question and the steep approach to it heading north-eastwards down the B9129 road, the landscape buffer as proposed would not screen the site effectively. Instead housing development on this site would stand out as a prominent, incongruous extension to the existing western edge of the settlement. The fact that there were no sites put forward for other directions of growth in representations lodged at the Main Issues Report stage of consultations is not sufficient reason for the council to allocate site H1, particularly when it would be visually intrusive in the local landscape. Furthermore, in addition to being remote from the settlement centre, site H1 is at the furthest possible point from the local primary school and library. These facilities are located to the south-east of Gardenstown, so travelling there from site H1 would necessitate a journey through the length of the settlement and out of it again on the other side.

4. Given the fact that only 7 units on allocated sites (well under half of the housing land allocated in Gardenstown) has been taken up during the Aberdeenshire Local Plan period, there seems insufficient justification for allocating site H1 for 25 houses. This is particularly so when the council has already identified scope for 36 units on 2 sites on the eastern side of Gardenstown – being carried forward as increased allocations of EH1 and EH2 in the supplementary guidance. Those sites are situated much closer than site H1 to the settlement centre and to the school and library. Furthermore, those particular sites, with their enlarged allocations would provide sufficient housing land for allocation for the plan period as a whole, based on recent take-up rates and the scale of the settlement, which has a population of around 700. It is noted that there are planning applications pending for up to 11 houses on site EH2. Based on all of these considerations, there is not sufficient reason to allocate the H1 site for residential development. Indeed development of 25 houses at H1 would not be sustainable and would detract significantly from the character and setting of Gardenstown.

**Sites EH1 and EH2**

5. The representations seeking deletion of sites EH1 and EH2 are matters for the council as those allocations were made in the Aberdeenshire Local Plan, and are not proposals in the proposed local development plan. Similarly, the fact that the council now proposes to carry forward both of those sites as allocations in supplementary guidance, but with an increased density, is not a matter for consideration in this examination.

**Other sites put forward for consideration as possible plan allocations**

Land along Bracoden Road

6. Two representations, in criticising sites H1, EH1 and EH2, put forward as an alternative for housing allocation an area of land leading south-eastwards from the village towards the local primary school. This is assumed to refer to or include land south-east of site EH2. In response, the council points out that no specific site has been put forward for development here, either by the landowner or any developer. Most importantly, there has been no assessment undertaken of its development potential and deliverability. For all these reasons it would be inappropriate at this time to consider land here for allocation in the local development plan.

Land adjacent to site EH1

7. This small triangular site, which is situated to the north-west of site EH1 on sloping ground, is put forward in one representation for possible allocation for 8 affordable houses – with the landowner stated as being “in a position to proceed immediately”. Once again, there has been no assessment of this site’s development potential and deliverability so it would be inappropriate at this time to consider land here for allocation in the local development plan. In any event the council raises potential concerns, stating that development of this site for 8 houses “could impact on the setting of Gardenstown Conservation Area”. Clearly, this and other relevant planning matters would need to be assessed in detail before any decision. Accordingly, based on the limited information available, there is insufficient justification for allocating this particular site in the Plan.

**Reporter’s recommendations:**

Modify the proposed Plan by deleting site H1.

<b>Issue 98</b>	<b>Macduff</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Schedule 1 Table 2 (p25) Schedule 2 Table 2 (p30) Schedule 3 Table 3 (p37-38) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p29)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Christie Cockburn (73) Banff, Macduff & District Business Association (34) Ewan & Lynn MacKinnon (236) Robert Sivewright (2317, 2380) Walter Gerrard & Co (2610) Ian Williams (2719)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Macduff.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site CC1 Macduff</b></p> <p><b>34, 236, 2317, 2380, 2610:</b> The respondents do not support the site for retail/large format stores suggesting that sites BUS1, BUS2 and E1 are more appropriate locations for commercial development rather than at the gateway to Macduff off the A947 or adjacent to Myrus Cemetery.</p> <p><b>2719:</b> Expresses concern that there would be access problems to the site from the east and southeast of Macduff from parked cars on the roads. Also adds that if the same stores are not duplicated in Banff, large format stores in Macduff will draw people in from Banff and further west, increasing traffic over Banff Bridge and increase congestion.</p> <p><b>Site EH1 Macduff</b></p> <p><b>2380, 2719:</b> Express concern with increasing the density of the site from 30 to 85 houses. They suggest a lower density is more sensible. It is suggested that a reduced density would avoid pluvial flooding issues, as there is a history of drainage issues on the hillside (<b>2719</b>).</p> <p><b>Town Centre Macduff</b></p> <p><b>73:</b> Suggests allowing shops and hotels to be turned into dwellings and flats would improve the appearance of the town centre, similar to if they were re-opened. The town centre is currently unattractive to drawing in new businesses and stores, as most shops and hotels are boarded up.</p> <p><b>Alternative sites Macduff</b></p> <p><b>34, 236, 2317, 2380, 2610, 2719:</b> The respondents suggest a commercial centre would be better suited within areas zoned for industrial/business sites (sites BUS1, BUS2 and/or E1), where there is sufficient room, fewer transport issues and access from the Banff/Fraserburgh road (A98).</p> <p><b>2317:</b> Suggests site CC1 would be better suited for residential development given its proximity to the school, recreational area and public transport links.</p>		



**Modifications sought by those submitting representations:**

**34, 236, 2317, 2380, 2610, 2719:** Delete site CC1 and relocate retail/commercial centres to site BUS1, BUS2 or E1.

**2380, 2719:** Reduce the housing allocation of site EH1 from 85 to 30 houses.

**2317:** Allocate site CC1 for housing.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Macduff is located within the Local Growth and Diversification Area and Regeneration Priority Area, within the Rural Housing Market Area. Development has been proposed to enhance Macduff's role as a regional service centre, and to provide a choice of housing, employment land opportunities and affordable housing for local need. Macduff has sufficient capacity in existing services and infrastructure to absorb the scale of growth proposed.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the sites is contained in the 'Issues and Actions Volume 2, Banff and Buchan' paper (May 2010, pages 34 and 35), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

There was an error in referencing site EH1. The site should have been allocated as H1 rather than EH1 due to the increase in density proposed for the site. This erratum is proposed as a minor modification and takes account of the removal of the housing allocation site fh2 in the Aberdeenshire Local Plan, which is now CC1.

**Site CC1 Macduff** (see also under 'Alternative sites' below)

Following a sequential assessment Site CC1 is an appropriate location for a commercial centre, as it is located around 200m from the A947, the main road between Banff/Macduff and Aberdeen. Additional space for modern retailing is required due to constraints associated with both Banff and Macduff town centres that limit opportunity for modern retail floor space. Development and associated landscaping would allow for the setting of Macduff to be defined and enhanced.

Only a small part of the site runs parallel to Myrus Cemetery, and detailed layout and design can be used to mitigate potential impacts on the cemetery, including traffic impacts.

Through traffic from the east and north of Macduff would have to go through Macduff regardless of whether sites CC1, BUS1, BUS2 or E1 include a commercial centre. However, delivery vehicles, if travelling from Aberdeen or Inverness, are less likely to travel through Macduff if site CC1 is allocated for a commercial centre.

Provision for retail units has been provided in Banff on site M1, and a planning application is pending for a supermarket within the settlement. While no commercial centre is proposed in Banff, its town centre has a far greater provision of retail and commercial units than in Macduff. In light of this, allocating site CC1 for a commercial centre is unlikely to significantly increase vehicles crossing Banff Bridge.

**Site EH1 Macduff**

The issue of flooding is noted, but can be overcome through appropriate sustainable drainage schemes, which would have to take into account this issue. The Scottish Environment Protection Agency has not raised flooding as an issue on the site. Site EH1 is allocated in the Aberdeenshire Local Plan as sites fh1 and eh3 at a very low density. The density of site EH1 has been increased to use the land more efficiently and sustainably.

**Town Centre Macduff**

The concern with the current state of the town centre is noted. Proposals for non-retail or non-commercial development within the town centre would be supported if they satisfied supplementary guidance policy *SGRetail 1: Town centres and retailing*. This does not require any change to the settlement statement.

**Alternative sites (BUS1, BUS2 and E1) Macduff** (see also under ‘Site CC1’ above)

Sites CC1, BUS1, BUS2 and E1 are all within walking catchment of existing housing developments and are on public transport routes. However, site E1 is furthest away from existing houses and BUS1 is largely developed. On the other hand, the local Banff and Macduff town service bus route runs on the same street as site CC1 and this site is closest to proposed housing in EH1. In light of this, the location of the commercial centre on CC1 is appropriate and sufficient to meet the sequential test.

Site CC1 is allocated in the current plan for housing as fh1. However no interest has been expressed to develop the site for housing.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Macduff are appropriate and sufficient to meet the needs of the settlement strategy. The minor modification proposed will have no substantive effect on the plan.

**Any further plan changes commended by the planning authority:**

It is suggested that the following change is made:

Change the name of site EH1 to H1, this will have consequential changes for the proposals map and Schedule 1.

**Reporter’s conclusions:**

1. As well as being in the Local Growth and Diversification Area, Macduff is within a Regeneration Priority Area. It is noted that the council also seeks to enhance Macduff’s role as a regional service centre, for example, through providing a range of new housing and employment opportunities. It is against this background that the merits of the unresolved representations have been assessed below.

**Site CC1**

2. This flat site, which is currently in agricultural use, was allocated for housing (site fh2) in the Aberdeenshire Local Plan. It is now proposed for allocation as a new commercial centre for large format retail stores. The site is bounded to the east by the main (B9026) Myrus Road linking the nearby A947 Banff/Aberdeen Road to the centre of Macduff. Whilst the site in question is situated between a housing area to the north and a large cemetery immediately to the south, it is well screened from both of these adjoining areas by mature hedgerows and bushes running along the intervening boundaries. These features, together with careful site planning and appropriate access arrangements (all to be examined in detail at the masterplanning stage), should be sufficient to ensure that the amenity of these adjoining areas is not compromised significantly if site CC1 was developed for the uses envisaged in the new allocation.

3. The proposed allocation also has to be considered in the context of the constraints limiting the opportunities for modern, larger scale retail development in the town centres of nearby Banff and Macduff. In that regard, it is noted that, following a sequential assessment, the council has concluded that the CC1 site is an appropriate location for a commercial centre. The council is correct in asserting that such an allocation would be unlikely to generate a significant increase in traffic generation over the Banff Bridge as there would still remain a better range of retail and commercial units in Banff than would be offered in Macduff. Nevertheless, the “gateway” location of

the CC1 site with its close, direct link to the A947 road offers strategic benefits over other sites elsewhere around Macduff where commercial traffic is likely to be routed through the town centre or via other local roads within the built-up area. Whilst it has been suggested in one representation that this site would be better suited to housing, being close to the town centre and local schools, this would lose the opportunity for the site to realise its strategic potential, as outlined above. Based on all of these considerations there is no justification for deleting the CC1 allocation in response to the various issues and related concerns raised in the representations.

**Site EH1**

4. The principle of housing development on this site, shown as EH1 in the Supplementary Guidance report 3D, was established by the council through its fh1 and eh3 allocations made in the Aberdeenshire Local Plan (ALP). The fact that the council is now of the view that a higher density would represent more sustainable and efficient use of the site in question, is not a matter for this examination – particularly as the original housing numbers in ALP were only indicative. Accordingly, there is no scope for the reporters to recommend a change to the proposed local development plan to introduce the EH1 site into the proposed Plan with an increased allocation, as now being sought by the council.

**Alternative site options to the CC1 allocation**

5. A number of representations seek to make the case for the proposed CC1 uses to be allocated instead to one of the other designated commercial areas of Macduff – in particular BUS1, BUS 2 and/or E1. Whilst each of those other sites has particular characteristics that make them attractive for different forms of commercial development, including access to the A98 road, those factors do not diminish the strategic locational advantage of the CC1 site for the forms of development now proposed there by the council. In summary, as outlined earlier site CC1 is a prime gateway location close to the main A947 road for ease of access for delivery vehicles as well as being close to the town centre of Macduff and the main housing areas of the town. Based on all these considerations it is more attractive and so more appropriate for allocation than the other sites put forward for the particular form of commercial centre under consideration.

**Reporter’s recommendations:**

No modifications.

<b>Issue 100</b>	<b>New Byth</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Schedule 1 Table 2 (p25) Schedule 2 Table 2 (p30) Schedule 3 Table 3 (p38) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p36)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
PSI Investments UK (2759)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around New Byth.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Alternative site New Byth</b>  <b>2759:</b> Requests that the Main Issues Report site BB26 is allocated for housing to allow self-builders to build their own affordable dwelling and stay in the area. Argues there is sufficient access into the site (the Main Issues Report expressed concern about poor access into the site). The respondent would support a smaller allocation of up to 4 houses, if it were felt that the scale of site BB26 is too large.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>2759:</b> Allocate Main Issues Report site BB26 for housing in the plan; or</p> <p><b>2759:</b> Allocate a proportion of Main Issues Report site BB26 for up to 4 houses with the remainder of the site integrated to allow future organic growth.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  New Byth is located within the Local Growth and Diversification Area, within the Rural Housing Market Area. However, since the closure of the local primary school there is scope for only limited development in the settlement to sustain local services and meet local needs. This is already fulfilled by the allocations made of H1 and EH1, to which there are no objections.</p> <p>The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this there is no requirement to consider alternative sites. The issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 2, Banff and Buchan' paper (May 2010, pages 42 and 43).</p> <p><b>Alternative site New Byth</b>  Site BB26 was fully considered in assessment of response to the Main Issues Report and following widespread community engagement the Council's conclusion was to exclude it. New Byth is an 18<sup>th</sup> Century planned settlement and it is preferred that the linear character of the settlement is retained and land is developed as close as possible to the main road until all potential allocated and gap sites are developed. Site BB26 could be considered for development when the plan is next reviewed.</p>		

The Roads Authority expresses concern with access into the site BB26, as they are uncertain as to whether visibility will be affected by adjacent development.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in New Byth are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. The site now put forward as a suggested new allocation for residential development was identified as site BB26 in the Main Issues Report. It is a gently sloping, rectangular paddock of land to the rear of houses that front onto Urquhart Road – including two new houses that have been built as infill developments there. An existing track heading eastwards off Urquhart Road leads to the southern end of the site now proposed for allocation. The eastern boundary of the site is marked simply by a fence and beyond this is open countryside.
  
2. New Byth, which retains much of its original form as a planned settlement, is in the local growth and diversification area of the Rural Housing Market Area. It is not, however, within one of the Regeneration Priority Areas identified in the approved structure plan. Furthermore, the local primary school at New Byth is no longer open. Taking into consideration all of these factors, the council is justified in stating that there is scope for only limited new development at New Byth, to meet local needs. Against that background, the council concludes that those requirements are already being met by the allocation in supplementary guidance of site EH1 (for 8 houses), which the council seeks to carry forward from the Aberdeenshire Local Plan, together with the proposed allocation H1 in the Plan for up to 6 houses on another site at New Byth. It is noted that the council has indicated that site BB26 could be re-considered as a possible allocation when the development plan is next reviewed. That approach appears logical in the local circumstances.

**Reporter’s recommendations:**

No modifications.

<b>Issue 101</b>	<b>Portsoy</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Schedule 1 Table 2 (p25) Schedule 2 Table 2 (p30) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p38)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Andrew Norval (420) Neil McAulay (556) Christopher McKay (2522)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Portsoy.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1 Portsoy</b></p> <p><b>420:</b> Highlights that the Estate which owns site M1 does not support its allocation, favouring alternative sites partially allocated in the Aberdeenshire Local Plan as eh1 and fh1, which are also owned by the Estate.</p> <p><b>Site EH1 Portsoy</b></p> <p><b>556, 2522:</b> Express concern that development on the site would add to the flooding problem in the area, suggesting that the site should not be developed.</p> <p><b>2522:</b> Expresses concern that development on the site would disturb two badger setts adjacent to the site, suggesting that the site should not be developed.</p> <p><b>Alternative sites Portsoy</b></p> <p><b>420:</b> Requests the allocation of Main Issues Report sites BB21 and BB158 rather than site M1 (all of which are owned by the same Estate) as site BB158 is currently allocated in the Aberdeenshire Local Plan as eh1 and fh1 and indicative layouts have been prepared. A Flood risk Assessment has concluded there is no flooding issue affecting the sites. Their development will help resolve existing flooding issues in Portsoy. Access to site BB158 is currently allocated in the Aberdeenshire Local Plan and would be resolved through an allocation to the south. Developing these sites would allow a planned development of the overall area and maintain the character of Portsoy better than site M1.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>420:</b> Delete site M1.</p> <p><b>556, 2522:</b> Delete site EH1.</p> <p><b>420:</b> Allocate Main Issues Report sites BB21 and BB158 (which are allocated in the Aberdeenshire Local Plan as eh1 and fh1) for housing.</p>		



<b>Summary of responses (including reasons) by planning authority:</b>
<p><b>Overview</b>  Portsoy is located within the Local Growth and Diversification Area, and Regeneration Priority Area, within the Rural Housing Market Area. Portsoy has a declining school roll (forecast to be at 67% of its capacity by 2016). In light of this, allocations have been proposed to meet local need for housing and affordable housing, to provide opportunities for employment and to sustain existing local services.</p> <p>The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. In light of this, there is no requirement to consider alternative sites. Further information on the sites is contained in the 'Issues and Actions Volume 2, Banff and Buchan' paper (May 2010, pages 44 to 47), which was informed by the Main Issues Report consultation, and was produced to inform the allocation in the Proposed Plan.</p> <p><b>Site M1 and alternative sites Portsoy</b>  The ownership of site M1, and alternative sites BB21 and BB158 is noted. The alternative sites, BB21 and BB158 were fully debated at the Main Issues Report and Proposed Plan stages. Clarification was sought from the Council's Flood Prevention Team on the current flooding issue affecting the sites. The team reported that the sites themselves are not at risk from flooding, but it is the downstream locations which currently flood and could be made to flood more severely/frequently if the design to mitigate flood risk is not correct and/or the assumptions about flow in the Den Burn are incorrect. The Flood Prevention team have therefore advised that it is too early to assess the solutions at this stage. Under any circumstances there has not yet been any determination that such flooding will not occur as a result of development of this site (see paper apart, <i>Email from Flood Prevention Team: Flooding in Portsoy</i>). In light of this, as Scottish Planning Policy (paragraph 197) does not permit development that would increase the probability of flooding elsewhere, the precautionary principle should be applied in this instance.</p> <p><b>Site EH1 Portsoy</b>  No immediate flood risk has been identified for this site.</p> <p>The presence of badger setts was not identified in the assessment of this and other sites put forward for development in Portsoy. Furthermore, the North East Scotland Biological Records Centre does not show the distribution of badger setts in or adjacent to Portsoy (see paper apart titled NESBREC Distribution map for Badgers).</p> <p><b>Conclusion</b>  None of the modifications sought are supported. The development strategy and land allocations in Portsoy are appropriate and sufficient to meet the needs of the settlement strategy.</p>
<b>Any further plan changes commended by the planning authority:</b>
<p>No changes are commended.</p>
<b>Reporter's conclusions:</b>
<p>1. Portsoy is not only within the Local Growth and Diversification Area of the Rural Housing Market Area but it is also part of a Regeneration Priority area, as set out in the approved structure plan. It is in this context that the council has made allocations aimed at meeting local needs for housing (including affordable housing) as well as providing opportunities for employment – all of which should assist in sustaining existing local services.</p>

**Site M1 and alternative sites**

Site M1

2. There are no known flood risks of significance affecting the site M1 put forward by the council. Nevertheless, this proposed allocation has raised a number of concerns in representations. Firstly, the estate landowner here has suggested that there are other site development options on the same west side of Portsoy that would be more suitable in terms of maintaining the character of the village – including sites BB21 and BB158 identified in the Main Issues Report. Those sites, which adjoin one another, are within the same land ownership as M1. Secondly, the estate owner of site M1 has indicated that he does not support its allocation in the Plan. Furthermore, the estate contends that it has made great efforts, in consultation with the council, to address previous concerns raised regarding flood risk in respect of the other 2 sites - BB21 and BB158 – which it regards as more appropriate locations for housing than site M1.

3. Before looking in detail at the respective merits and potential constraints of the alternative site options BB21 and BB158, there are other issues of concern regarding the proposed allocation of site M1 for up to 60 houses and 0.5 hectares of employment land. Firstly, the M1 site, on the western edge of the built-up area, is in a particularly prominent location adjoining the main A98 trunk road leading into the centre of Portsoy. Secondly, the site forms part of a much larger open field in active arable use. Of particular concern is the fact that the proposed western boundaries of site M1 are arbitrary and totally undefined by any natural or other features on the ground. The settlement statement for Portsoy in the proposed supplementary guidance makes reference to the need for strategic landscaping along the western side of the site but makes no provision for safeguarding a band of protected land for this purpose – unlike other allocated sites for Portsoy and elsewhere across the plan area. A general statement indicating a need for strategic landscaping is unlikely to be sufficient to provide a satisfactory level of containment and visual screening for this highly visible site. Accordingly, if allocated and developed principally for housing, site M1 would be likely to remain prominent in the landscape. Furthermore, its development would make the adjoining fields vulnerable to pressures for more development to creep westwards further into the open countryside.

4. In contrast, whilst the sites BB21 and BB158 are also open fields and pasture located on the western edge of Portsoy, they are much less prominent in the landscape, being well set back from the main road. In addition, the eastern ends of both sites BB21 and BB158 are largely screened by existing houses to the north and east. The boundary between the two sites is somewhat arbitrary with BB158 being simply defined by fencing separating it from BB21. More importantly, the western edge of BB158 is defined by an area of woodland, which provides a clear and defensible boundary to guard against further development pressures in that direction. Given the scale of these 2 sites in combination, they offer sufficient land to serve short and longer term needs for housing growth at Portsoy. Clearly there is a need to fully address any site development constraints – including with regard to flood risk, as discussed below. Nevertheless, subject to those issues being resolved satisfactorily, these 2 sites offer a more attractive opportunity for planned expansion than site M1, particularly in landscape terms.

Alternative sites BB21 & BB158

5. The combined site, comprising sites BB21 and BB158 as defined in the Main Issues Report, are gently sloping agricultural fields with clear boundaries formed by the existing built-up area to the east, Soy Burn to the north, Durn Avenue to the south and the mature woodlands of Kirk Wood to the west. This woodland together with a former rail embankment to the north of Soy Burn provide a good degree of screening of much of the site when approaching Portsoy, heading eastwards along the main A98 road. Sites BB21 and BB158 were identified for housing allocation and for longer term “future housing” in the Aberdeenshire Local Plan, so the principle of residential development at these particular locations has already been established, despite their proximity to the Soy Burn. The Main Issues Report stated that sites BB21 and BB158 “remain as possibilities but as these sites have been allocated for many years without providing a resolution to the drainage and flooding issues, they are no longer preferred sites”.

6. The representation points out that the landowner sought to address these concerns by instigating a detailed assessment of the associated flood risk issues relating to these 2 sites – and prepared

layout plans that realigned access and services accordingly. It is also noted that a draft development brief for this area was prepared by the council's officials, with a recommendation for its acceptance, but the council members in July 2008 delayed its consideration to find out more about flooding issues nearby. The representation refers to a report subsequently commissioned by the estate owners in November 2008. This concluded in June 2009 that "the proposed development site was not at risk from flooding and the proposed development would not exacerbate any known flooding problem". The council has not directly challenged that evidence but in its own submissions it includes Volume 2 Issues and Actions Banff and Buchan Report (May 2010). There reference is made to SEPA's observations on sites BB21 and BB158. In each case SEPA identifies that a small watercourse runs adjacent to the site and notes that the potential for flood risk has not been adequately quantified. Accordingly, for both of these sites SEPA suggests a flood risk assessment will be required. This is a fairly standard request, and not surprising in this case given the photographic evidence provided by some local residents in representations that shows recent examples of localised flooding along sections of the Soy Burn which forms the northern boundary of the BB21 and BB158 sites

7. The council in its submissions includes an exchange of e-mail correspondence between officers of its Planning Policy Department and Flooding and Coastal Protection Services. This makes reference to a flood risk assessment having been undertaken and a report received from those making the representation to the proposed Plan. The Principal Flooding Engineer states in his reply dated 03 February 2011 that he had some remaining points requiring clarification regarding the suitability of sites BB21 and BB158 – pointing out that:

*"The sites themselves are not the issue it is the downstream locations which currently flood and could be made to flood more severely / more frequently if the design is not correct and /or the assumptions about flow in the burn are incorrect.*

*We are progressing with some flood studies ourselves with the support of the landowner but are not yet far enough down the line to apply the findings of the work we are doing to the sites in question.*

*In summary, there are flooding concerns associated with this development but I suspect that they can be resolved given sufficient mitigation actions are taken. It's possible even that development could facilitate an overall reduction in flood risk if the landowner is so inclined – but again it would be too early to assess at this stage".*

8. Accordingly, whilst the council is correct in stating that no planning application has been lodged to date (despite the BB21 and BB158 sites having been identified for housing development in the extant Aberdeenshire Local Plan and indeed earlier), this does not reflect inactivity or a lack of interest on the part of the land owner regarding the development of these sites. Indeed, based on the available evidence summarised above, it is clear that the landowner has provided a flood risk assessment aimed at meeting the requirements of SEPA and the council with regards to sites BB21 and BB158. Furthermore, it appears that the landowner has been working with council officials in recent years to address all remaining concerns regarding potential flood risk issues on these sites and elsewhere downstream – as raised by SEPA, the council and others making representations.

9. Most importantly, as detailed above, having seen the flood risk assessment and undertaken other investigations the council's flooding specialist in his note in early 2011 anticipated that all the council's concerns can be resolved satisfactorily. Indeed he goes further by expressing the view that development on the sites in question could facilitate an overall reduction in flood risk. In any event, if the sites BB21 and BB158 are allocated in the Plan, there would still be the need for any development proposals for that land to be formalised through a planning application. At that time there would be a further opportunity for public consultation and representations on the detailed proposals and a flood risk assessment for the proposed scheme to be formally requested – and for SEPA to be consulted in that regard. Accordingly, the council in this case has taken its precautionary approach too far by totally rejecting these two sites based on a perception that there is no commitment from the landowner and no solution to the flooding issues that have been highlighted – when the available technical and other evidence does not support this position.

10. Similarly, whilst attention has been drawn in representations by the council and others to the existence of an electricity sub-station adjoining the corner of site BB21, which raises noise concerns, this is not a sufficient or valid reason to rule out housing in principle across the whole of the extensive area covered by the BB21 and BB158 sites. Indeed the council acknowledges that Scottish Hydro-Electric has stated its preparedness to co-operate with the developer in this case to establish the extent of any remedial works required to reduce noise in the vicinity of the sub-station to acceptable levels, at the cost of the developer. Another matter raised in representations relates to the existence of 2 high-pressure gas pipelines in the area concerned – and the council has confirmed that these would constrain the area of developable land unless they were re-routed. Finally, other perceived concerns raised in representations, in particular concerning access, flora and fauna, have not been substantiated and are not supported in the council’s evidence.

11. Taking into consideration all of the above, there is justification for deleting site M1 from the proposed development plan and replacing it with a new allocation H3, combining sites BB21 and BB158, as defined in the Main Issues Report. Given the scale of that overall allocation, in particular site BB21, it will be appropriate to phase the development, starting at its eastern and northern ends. Furthermore, satisfactory account would need to be taken of the high pressure gas pipelines crossing the area and a need to allow space to achieve satisfactory flood prevention and mitigation measures, as well as noise mitigation to be put in place from the outset, if these various measures prove to be necessary. Clearly, these considerations will reduce the overall amount of residential development that can be accommodated and so this is reflected in the allocations recommended below for inclusion in Table 2 of Schedule 1. The overall scheme layout should be detailed through a masterplan to be agreed with the council. Given the location of the new H3 allocation, away from the main roads serving Portsoy, it would not be appropriate to include new employment land here to replace the 0.5 hectares no longer being allocated as part of the M1 site.

**Site EH1**

12. As the EH1 site is not formally part of the new local development plan allocations – being simply carried forward in the supplementary guidance settlement statement for Portsoy – representations about the EH1 site are for the council to consider. In summary this is not a matter for consideration in the development plan examination.

**Reporter’s recommendations:**

The proposed Plan should be modified by:

Deletion of allocation M1 from the plan

Allocation of sites BB21 and BB158 from the Main Issues Report as H3, to be developed in two phases: up to 50 houses in the first phase of the plan and up to 75 houses in the second phase of the plan

Consequential changes to the Proposals Map to show the new site H3 and to Table 2 of Schedule 1 of the plan to reflect these modifications.

<b>Issue 102</b>	<b>Sandhaven and Pitullie</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Schedule 1 Table 2 (p25) Schedule 2 Table 2 (p30) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p46)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Knight Frank LLP on behalf of D Brown (142, 143)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Sandhaven and Pitullie.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Sandhaven</b>  <b>142, 143:</b> Does not support the site, as it is less private and secluded than the fh2* area of search, as identified in the Aberdeenshire Local Plan to east of the village, and allocating land to the west increases through-traffic from Fraserburgh in the east.</p> <p><b>Alternative sites Sandhaven</b>  <b>142, 143:</b> Express concern that the allocation of only one site in Sandhaven (H1) will not meet the level of demand for housing in the area, or the aims and objectives in the Structure Plan, as the settlement is within a Regeneration Priority Area. Argues additional housing should be allocated as the Housing Land Audit shows existing land allocations have planning permission, under construction or have been built, and that the School Roll forecasts show the local school will be operating 20% below its capacity by 2016. Suggests area of search fh2* to the east of Sandhaven, as identified in the Aberdeenshire Local Plan is the most logical location for a small-scale extension to the village. Suggests this site is well contained, will not have an adverse impact on the landscape setting of the village, has good links with Fraserburgh and the marina (harbour), and will increase the choice of location for people living in the village.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>142, 143:</b> Allocate land identified in the Aberdeenshire Local Plan as site fh2* for up to 25 houses; or</p> <p><b>142, 143:</b> Delete site H1 and allocate land identified in the Aberdeenshire Local Plan as site fh2* for up to 25 houses.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Sandhaven and Pitullie are located within the Local Growth and Diversification Area, and Regeneration Priority Area, within the Rural Housing Market Area. An allocation of up to 31 houses has been proposed to meet local need for housing and sustain existing local services.</p> <p>The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. All of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 2, Banff and Buchan'</p>		



paper (May 2010, pages 55 and 56).

**Site H1 Sandhaven and Pitullie**

Site H1 includes part of existing housing allocations A and fh1 and is allocated south of allocation eh1 in the Aberdeenshire Local Plan. Landscaping associated with well-designed development would provide privacy and seclusion within the site.

Vehicles have the option of using two roads to drive through the settlement, Main Street and Clinton Drive, and the Roads Authority did not raise any road traffic concerns as a result of the allocation.

**Alternative sites Sandhaven and Pitullie**

The Council’s position in relation to the adequacy of housing land supply in the rural housing market area is addressed in the Council’s response to Issue 25 Housing Land.

The under-capacity of the school is noted: it is forecast to be operating at 75% of its capacity in 2016.

A development bid was received for housing within the area of search fh2\*, identified as site BB50 in the Main Issues Report. The site was fully debated at the Main Issues Report stage, but following widespread community engagement the Council’s conclusion was to exclude it, as Sandhaven is only 1km from Fraserburgh and it is more sustainable to allocate a significant amount of housing within Fraserburgh. Furthermore, when appraising site BB50, the Roads Authority noted that there is restricted visibility at the B9031 (Mill Lane) junction and did not recommend the site for development.

Site H1 is sufficient in scale to fulfil future housing requirements for Sandhaven and Pitullie. It is closer to the school than the area at fh2\* and has the added advantage of improving the boundary treatment on the west side of Sandhaven.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocation in Sandhaven and Pitullie is already appropriate and sufficient to meet the needs of the settlement strategy without identifying an alternative or additional housing allocation east of the settlement.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. Sandhaven and Pitullie, as well as being within a Local Growth and Diversification Area are designated as part of a Regeneration Priority Area in the approved structure plan. In that context the council has allocated site H1 for up to 31 new houses – on land previously allocated for 15 houses in the Aberdeenshire Local Plan that remains undeveloped. That site is currently a cropped field, immediately to the west of St Magnus Road – and directly across from houses that line the opposite (east) side of that main approach road into Sandhaven. Given the small scale of Sandhaven and Pitullie, with a resident population of less than 1000, the council is justified in concluding that in principle an allocation of 31 houses spread over the two phases of the plan period is sufficient to meet local needs – particularly when the settlement is so close to Fraserburgh where there are other, more sustainable housing options. This conclusion also takes into consideration the under-capacity of the local primary school, as outlined by the council.

**Site H1**

2. One of the main concerns raised about this particular allocation in the representation is that the H1 site is on the west side of Sandhaven, and traffic passing between here and nearby Fraserburgh would be likely to add to traffic generation through the centre of Sandhaven and Pitullie. In response, the council points out that there is a choice of routes – so this should not be a significant



issue and in any event the Roads Authority has not raised any concerns about the allocation. The other issue raised in the representations is that the H1 site is less private and secluded than another site on the east side of Sandhaven (discussed below) – which is also nearer to Fraserburgh. The council rightly points to the fact that landscape treatment associated with a well-designed scheme on the H1 site could readily address any potential concerns in that regard.

**Alternative site**

3. This site option, as well as being designated for future housing needs (fh2\*) in the Aberdeenshire Local Plan, was identified in the Main Issues Report. There, it was described as being regarded as technically possible but “may be difficult to access”. The access to the site, at the east end of the settlement is off Stuart Street via a narrow lane (Mill Lane) leading from the Sandhaven Meal Mill, which is an historic building (now a museum) on the street corner. This site, which is currently in agricultural use, is well contained by existing developments and a lane to the south. Nevertheless, these are not sufficient reasons to allocate the site in question for housing in the plan – particularly given its potential access constraints, which are a concern to the Roads Authority. Furthermore, whilst this suggested site is marginally closer to Fraserburgh, the H1 site is closer to the local school in Sandhaven. In any event, as stated by the council, there is no justification for making this an additional allocation when there are already sufficient housing opportunities identified at site H1 to meet local needs over the plan period. Furthermore, this particular site does not merit being allocated in place of site H1, for the reasons outlined above.

**Reporter’s recommendations:**

No modifications.

<b>Issue 103</b>	<b>Whitehills</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Schedule 1 Table 2 (p25) Schedule 2 Table 2 (p30) Schedule 3 Table 3 (p37) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p50)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Steven Watson (26) Andrew Norval (421)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Whitehills.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>H1 Whitehills</b>  <b>421:</b> Expresses concern that there is no housing provision for the first phase of the plan to provide housing choice and maintain local services in Whitehills. The allocation should be brought forward to the first phase of the plan.</p> <p><b>26:</b> Delete site H1, suggest alternative site.</p> <p><b>Alternative site Whitehills</b>  <b>26:</b> Suggests site H1 is moved to the southern end of the proposed field and extended northwards, as required. Access to the site should be gained from the main road and the site.</p> <p><b>421:</b> Requests site fh1 in the Aberdeenshire Local Plan and Main Issues Report site BB15 is allocated for housing in the second phase of the plan to continue meeting housing choice and sustain local services.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>421:</b> Bring forward allocation H1 into the first phase of the plan.</p> <p><b>26:</b> Delete site H1.</p> <p><b>26, 421:</b> Allocate site fh1 in the Aberdeenshire Local Plan for housing in the second phase of the plan.</p> <p><b>421:</b> Allocate Main Issues Report site BB15 for housing in the second phase of the plan.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Whitehills is located within the Local Growth and Diversification Area, and Regeneration Priority Area, within the Rural Housing Market Area. There is capacity in Whitehills Primary School (forecast to be at 81% of its capacity by 2016) to accommodate further development, but given that the school roll is forecast to rise slightly in 2013, there is no immediate need for housing in settlement. In light</p>		

of this, an allocation has been proposed in the second phase of the plan to provide housing choice and sustain existing local services.

The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. The issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 2, Banff and Buchan' paper (May 2010, pages 59 and 60).

**H1 Whitehills**

The site is allocated in the second phase of the plan due to the limited capacity in the primary school and its rising school roll, as discussed above. Development in the second phase will sustain local services in the long term. Furthermore there are opportunities for limited development in the short term through supplementary guidance *SG Rural Development 1: Housing and business development in the countryside*.

**Alternative site Whitehills**

The Council's Roads Authority expressed concern with sites fh1 and BB15 being accessed off Loch Street, a principal route in and out of Whitehills, preferring access off Knock Street. The access was therefore moved to the northern part of the site to ensure deliverability in terms of roads requirements. An access road off Knock Street is provided adjacent to site H1 and developing the site will allow access to the south of the site in the future. The density proposed for site H1 is sufficient to meet the needs of the settlement.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Whitehills are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. Whitehills, as well as being in the Local Growth and Diversification Area, is within a Regeneration Priority Area. Given the physical constraints of the local topography and the density of the built-up area of Whitehills, there are few opportunities for new housing development, apart from on the east side of the settlement. Even there the scope for new housing on the rough pasture areas is limited by a steep change of slope that effectively provides an eastern boundary to any new development. The maximum extent of potentially available land for development comprises site fh1, shown in the Aberdeenshire Local Plan, together with site BB15 in the Main Issues Report. The northern part of site BB15 has become the allocation proposed by the council for the local development plan – for up to 30 houses in the second phase of the plan period.

2. In response to the concerns expressed in the representations about the phasing and location of the allocation made, the council points out that two considerations were key in opting for site H1. Firstly, the alternative site put forward, identified as fh1 for "future housing" in the Aberdeenshire Local Plan, is likely to require access from Loch Street, which forms part of the B9038 road linking Whitehills to Banff. Similarly, the southern end of site BB15 in the Main Issues Report is very close to this same access road. The council's Roads Authority expressed reasonable concerns that, where possible, new development should not be off Loch Road – with access off Knock Road being preferred. The H1 site, being at the northern end of site BB15 is readily accessible off Knock Road, unlike fh1. There would also be scope to extend site H1 southwards if required in due course, as its southern boundary is undefined by any natural or other features within the large rough grazing paddock of site BB15.

3. Based on these considerations the council is right to prefer site H1 rather than site fh1 for the development plan allocation. Furthermore, given the limited scale of Whitehills, the council is also justified in arguing that its allocation of up to 30 houses on site H1 is sufficient to meet local needs for the plan period.

4. The second concern expressed in representations is that the whole of the allocation for 30 houses is made for the second phase of the plan period – post 2016. The council’s sole criterion for this appears to be the local school’s limited capacity. Nevertheless, the local primary school has some spare capacity and allowance has to be made for the fact that there would be a ‘lead time’ for securing planning permission and then for building. Furthermore, there is uncertainty regarding the occupancy profiles of any new houses at this location. Based on all of these considerations, there is merit in the representation seeking to allow at least some new development on site H1 in the early phase of the plan period to provide local housing choice and help to maintain local services in Whitehills. Accordingly, it would seem reasonable to allow up to 10 of the 30 houses allocated to be built in the early plan period.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

Adjust the phasing for the 30 houses on site H1 to provide up to 10 houses in the period 2007 to 2016 and up to 20 more houses in the period 2017 to 2023 – with the entries for Whitehills on Table 2 of Schedule 1 being amended accordingly.

<b>Issue 104</b>	<b>Rosehearty</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Schedule 1 Table 2 (p25) Schedule 2 Table 2 (p30) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p42)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Douglas Stevenson (163) Knight Frank LLP on behalf of Mr Abernethy (374, 375) Ronald & Susan Caswell (390)		
<b>Provision of the development plan to which the issue relates:</b>	Development in and around Rosehearty.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Sites M1, H1, H2 and H3 Rosehearty</b></p> <p><b>163, 390:</b> Express concern that there is no demand for 198 houses, as existing and new houses are not selling; drains, sewage network and primary school are at capacity and would have to be extended; and the village way of life and character will be destroyed by the large scale of development proposed.</p> <p><b>163:</b> Expresses concern that the proposals will ruin their way of life that is enjoyed by all and the plans will infringe on their basic human rights.</p> <p><b>390:</b> Expresses concern that their privacy will be encroached upon.</p> <p><b>Sites H2 and H3 Rosehearty</b></p> <p><b>374, 375:</b> Express concern that the scale of the allocations is not appropriate for Rosehearty given that existing housing land allocations are market constrained and it could lead to an over-supply of houses, compromising the delivery of M1 (a mixed use site) and the first section of the distributor road.</p> <p><b>374, 375:</b> Express concern with the sites are likely to be difficult to access, and therefore are inappropriate locations for development in the early phases of the plan.</p> <p><b>374, 375:</b> Express concern that only housing is proposed (i.e. no employment land), when the sites are within a Regeneration Priority Area. Suggests sites H2 and H3 should only be developed once site M1 is brought forward for development.</p> <p><b>Site M1 Rosehearty</b></p> <p><b>374, 375:</b> Welcomes the site as it can help deliver growth over the lifetime of the plan and round off the settlement to the south with a long-term landscape buffer.</p> <p><b>374, 375:</b> Requests that the second phase allocation is brought forward into the first phase of the plan to allow cross-funding provision of infrastructure required to service the employment land and deliver the first section of the distributor road.</p>		

<b>Modifications sought by those submitting representations:</b>
<p><b>163:</b> Delete sites M1, H1, H2 and H3.</p> <p><b>390:</b> Significantly reduce the number of houses for sites M1, H1, H2 and H3.</p> <p><b>374, 375:</b> Reduce the number of houses for sites H2 and H3 to provide a combined total of around 50 houses in the second phase of the plan.</p> <p><b>374, 375:</b> Bring forward the phase two allocation of site M1 into phase one of the plan.</p>
<b>Summary of responses (including reasons) by planning authority:</b>
<p><b>Overview</b></p> <p>Rosehearty is located within the Local Growth and Diversification Area, and Regeneration Priority Area within the Rural Housing Market Area. Development has been proposed to provide housing choice and opportunities for employment land, to meet local need for housing, and to sustain existing local services. The new school allows for significant growth in the settlement (forecast to be 75% capacity in 2016) and the Fraserburgh waste water treatment works has sufficient capacity (capacity for 1789 houses) to absorb the scale of growth proposed.</p> <p>The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the sites is contained in the 'Issues and Actions Volume 2, Banff and Buchan' paper (May 2010, pages 50 to 52), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.</p> <p><b>Sites M1, H1, H2 and H3 Rosehearty</b></p> <p>Sites H1 and M1 were initially put forward for development, but the Council took a view, which placed greater weight on the perceived community benefit, and also put forward site H2 for development, as the settlement is located within a Regeneration Priority Area.</p> <p>There is sufficient capacity in existing services and infrastructure to accommodate the proposed development, as discussed above.</p> <p>Scottish Natural Heritage and Historic Scotland did not raise concerns with developing south of the settlement (e.g. site H2), although when commenting on the Main Issues Report, Scottish Natural Heritage expressed concern that continuing development along Pitsligo Street will exacerbate the southern sprawl of development (site M1). In light of this, site M1 includes strategic landscaping to provide a clear boundary of the settlement. Furthermore, to ensure good siting and design of buildings, a development brief is required for site H1, as it is located next to 18/19th Century housing and a masterplan is required for sites M1 and H2 due to their location and the scale of development proposed. The masterplans will also address concerns relating to privacy, visual impact and residents' amenity, and will allow further opportunity for engagement in relation to the detail of the site, its layout, siting and design.</p> <p>It has not been made clear how the development of the sites would ruin people's way of life or infringe on their human rights. The sites are not used for crofting or recreation, and site H3 and part of site H2 are allocated in the current plan for housing as eh1, eh2 and fh1.</p> <p><b>Sites H2 and H3 Rosehearty</b></p> <p>The scale of growth proposed is appropriate as Rosehearty is located within a Regeneration Priority Area as discussed above. Sites M1 and H2 are proposed in two phases, thus reducing the issue of over-supply of houses during the lifetime of the plan.</p> <p>Sites H2 and H3 are unlikely to affect the delivery of site M1 as site H2 is proposed in two phases and only 10 houses are proposed for site H3.</p>



Sites H2 and H3 are either wholly or partially allocated in the current plan for housing and can be accessed from existing roads (Hillview Crescent and Cairnhill Road). The Roads Authority does not raise any access concerns. They note that the main access should be from the road to the east with linkage through to M1 and should serve all sites.

The level of employment land proposed in Rosehearty is sufficient to meet the needs of the settlement. A local distributor road is proposed to the south of the settlement, which may provide opportunities for employment land in H2 or further eastwards when the plan is reviewed.

**Site M1 Rosehearty**

In correspondence dating 18 March 2010, planning consultant Knight Frank confirmed that up to 25 houses would be sufficient to deliver the first part of the distributor road through to the employment land on site M1 (see paper apart ‘Email from planning consultants’, third paragraph). In light of this, allocating the site for 25 houses in the first phase of the plan provides sufficient cross-funding needed for the road, infrastructure and services required for the mixed use site. The masterplan for the site will set out its layout and aid in its delivery.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Rosehearty are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. Rosehearty is not only in the Local Growth and Diversification Area, but it is also part of a Regeneration Priority Area within the Aberdeenshire Rural Housing Market Area. Against this background the council has proposed allocations of land (M1, H1, H2 and H3) in the local development plan for new housing and employment opportunities. This has prompted two representations raising some general issues, as well as two other representations with particular concerns about the individual allocations proposed.

**General concerns raised regarding the M1, H1, H2 and H3 allocations**

2. The representations question the overall scale of the housing allocations now envisaged by the council, which in total would provide for up to 198 new houses for Rosehearty over the plan period. This comprises 170 units through new allocations proposed on 4 sites, together with 28 units on sites carried forward from the Aberdeenshire Local Plan. The representations raise doubts as to whether there is market demand for those houses and also whether there is sufficient capacity in the local infrastructure – in particular with regard to water services and schools – to support such development. Furthermore, those making the representations are concerned that these proposals would be detrimental to the amenity and ‘way of life’ of the local community and would compromise their privacy.

3. In response to those various concerns, the council argues, firstly, that the proposed allocations would provide housing choice to meet local need and opportunities for new employment - reflecting the status of Rosehearty as a Regeneration Priority Area - as well as sustaining local services. It also states that there is sufficient capacity in local infrastructure and services to accommodate the scale of planned growth reflected in the allocations – including with regard to schools and waste water treatment capacity. There is no substantive evidence challenging the supporting documentation provided by the council with regard to those matters. The council asserts that consideration has been given to the location and scale of development proposed on each of the allocation sites. It also states that masterplans for those sites will include detailed consideration of layout, siting and design – at which time concerns regarding privacy, visual impact and local amenity would be addressed. It notes that there would be further public consultation at that stage to review

these and related matters. Some of these issues are dealt with further on a site-by-site basis below.

4. More generally, however, the representations raise reasonable concerns about the overall scale of housing development – 198 units – being promoted by the council for a settlement of this scale with a population of just over 1000 people. Other coastal settlements of a similar scale and with the same status as Regeneration Priority Areas – such as Portsoy and Whitehills – have only up to 60 and 30 houses allocated, respectively, in the proposed Plan for the whole plan period. Clearly each settlement has its own needs and planning context, including with regard to infrastructure capacity and topographical constraints. Nevertheless, this major disparity is not explained or justified by the council beyond asserting that the local infrastructure can accommodate the growth envisaged at Rosehearty. The availability of service infrastructure is not sufficient reason to allocate the scale of new housing now proposed by the council at Rosehearty, particularly given the topographical and access constraints and other considerations, such as visual intrusion, discussed in more detail below for individual sites. Indeed for the reasons outlined below, there is merit in reducing the allocations being proposed by the council in order to adhere to good planning principles. This would still leave scope for a substantial amount of planned growth over the plan period – indeed it would still meet all the key planning objectives for Rosehearty.

### **Sites H2 and H3**

5. Firstly, it is noted that site H3 is shown on the settlement statement and associated plan for Rosehearty in the Supplementary Guidance (Volume 3D, Banff and Buchan 2010), as being for up to 10 houses in the first phase of the plan. The representations raise concerns about access for both sites H2 and H3. The council dismisses these concerns by stating that the sites can be accessed from existing roads – in particular Hillview Crescent and Cairnhill Road, with the main access to be from the east via a new high level road to eventually link both these sites and continue through to site M1. Those proposals, however, would entail a significant amount of housing and associated road construction on a hillside overlooking the settlement – making those developments highly visible, indeed unduly prominent in the local context.

6. It is noted that the Aberdeenshire Local Plan avoided such visually intrusive development by restricting the allocations made at that time to the lower slopes of the hill in question. In contrast the council is promoting an H2 allocation that would proceed upwards as high as the War Memorial and former coastguard lookout, which are notable hilltop viewpoints. Such new developments on the upper slopes of the hill would therefore be highly detrimental in visual terms. This can be prevented by restricting the H2 allocation to the lower slopes, as defined by the allocations fh1 and eh2 of the Aberdeenshire Local Plan. Accordingly, the H2 allocation should be limited to those lower boundaries and its capacity capped to no more than 40 units in two phases of up to 20 units (including the 28 units carried forward from fh1 and eh2). Furthermore, if the H2 site was limited in that way, in terms of its areal extent and capacity, it could be more readily accessed from existing roads to the north, and so avoid the need for a new high level access road to be built across the more prominent upper hill slopes. Similarly the 10 houses allocated for site H3 could be accessed from Cairnhill Road, which already serves new houses on the west side of it.

7. In summary, based on all of the above considerations there is insufficient justification for the council's proposal to extend the H2 allocation upwards to include the higher slopes leading to and beyond the hilltop areas of the coastguard lookout and the War Memorial. Most importantly, to do so would be unacceptably visually intrusive and contrary to good planning principles. Instead the extent of allocation H2 should be limited to those areas shown as fh1 and eh2 in the Aberdeenshire Local Plan and its capacity reduced accordingly, as detailed above. Furthermore, the access to the more restricted H2 site and also to site H3 should be via existing roads – and so the construction of a new high level link or distributor road should no longer be required nor justified.

### **Site M1**

8. One representation seeks to have the whole of the M1 allocation's housing element brought forward to the first phase of the plan period – principally to facilitate the funding of the infrastructure required to service the employment land being allocated there and delivery of the first section of the proposed new distributor road leading eastwards over the hillside. As that particular road is no

longer justified, for the reasons outlined above, there is insufficient reason for bringing forward all of the housing development to the early part of the plan period. Nevertheless, in order to ensure, through cross-subsidy, that the necessary service infrastructure can be put in place to enable the 2 hectares of employment land to be developed it remains appropriate to allow the scale of housing envisaged on site M1 over 2 phases, as summarised in Table 2 of Schedule 1. This, however, should also be also dependant on the strategic landscaping also being provided (shown as P2 in the supplementary guidance) to ensure that the whole M1 site is effectively contained and visually screened when approaching from the south-west. This is in order to reduce the visual impact of development on this prominent site at the western gateway to the settlement.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

Restrict allocation H2 to the areas shown as fh1 and eh2 of the Aberdeenshire Local Plan, and amend the Rosehearty section of Table 2 of Schedule 1 to the proposed Plan to show 6 houses in the first plan period 2007 to 2016 and 6 houses in the second plan period 2017 to 2023.

<b>Issue 105</b>	<b>Memsie</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Schedule 1 Table 2 (p25) Schedule 2 Table 2 (p30) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p32)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Knight Frank LLP on behalf of G Maitland (227, 228) Ryden LLP on behalf of Claymore Homes (281, 282, 2116, 2117) Ryden LLP on behalf of R Jamieson (1833) Ryden LLP on behalf of J Jamieson (1835, 2153, 2155) Gordon McRobbie (2608)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around Memsie.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Memsie</b>  <b>227, 228:</b> Expresses concern that the site is not deliverable given that part of the site is allocated in the current local plan and the Housing Land Audit says it is constrained. Respondent suggests the site should be deleted, with the units redistributed to site H2.</p> <p><b>281, 282, 2116, 2117:</b> Respondent requests that the allocation for the site is increased from 10 to 45 additional units of housing, arguing that a low density allocation lacks consistency with the supplementary guidance. They suggest a density of 25 houses per hectare should be adopted.</p> <p><b>2608:</b> Expresses concern that the site does not provide for main sewage works and that the land cannot take any more soakaways without damaging the surrounding buildings and environment, and impacting on Site R1. Suggests if new sewers are installed, existing houses should be connected to it.</p> <p><b>Site H2 Memsie</b>  <b>281, 282, 2116, 2117:</b> The site should be deleted and its allocation of housing units redistributed to H1, as the settlement pattern is naturally progressing north, as supported in the current local plan allocations.</p> <p><b>227, 228:</b> Supports the site as it is a logical extension for a small-scale development and is identified as future housing in the current local plan. The site is also adjacent to site R1, which is in the same ownership as site H2.</p> <p><b>227, 228:</b> Requests that the phase two allocation is brought forward into phase one of the plan, as this would provide additional affordable housing and certainty to the developer.</p> <p><b>2608:</b> Expresses concern that the site does not provide for main sewage works and that the land cannot take any more soakaways without damaging the surrounding buildings and environment, and impacting on Site R1. Suggests if new sewers are installed, existing houses should be connected to it.</p> <p><b>Site R1 Memsie</b>  <b>1835, 2155:</b> Proposes that site R1 should be located within Main Issues Report site BB32, as it is within walking distance of the village centre, includes a pond for educational use and is large enough</p>		

to accommodate playing fields.

**227, 228:** Supports identification of R1 for a replacement primary school, as it is conveniently located for local residents.

**Alternative site Memsie**

**1833, 1835, 2153, 2155:** Requests that housing as well as a site for a new primary school should be allocated within site BB32, as additional housing will not be detrimental to the school capacity and will help support it. The respondents add that the site is not at risk from flooding, would regenerate a brownfield site, and include a wildlife pond.

**Modifications sought by those submitting representations:**

**227, 228:** Delete H1 and redistribute units from H1 to site H2 for development in the second phase of the plan.

**281, 282, 2116, 2117:** Increase allocation of site H1 from 10 to 45 units of additional housing.

**227, 228:** Bring forward the phase 2 allocation into phase 1 in site H2.

**281, 282, 2116, 2117:** Delete H2 and redistribute housing from H2 to H1.

**1833, 1835, 2153, 2155:** Relocate site R1 to Main Issues Report site BB32.

**1833, 1835, 2153, 2155:** Allocate Main Issues Report site BB25 as H3 for housing and new school site (relocate R1).

**Summary of responses (including reasons) by planning authority:**

**Overview**

Memsie is located within the Local Growth and Diversification Area, and Regeneration Priority Area within the Rural Housing Market Area. Development has been proposed to provide land for a replacement primary school, meet local need for housing and resolve issues associated with the existing foul water drainage.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. A few of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 2, Banff and Buchan' paper (May 2010, pages 36 to 38).

The issue of drainage problems in Memsie was considered at a previous examination (see attached extract of Local Plan Inquiry Report, Volume 2 Banff and Buchan, page 19). It was concluded that development would be appropriate in Memsie given there was no objection from the Scottish Environment Protection Agency, and that drainage issues could be overcome through developer contributions.

The Scottish Environment Protection Agency raises no issues on drainage, although Scottish Water state in their response to the proposed plan that a developer will not need to contribute to the upgrade of the waste water treatment works in Memsie, as they are funded for this. It is not intended that foul water soakaways are used for any future development. The connection of existing houses to a new WWTW is a matter for Scottish Water to consider.

**Site H1 Memsie**

Part of the site was put forward for up to 10 dwellings and was identified as a preferred site for development in the Main Issues Report (page BB19) as site BB31. The remainder of the site is

allocated in the Aberdeenshire Local Plan as site fh1 for 5 dwellings. The 2007 Housing Land Audit identifies the site as market constrained, but there is now interest in developing the site, and an allocation of up to 15 houses in Memsie would meet the key planning objectives for the settlement.

There is limited scope in Memsie for significant development due to the size and form of the village. Increasing the density of the site would result in over-development and be incongruous in relation to the remainder of the village. Supplementary guidance *SG Housing 1: Housing land allocations 2007-2016* expects the overall density of residential development to be provided at approx 30 dwellings to the hectare, but it also acknowledges that the density of an individual site will be a concern of marketing, site and design needs. To allow the settlement to grow over time at an appropriate scale, the supplementary guidance suggests that if meeting the overall allocation would be achieved by using only using part of the site, the remaining part must remain undeveloped and would be appropriate for review in the next plan. However, the developer would also be required to provide and consult on a development brief for the site.

**Site H2 Memsie**

Support for the site is welcomed.

The Aberdeenshire Local Plan indicatively shows development to the south of Memsie as area of search fh2\*. Given the small-scale of Memsie, it would not have been appropriate to allocate more housing land than what was proposed in the current plan. Therefore to argue that the settlement is naturally progressing north as a result of current housing allocations is misleading. The site is in a central location and would be on the same side as the proposed primary school on site R1. It also respects the linear layout of the settlement.

Allocating the site for 15 houses provides certainty to the developer, regardless of which phase the allocations are proposed in. Furthermore, allocating the whole site in phase 1 of the plan would only result in up to two additional affordable houses. Allocating all of the housing in phase 1 would also not provide for sustained growth in Memsie.

**Site R1 and alternative site Memsie**

Site BB32 was fully considered in assessment of responses to the Main Issues Report, but following widespread community engagement the Council’s conclusion was to exclude it in favour of concentrating development towards the centre of Memsie. Development on Site BB32 would further elongate the settlement. The size of site R1 is sufficient to accommodate a replacement primary school and it is appropriately located on the crossroads in the centre of the settlement.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Memsie are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. Memsie, as well as being in the Local Growth and Diversification Area of the Aberdeenshire Rural Housing Market Area is also within a Regeneration Priority Area – and the allocations put forward by the council for the local development plan seek to reflect this. It is noted that a site has been identified in the centre of Memsie for a new primary school and that foul drainage issues affecting the settlement are being addressed. It is also noted that when consulted, neither the Scottish Environment Protection Agency nor Scottish Water had any concerns about the council’s proposed allocations for Memsie. Furthermore, the latter stated that developer contributions would not be required in connection with the planned upgrading of the waste water treatment works for



Memsie. It is in this context that the concerns raised in representations about specific proposed allocations and alternative site options are considered in turn below.

**Site H1**

2. The plan forming part of the settlement statement shows that site H1 comprises two adjoining areas. Firstly, there is a “carry forward” of site fh1 identified as future housing land for 5 houses in the Aberdeenshire Local Plan, along with site BB31 immediately to the west of it, which was highlighted as a preferred site for up to 10 further houses in the Main Issues Report. Another adjoining site identified as site A for 5 houses in the Aberdeenshire Local Plan has recently been developed using the same access point from the south, off the B9032 Muir Road, that leads to site H1. The council has satisfactorily rebutted the concerns raised in one representation that contended that the H1 site was constrained and so could not be delivered.

3. Another representation, in support of H1, points out that this site, which extends to 1.8 hectares, if efficiently developed at 25 units to the hectare, would accommodate 45 new houses – and argues that this should be reflected in the plan allocation. That representation also notes that an average of 30 units per hectare is anticipated in the plan area as a whole, according to the council’s supplementary guidance. In response, the council accepts that, as there is developer interest, the site in question is no longer market constrained but argues that 15 houses on site H1 would be sufficient to meet the key planning objectives for Memsie. It also suggests that increasing the site density here would result in over-development and would be incongruous in relation to the remainder of the village. Given that this is a flat area of scrubland with no physical constraints, the representation is justified in arguing that a development of only 15 houses on this site would be inefficient, particularly when the site concerned is very close to the centre of the village and to the proposed new village school site.

4. The council does acknowledge the scope for only part of the site to be developed in the short term and for the remainder to be available for development in the second phase of the plan period. In the interests of efficient and sustainable development of the site, whilst taking into account the general form and density of existing housing in the vicinity, it would be appropriate for the site in question to be allocated for 30 houses in total. In order for this to be assimilated at a rate appropriate to the small scale of Memsie, the allocation should be divided equally between the first and second phases of the plan period. Furthermore, site H1’s northern boundary is not defined by any natural or other significant features and the site is clearly visible when approaching Memsie from the north. It will therefore be important for the northern edge of the site to be screened by strategic landscaping.

**Site H2**

5. The arguments put forward for deleting allocation H2 and redistributing the 15 houses shown for this site on Table 2 of Schedule 1 of the plan to site H1 are not persuasive. For the reasons outlined above, there is no need for such a reallocation as site H1 is already suitable for an additional 15 houses in its own right. Similarly, there is no justification for the H1 site to be deleted in order to provide additional houses on site H2. Whilst site H2 is well located close to the centre of the village and opposite the proposed new school site on the other side of the A981 road, there is not a compelling case to develop this site instead of site H1, when both of these sites have already been shown to be appropriate for allocation.

**Site R1**

6. There is no justification for the suggestion made in one representation to relocate the proposed new primary school site from site R1 in the centre of the village to the eastern edge of Memsie – on a site shown as BB32 in the Main Issues Report. Irrespective of whether or not site BB32 is deemed suitable for housing development, the merits of which are considered below, this peripheral location would be much less central than the R1 site for a new school. Accordingly, the peripheral site being suggested by the representation should not be preferred for a new school to serve local needs – particularly when site R1 is more sustainable being a level, readily accessible development opportunity in the heart of the village.

**Alternative site option**

7. Whilst site BB32 shown in the Main Issues Report is brownfield, this is not sufficient justification for this site on the eastern edge of Memsie to be allocated for housing – particularly when that site is not a preferred location for a new school for the reasons outlined above. The eastern end of Memsie is already elongated by the single-sided existing line of houses along Muir Road. Accordingly, if new housing was promoted at site BB32 this would further distort the built form of Memsie, when this is unnecessary and inappropriate. Instead it is preferable to allow some limited development on sites H1 and H2, even though this would involve greenfield rather than brownfield land, because those particular sites are very centrally located in the village. Indeed the allocations at H1 and H2 represent welcome opportunities for consolidation of the village form and close to the proposed new local primary school site R1.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

Amend the site capacity figures for site H1 for Memsie in Table 2 of Schedule 1 to now provide 15 houses in the first phase of the Plan (2007 to 2016) and a further 15 houses in the second phase of the Plan (2017 to 2023).

<b>Issue 106</b>	<b>Rathen</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Banff and Buchan (p19) Volume 3D Supplementary Guidance, Settlement Statements Banff and Buchan 2010 (p40)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Environment Protection Agency (1979)		
<b>Provision of the development plan to which the issue relates:</b>	Reserved land in Rathen.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>R1 Rathen</b>  <b>1979:</b> The site should not be allocated for a cemetery until a groundwater assessment is undertaken to identify any mitigation measures necessary to meet the recommendations in the <i>Groundwater Protection Policy for Scotland v3</i>.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>1979:</b> Allocate site R1 only once a groundwater assessment has been undertaken.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>A Notice of Intention to Develop on site R1 to form a cemetery extension was granted permission in 2008 and the site has since been developed ready for use. Furthermore, as site R1 is a reservation rather than an allocation, the need for a groundwater assessment prior to the adoption of the plan is unnecessary.</p> <p>In conclusion, given that site R1 has now been prepared for a cemetery, the reserved status of the site should remain.</p>		
<b>Any further plan changes commended by the planning authority:</b>		
<p>No changes are commended.</p>		
<b>Reporter's conclusions:</b>		
<p>1. The only representation raising concerns in respect of Rathen are from the Scottish Environment Protection Agency, with regard to site R1. This is indicated on the proposals map of the proposed Plan and detailed as "reserved for a cemetery extension" in the Proposed Supplementary Guidance document 3D. Based on the available information, and in the public interest, it is reasonable for the council to retain this land as a reservation in principle as part of the new Plan. The specific concerns of The Scottish Environment Protection Agency are matters for the council to consider at a later stage when detailed proposals are brought forward.</p>		
<b>Reporter's recommendations:</b>		
<p>No modifications.</p>		

<b>Issue 108</b>	<b>Auchnagatt</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p 20) Schedule 1, Table 3 (p 26) Volume 3E Supplementary Guidance, Settlement Statement, (p 3 & 4)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Chris Richal (138) Strutt & Parker LLP on behalf of Aberdeen Endowments Trust (2055, 2077) Baxter Design Ltd on behalf of Mr & Mrs G Gall (2067)		
<b>Provision of the development plan to which the issue relates:</b>	Allocations at M1 & H1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1 Auchnagatt</b>  <b>138:</b> Express concern that the development will devalue their property, cause drainage and traffic issues, and spoil the rural aspect of Auchnagatt.</p> <p><b>2067:</b> Support the proposal and are in the process of designing waste water proposals in conjunction with adjacent landowners on Main Issues Report site B32 [also site H1 in Auchnagatt] and Aberdeenshire Council.</p> <p><b>Site H1 Auchnagatt</b>  <b>2055:</b> The respondent expresses support for the site.</p> <p><b>2077:</b> Supports site H1, but objects to Table 2 in Schedule 1 of the plan showing only 25 houses in the first phase of the plan, whereas 31 houses are proposed on the supplementary guidance (6 houses are being carried forward from the current plan).</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>138:</b> Delete site M1.</p> <p><b>2077:</b> Amend Table 2 in Schedule 1 to show 31 houses in the first phase of the plan rather than 25.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Auchnagatt is located within the Local Growth and Diversification Area, within the Rural Housing Market Area. Development has been proposed to sustain existing local services, meet local need for housing and provide opportunities for small scale employment land.</p> <p>The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the sites is contained in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, pages 4 and 5), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.</p>		

**Site M1 Auchnagatt**

The impact an allocation may have on the value of a property is not a material planning consideration and therefore, it is not sufficient to justify its deletion from the plan.

The Scottish Environment Protection Agency notes that a minor watercourse runs through the site, but did not perceive the flood risk as significant enough to object to the site. Additional wording has been added to the supplementary guidance highlighting the flood risk and a need for a buffer strip adjacent to the watercourse.

The Council's Roads Authority did not raise traffic or access concerns as an issue for the site. They note that the main access point should be taken onto the A948 with a second vehicle access point onto the minor road to the south of the site. They also note that the speed limit will have to be extended.

The scale and location of the site is unlikely to spoil the rural aspect of Auchnagatt. Its visual prominence is reduced in light of the hilly topography of Auchnagatt and the existing buildings on its eastern corner. Furthermore, development is also proposed opposite the site (EH1), which will reduce its visual and townscape impact on the setting of Auchnagatt.

The support for the site is welcomed.

**Site H1 Auchnagatt**

The support for the site is welcomed.

Schedule 1 of the plan is only intended to show new allocations, i.e. those required to meet the structure plan.

The Council's position in relation to including existing local plan allocations within Table 2 is addressed in Issue 25 *Schedule 1 Housing Land*.

**Conclusion**

The modification sought to delete site M1 is not supported. The development strategy and land allocation in Auchnagatt is appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site M1**

1. Scottish Planning Policy states that, "The planning system operates in the long term public interest. It does not exist to protect the interests of one person..." Although the value of an individual's property is an emotive issue, it is immaterial to the allocation of site M1 for development.
2. There is a gradual slope on the site directed to the drain running parallel with the A948 identified by the Scottish Environment Protection Agency as a watercourse. There is no objection from the Agency. However, the council has confirmed that the supplementary guidance for Buchan will be amended to highlight the need to take account of any flood constraint.
3. The representation does not specify what traffic issues are of concern. In any event, the roads authority raised no concerns with the allocation of the site. Accesses could be provided from both the A948 Ellon road and an unclassified road running to the south of the site with adequate visibility. Traffic flow and parking would increase but could be accommodated within the existing road network and site.

4. Auchnagatt is characterised by houses fronting both the A948 west to east and the B9030 north to south. It has a mix of house types and designs, including some substantial stone and slate houses and modern accommodation. The introduction of 16 houses and eight business units would be likely to alter the linear pattern of development. However, due to the scale of the proposal and the location of the site on the A948 beside and opposite existing housing, the impact would not be so significant as to spoil the rural aspect of the settlement. The proposal should remain allocated.

**Site H1**

5. A smaller site was previously allocated for six houses in the adopted Aberdeenshire Local Development Plan. The proposed Plan allocates land for housing (site H1) which includes both the previously allocated site and further land to accommodate 25 additional houses. Schedule 1 of the proposed plan shows only new housing allocations. However, it also shows an asterisk beside allocation H1 which indicates that the site is to be developed at least partially within the boundary of an existing adopted local plan site.

6. The settlement statement is clear that the site is allocated for a total of 31 houses. However, the difference in housing numbers may lead to misinterpretation from members of the public thinking the allocation is 25 and not 31. To aid clarification, this report recommends that a amendment be made to Schedule 1 of the Plan to clarify that the full housing provision is provided in the supplementary guidance on settlement statements (see Issue 25).

**Reporter’s recommendations:**

No modifications.



<b>Issue 109</b>	<b>Cruden Bay</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (p20) Schedule 1, Table 3, (p26) Document 3E Supplementary Guidance, Settlement Statement (p 9 & 10)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Thomas Campbell (133) James Kidd (140) George Moir on behalf of A C Watson (351) Lesley Jones (487) David Johnston (555) John Moir (833) Malcolm Campbell on behalf of George Smith & Sons (1148) Archial Planning (1590) Ryden LLP on behalf of W Nicol, A Butters & D Cooper (1920, 1921, 2118, 2119)		
<b>Provision of the development plan to which the issue relates:</b>	M1, H1 & EH1 Allocations at Cruden Bay.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Cruden Bay</b></p> <p><b>140, 351, 833:</b> Express concern that development of the site will have a detrimental effect on the area, as it will remove the open view to the links and sea on approach to the settlement.</p> <p><b>487, 555:</b> Express concern with the loss of view from their home.</p> <p><b>351:</b> Expresses concern with invasion of privacy within the development as there is a steep dip to the south of the site.</p> <p><b>140, 351, 833:</b> Express concern that the housing density is too large and would result in over development of the site.</p> <p><b>140, 351, 487, 555:</b> Express concern that access onto the existing road will have to be outside the village boundary/site.</p> <p><b>555:</b> Express concern that the development would increase traffic on an already busy road.</p> <p><b>140, 351, 487, 555, 833:</b> The respondents suggest there is no requirement for the land to be developed, as sites EH1 and M1 will provide adequate housing for the foreseeable future, and it is reported that present houses are not selling (<b>487</b>).</p> <p><b>140, 351, 487, 555, 833:</b> Express concern that development of the site would infringe on wildlife habitat used by insects and animals including deer and birds of prey.</p> <p><b>555:</b> Suggests the development would put a strain on services, as the sewage pipe has already been increased and can be seen above ground.</p> <p><b>833:</b> The respondent does not support the site as there are inadequate facilities in the village (shops, school, etc).</p>		

**1920, 1921, 2118, 2119:** The respondent expresses support for the site as it will create a logical expansion of Cruden Bay, and is well placed to provide a number of benefits, including increasing the school roll, provision of a public footpath link to the golf club and town centre, and strategic landscaping to the south of the settlement.

**Site EH1 Cruden Bay**

**133:** Expresses concern that the construction of the proposed houses will affect his sleep.

**1148:** Requests that site EH1 is allocated for 102 houses in the second phase of the plan.

**1590:** In light of the planning history and the size of the site, the respondent requests an increase in the allocation from 102 houses to 200 houses.

**Modifications sought by those submitting representations:**

**140, 351, 487, 555, 833:** Delete site H1.

**1148:** Allocate site EH1 for 102 houses in the second phase of the plan.

**1590:** Increase the allocation of site EH1 from 102 houses to 200 houses.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Cruden Bay is located within the Local growth and Diversification Area, within the Rural Housing Market Area. The settlement strategy within the local growth and diversification area focuses development on settlements that will allow the provision of important infrastructure, or have specific needs identified (see issue 66). Cruden Bay is located a few miles from the A90 and provides a number of services. The school is forecast to be at 62% of its capacity by 2016, but has limited opportunity to be extended in the future. In light of this capacity, but to avoid the need for a second primary school and over-development, two allocations of up to 240 houses in total are proposed to provide housing choice and an opportunity for employment land in the Energetica corridor, and to sustain existing local services. These allocations are proposed to the west of the village to improve the settlement boundary. The current plan identified the west side of Cruden Bay as an area of search for future housing (site fh3\*) for this purpose.

Two existing housing sites in the current plan are also carried forward for development for 116 houses.

In total this represents an almost 50% increase in the size of the village, but Scottish Planning Policy (para 70) identifies that a planned level or direction of growth may not reflect past trends and that development should be located to make efficient use of infrastructure (para. 77).

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. A number of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 3, Buchan' paper (May 2010, pages 14 to 17).

**Site H1 Cruden Bay**

The existing housing development east of the site already affects the views of the coastal landscape when approaching the settlement from the west. The site follows an existing field boundary, and

provides an opportunity (along with site M1) to improve the western boundary of the settlement with strategic landscaping, which is currently lacking. Therefore, the small scale and location of the site is unlikely to have an adverse visual impact on the setting of the coast. Furthermore, a masterplan is proposed to co-ordinate the development of sites M1 and H1, which will also address concerns relating to privacy and will allow further opportunity for community engagement in relation to the detail of the site's layout, siting and design.

The density of the site is appropriate, as housing densities in Cruden Bay range from 12 to 31 houses per hectare. As the site is over 2 hectares, developing 40 houses in the site would not lead to over-development.

The Roads Authority has not raised any access or traffic issues affecting the site. They note that a new roundabout will be required on the A975 providing access to sites M1 and H1. The roundabout will also perform a function as a traffic management tool, ensuring vehicles reduce their speed as they enter the settlement.

The impact to wildlife as a result of the loss of the site to housing is likely to be low. The site has not been identified as having any particular biodiversity value and there are similar habitats for wildlife along the coast.

Scottish Water has not raised any issues on the treatment of waste water for the additional sites.

The school is currently operating at 57% capacity and there is sufficient capacity in the school to accommodate the proposed development. Further facilities will be provided on site M1, which will reduce pressure on existing facilities.

The support for the site is welcome.

### **Site EH1 Cruden Bay**

The comment made by respondent 133 is noted, but would be more appropriately considered at the planning application stage.

#### Allocate site EH1 in phase 2

Site EH1 is carried forward from the existing plan for 102 houses (sites ch1 and P<sup>1</sup> (community park)). All existing allocations are to be delivered in the first phase of the plan. There now is developer interest in developing the site, despite it being identified as constrained in the Housing Land Audit, otherwise the site would have been removed and not carried forward for development.

#### Increase allocation of EH1

Increasing the number of houses on the site was not proposed at any previous stage in the preparation of the local development plan, so there has been no site assessment or public debate on the site. Two planning applications have been submitted on this site. The first application, APP/2007/4365 was withdrawn and a second application, APP/2011/0360 for 216 houses is pending.

Although Cruden Bay is within the Energetica corridor, it is not within a strategic growth area as identified by the Structure Plan. Housing development in Cruden Bay requires to be of a scale to support local needs only. Therefore, the level of growth proposed in Cruden Bay is appropriate, and there is no requirement to identify further development opportunities. There is also finite capacity in the school for further development. However, further development on this site could be considered when the plan is reviewed.

### **Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Cruden Bay are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site H1**

1. Cruden Bay is located within the local growth and diversification part of the Rural Housing Market Area. The approved Aberdeen City and Shire Structure Plan requires 8,200 houses to be allocated within this area in the period 2007 to 2023 to meet population growth and housing demand. The proposed Plan helps to meet this requirement by allocating 240 houses in Cruden Bay, 40 of which are proposed on site H1 in the first plan period (2007 to 2016) to the west of the settlement.

2. The site is over 2 hectares in area, which with an allocation of 40 units would provide a density of some 20 houses to the hectare. This comparable to, if not lower than, the density of other housing allocations in Aberdeenshire and other housing in Cruden Bay. Development at this scale would not result in over-development. Indeed, the allocation of one further house, as requested in one representation, could be accommodated without any significant increase in density.

3. A roundabout would be required to accommodate new developments at site H1 and the mixed use site to the north and north-east (M1). Apart from this requirement the roads authority has no objection to the allocation of site H1. Access to the site would be within the new settlement boundary and speed limit restriction. The A795 is fairly straight and would be likely to provide sufficient visibility for motorists. Although there would be an increase in traffic as a result of development there is no evidence to suggest that this could not be absorbed by the local road network.

4. There is no indication that the existence of fauna or flora on the site would prevent its allocation for housing. However, the presence of protected biodiversity on the site would be investigated at the planning application stage as part of the provisions of policy 11 on natural heritage and its associated supplementary guidance.

5. Development of the site would reduce views to the Links and the sea from the approach road. However, these views would still be available from further west along the A975 approach. Furthermore, the design of any future housing would be related to its context and could accommodate vistas to the Links and sea beyond. Enough land would also be available on site H1 to accommodate 41 houses and provide sufficient privacy to existing residents on Links View. These are matters which could be pursued at the planning application stage.

6. As stated in Scottish Planning Policy, the planning system does not operate in the interests of one person. Consequently, the retention of existing views from unlisted buildings is not a matter which can be addressed by this examination.

7. Cruden Bay has adequate facilities and services to accommodate additional growth, including school capacity, local shops, post office and medical provision. There is also no direction from Scottish Water that sewerage could not be provided.

8. Despite current market demand for housing the allocation of site H1 is required to meet the structure plan requirement and no evidence submitted to this examination suggests that the site is incapable of delivery in the first plan period. The allocation should therefore remain.

**Site EH1**

9. The remit of this examination is to address unresolved representations to the proposed Plan.

Site EH1 in Cruden Bay is not shown in the proposed Plan but is shown in the proposed supplementary guidance for Buchan. Representations to the supplementary guidance about increasing the capacity of the site, amenity, and re-allocation into the second phase of the plan are outwith the scope of this examination and are therefore not addressed in these conclusions.

**Reporter's recommendations:**

Modify the proposed Plan by:

Amending Table 3 New housing allocations – Buchan in Schedule 1 to increase the allocation for site H1 in Cruden Bay from 40 to 41 houses in the period 2007 to 2016.

<b>Issue 110</b>	<b>Mintlaw</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p 20) Schedule 1, Table 3, (p26) Document 3E Supplementary Guidance, Settlement Statement (p 23 & 29)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
George W Smith (32, 125) Scottish Allotments & Gardens Society (559, 560)		
<b>Provision of the development plan to which the issue relates:</b>	H1, H3 and EH3 Allocations at Mintlaw.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Sites H3 and EH3 Mintlaw</b></p> <p><b>559, 560:</b> The respondent suggests that land for allotments should be reserved in Mintlaw as there is demand for them. Suggests sites EH1 and H3 could be appropriate locations.</p> <p><b>Alternative sites Mintlaw</b></p> <p><b>32, 125:</b> Request extending the boundary of H1 to include the field to the west for housing.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>559, 560:</b> Reserve land for allotments, possibly in EH1 and H3.</p> <p><b>32, 125:</b> Add the field west of site H1 within the allocation for housing.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b></p> <p>Mintlaw is located within the Local growth and Diversification Area, within the Rural Housing Market Area. The settlement strategy within the local growth and diversification area focuses development on settlements that will allow the provision of important infrastructure, or have specific needs identified (see issue 66).</p> <p>The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. Further information on the sites is contained in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, page 37 to 42), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.</p> <p><b>Sites H3 and EH1 Mintlaw</b></p> <p>The supplementary guidance settlement statement for Mintlaw proposes open space contributions from new development to include allotments. Where and how this is provided is a matter for local determination through consultation on the development framework.</p>		



**Alternative sites Mintlaw**

Extension of site H1

The allocations within Mintlaw are already sufficient to meet the needs of the settlement in the plan period. The alternative site has not been proposed at any previous stage so there has been no site assessment or public debate on this site. However, as the site is adjacent to Dunshilloch, which could be considered as a cohesive group of dwellings separate from Mintlaw, limited new development could be permitted under Supplementary Guidance *SG Rural Development 1: Housing and business development in the countryside* criterion B3).

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Mintlaw are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Allotments**

1. The proposed Plan requires a proportion of each housing proposal to provide public open space. This may include allotments.
2. The proposed Plan does not show areas of land reserved or protected for open space. It would not therefore be possible to reserve land for allotments through the Plan. However, the proposed supplementary guidance for settlements in Buchan includes an entry for Mintlaw. The entry specifies that open space contributions should include allotments. There would therefore be an opportunity, as the supplementary guidance would form part of the development plan, to secure future allotment sites for Mintlaw on site H3 or on other suitable sites in the settlement. On this basis, no reservation within the proposed local development plan is necessary.

**Extension of site H1**

3. A representation seeks to include a further field for housing to the west of proposed housing allocation H1. There is no question that the proposed extension to site H1 could be serviced by both water and waste water facilities. However, development of this area would cross an existing track, which provides a suitable and well defined boundary to site H1. Furthermore, development of the proposed extension would create a potential for coalescence between housing on site H1 and existing housing at Dunshilloch. Consequently, the proposed extension to site H1 should not be allocated.

**Reporter’s recommendations:**

No modifications.

<b>Issue 111</b>	<b>New Deer</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p 20) Schedule 1, Table 3 (p26) Volume 3E Supplementary Guidance, Settlement Statement (p 30 and 31)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Margaret Spence (134) Allison Brownlee (529, 530) Sue Foster (1010) Jacqueline Boswell (1256) Baxter Design Ltd on behalf of Mr Robertson (2169) V Poyser (2245)		
<b>Provision of the development plan to which the issue relates:</b>	H1, H2 & H3 Allocations at New Deer.	
<b>Planning Authority's summary of the representation(s):</b>		
<p><b>Site H1 New Deer</b>  <b>134:</b> Development of the proposed site will impact on the safety of people using the play park as a result of increased traffic. It will result in the loss of view, light in their garden and privacy due to overlooking.</p> <p><b>529:</b> Expresses concern with the loss of their view as a result of the development.</p> <p><b>530:</b> Requests that access routes into the site are clarified to ensure no increase in traffic from the end of Fordyce Road and the play park area.</p> <p><b>2245:</b> Expresses support for the site as it seems very sensible and appropriate.</p> <p><b>Site H3 New Deer</b>  <b>1010, 1256:</b> Express concern with loss of light and privacy as their property is below the level edge of the field.</p> <p><b>1010, 1256:</b> Additional houses will exacerbate the flooding problem of the local drainage system and result in more frequent flooding along Auchreddie Road East.</p> <p><b>1010, 1256:</b> The development would have an impact on the environment and the loss of food producing land to housing (<b>1256</b>).</p> <p><b>1256:</b> Expresses concern with the impact heavy machinery would have on the mature trees and wall along the edge of the field.</p> <p><b>1256:</b> Given the small scale of the village and that most people will work outwith New Deer, the development will add to the congestion on local roads. Suggests the public transport network should be addressed before additional houses are built.</p> <p><b>1256:</b> Additional traffic on Auchreddie Road East, which has a 40mph speed limit will impact on pedestrian safety (children crossing the road to get to school). Suggests the speed limit is reduced from 40mph to 30mph.</p> <p><b>1256:</b> Queries the need for further developments in New Deer in view of the recent developments in neighbour settlements and the number of unsold properties in the area.</p>		

**2245:** Expresses support for the site as it seems very sensible and appropriate.

**Alternative site New Deer**

**2169:** Suggests that under the 400m rule in the Supplementary Guidance *Rural Development 1: Housing and business development in the countryside*, frontage housing development should be permitted along land adjacent to Fordyce Terrace within protected site P2.

**Modifications sought by those submitting representations:**

**134, 529:** Delete site H1.

**530:** Amend site H1 to show the access routes into the site that avoid an increase in traffic from the end of Fordyce Road to the play park area.

**1010, 1256:** Delete site H3.

**1256:** As an alternative to deleting site H3, reduce the scope of the development (e.g. restricting houses to single storey at the south end of the site).

**2169:** Allow for housing development on land adjacent to Fordyce Terrace within protected site P2.

**Summary of responses (including reasons) by planning authority:**

**Overview**

New Deer is located within the Local growth and Diversification Area, within the Rural Housing Market Area. The settlement strategy within the local growth and diversification area focuses development on settlements that will allow the provision of important infrastructure, or have a specific needs identified (see issue 66). New Deer has a declining school roll (forecast to be at 49% of its capacity by 2016). In light of this, development has been proposed to sustain existing local services and meet local need for housing.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. A number of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, pages 44 and 45).

**Site H1 New Deer**

The support for the site is welcomed.

The site is identified in the existing plan as an area of search for future development given its near-centre location and close proximity to the school (site fh1\*). A development brief is required for the site, which will address concerns relating to privacy, visual impact and residents' amenity, and will allow further opportunity for engagement in relation to the detail of the site, its layout, siting and design.

The Council's Roads Authority does not raise any issues with access to the site, subject to satisfying required standards. They also state that traffic calming will be required on Fordyce Road, which will be addressed in the development brief that is required for the site.

**Site H3 New Deer**

The support for the site is welcomed.

A development brief is required for the site, which will address concerns relating to privacy, visual impact, residents' amenity, and impacts on mature trees, and will allow further opportunity for engagement in relation to the detail of the site, its layout, siting and design.

The Roads Authority has not expressed any concern on road access, pedestrian safety or congestion. Site H2 is allocated in the proposed plan to improve road safety, and it is likely that it will lead to a reduction in the speed limit along Auchreddie Road East to 30mph. Furthermore, New Deer is already on a number of regional and local bus routes to Aberdeen, Ellon, Fraserburgh, Mintlaw and Turriff.

The Scottish Environment Protection Agency has not raised flooding as an issue on the site or on land adjacent to it. Flood water from the Burn of Auchreddie was highlighted as an issue after consultation on the Main Issues Report on site B49 (site H2 in the proposed plan), and it could be a contributing factor to flooding on Auchreddie Road East. Nonetheless, the site would require a sustainable drainage system, which would mitigate downstream impacts.

The site is not within a nature conservation site. It is currently an agricultural field, and development on the site is unlikely to have a significant adverse impact on the environment.

The site is not on prime agricultural land and given the small scale of the proposal, it is unlikely to adversely affect the amount of land used in food production in the area.

The school roll in the area is falling, and the need for development in New Deer is discussed above.

**Alternative site New Deer**

Supplementary guidance *SG Rural Development 1: Housing and business development in the countryside* applies to land outwith a settlement, whereas site P2 lies within the settlement boundary. Furthermore, both parts of site P2 are protected in the Aberdeenshire Local Plan as open space in order to protect the setting of New Deer. Site P2, north of Fordyce Road, was identified as a possible site for development in the Main Issues Report as site B17. However, development on this site would erode the settlement boundary and affect the setting of the settlement, whereas more appropriate sites for housing are already proposed elsewhere (e.g. H1).

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocation in New Deer is already appropriate and sufficient to meet the needs of the settlement strategy without additional housing allocation east of the settlement.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Site H1**

1. As stated in Scottish Planning Policy, the planning system does not operate in the interests of one person. Consequently, the loss of an existing view from a private residence is not a matter which can be addressed through this examination.
2. The land allocated at site H1 is enough to provide both the 35 houses proposed and provide sufficient amenity, privacy and sunlight to existing residents on Fordyce Avenue and Main Street. In any event, these matters can be further assessed during the production of a development brief for the site and at the planning application stage.
3. Motor vehicle movements on Fordyce Road are frequent because of the presence of the medical practice and bowling green. Parking is also limited because of these uses. No objections were received from the roads authority on access, traffic flow or safety grounds. Furthermore, there are pavements on either side of the road to allow safe pedestrian passage to the play park. In addition, the council has stated that traffic calming measures would be introduced along the road to reduce traffic speeds. Parking would be accommodated within any development to meet its needs.

4. Allocation of the site is both appropriate and sufficient to accommodate housing in the first period (2007 to 2016) of the proposed Plan and should remain.

**Site H3**

5. New Deer is located within the local growth and diversification part of the Rural Housing Market Area. The approved Aberdeen City and Shire Structure Plan requires 8,200 new houses to be allocated within this area in the period 2007 to 2023 to respond to population growth and housing demand. The proposed Plan helps meet this allowance by allocating site H3 for 40 houses in the second period of the plan (2017 to 2023). Although current market conditions may indicate otherwise, there is a demand and requirement for housing in this area.

6. The roads authority raises no objection to the allocation of site H3. Concerns relating to child safety while crossing Auchreddie Road East are acknowledged while the speed limit remains at 40 miles per hour. However, the council has stated that the speed limit is likely to reduce as a result of the development of site H2. The council has also noted that there are both local and regional bus services passing through New Deer. Any subsidy or increase in the frequency of services would be a matter for the bus operator on the basis of funding and market demand, which the allocation of 80 new houses in New Deer may influence.

7. The proposed site H3 slopes from north to south down to the rear gardens of properties on Auchreddie Road East. In addition, there is a noticeable difference in the ground level between these properties and the southern boundary of the site. Concerns over loss of privacy and sunlight are therefore appreciated. However, there is enough land allocated to ensure a design which would provide the 40 houses and safeguard privacy and sufficient light to existing residents. These matters would not prevent the allocation of the site for housing and can be further addressed during the production of a development brief for the site and at the planning application stage. These processes would also provide an opportunity to comment on the location and design of the housing.

8. The slope of the site also suggests that drainage would need to be carefully managed. The Scottish Environment Protection Agency raises no objection in relation to flooding arising from the development of the site. In any case, the site would be subject to a sustainable urban drainage solution which should ensure no drainage or flooding impact as a result of the development. Sewerage and waste water can also be accommodated.

9. The site is not protected for either its biodiversity or landscape value. The presence or otherwise of protected wildlife or flora could be explored and assessed at the planning application stage. Mature trees on the southern boundary have landscape value and may have biodiversity value, but British Standards would ensure that trees are protected during construction.

10. Prime agricultural land is a finite resource and consequently Scottish Planning Policy suggests that development on it should be restricted unless necessary to meet established need. It is accepted that the site is highly productive arable land. However, it has not been identified as 'prime' agricultural land. In any event, there is an established need for housing land in Aberdeenshire. In light of the above conclusions, the site should remain.

**Alternative B17**

11. The representation seeks development along the north side of Fordyce Terrace. The New Deer entry in the proposed supplementary guidance settlement statement shows the land within the settlement boundary identified as protected open space (P2) to conserve the setting of the settlement. Other houses front Fordyce Terrace, however the site promoted for development provides an attractive setting and defensible boundary to the settlement. Sufficient and appropriate land has been allocated for housing to meet local needs in New Deer. The site promoted should not be allocated for housing.

**Reporter's recommendations:**

No modifications.

<b>Issue 112</b>	<b>St Combs</b>	
<b>Development plan reference:</b>	Section 6, The proposals map - Buchan Schedule 1, Table 3, (p26) Volume 3E Supplementary Guidance, Settlement Statement (p 51 and 52)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Paul Francis (107) Knight Frank LLP on behalf of Oosterhof & Co (152, 153)		
<b>Provision of the development plan to which the issue relates:</b>	H1 Allocation at St Combs.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 St Combs</b>  <b>107:</b> Expresses concern with the site, as it would be outwith the boundary of the settlement, it is prone to flooding, and it would result in the loss of light to residents in Tillyduff Gardens. Suggests adequate housing supply could come from sites EH1 and EH2 prior to the development of site H1.</p> <p><b>152, 153:</b> Supports the site, as it is the most logical location for the future expansion of St Combs and it will sustain the local community.</p> <p><b>152, 153:</b> Requests that the phase two allocation is brought forward into phase one of the plan, as there is sufficient need and demand for 40 houses in phase one, and the infrastructure costs and affordable housing requirement may not be sufficiently met by only 20 houses.</p> <p><b>Alternative site St Combs</b>  <b>152, 153:</b> Proposes site B46, as identified in the Main Issues Report, as alternative sites to EH1 and EH2 for up to 40 houses in the second phase of the plan, to provide a long-term sustainable expansion to St Combs; provide an attractive entrance to the village; and help to maintain the school roll over the lifetime of the plan. The Housing Land Audit shows the existing sites have not come forward for development, which has exacerbated the under-supply of houses, particularly affordable houses. There was unanimous public support for new housing south of the village at a public exhibition in 2009.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>107:</b> Delete site H1.</p> <p><b>152, 153:</b> Bring forward the phase 2 allocation into phase 1 of the plan in site H1.</p> <p><b>152, 153:</b> Delete sites EH1 and EH2 and redistribute units to site B46, as identified in the Main Issue Report, for up to 40 houses in the second phase of the plan.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  St Combs is located within the Local Growth and Diversification Area, and Regeneration Priority Area, within the Rural Housing Market Area. St Combs has a sharply declining school roll (forecast</p>		



to be at 23% of its capacity by 2016). In light of this, an allocation of up to 40 houses and the continuation of two housing sites within the current plan have been proposed to sustain local services and provide a choice of housing locally.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. The majority of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, pages 59 and 60).

**Site H1 St Combs**

The support for the site is welcomed.

The boundary of the settlement is amended to reflect new allocations and the site would therefore not be outwith the settlement.

The flooding issue appears to be from poor drainage, and given the scale of the site an appropriately designed sustainable drainage system would take account of surface water.

The generally flat nature of the site is unlikely to reduce light into adjacent properties.

The school roll in the area is falling, and the need for development in St Combs is discussed above. Furthermore, site H1 does not share the same physical or ownership issues that have prevented the development of sites EH1 and EH2 in the current plan.

It has not been demonstrated what infrastructure costs are required that justify bringing forward the phase two allocation into phase one. There is sufficient capacity in the school and Fraserburgh Waste Water Treatment Works, and the road works should only be at a scale necessary for the development that is allocated.

There is still developer interest in developing sites EH1 and EH2, which will contribute to the affordable housing requirement for the settlement.

**Alternative site St Combs**

The lack of significant development in St Combs has likely contributed to the falling school roll. However, given the landscape sensitivity of St Combs and the prominent location of site B46, it is preferred that site H1 and the remainder of B46 are developed gradually. Developing the whole of B46 would also double the size of the settlement and result in over-development.

There is developer interest in sites EH1 and EH2 and the constraints affecting the site can be overcome, as planning permission has already been approved on two housing plots within EH1.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocation in St Combs is already appropriate and sufficient to meet the needs of the settlement strategy without identifying an alternative or additional housing allocation south of the settlement.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site H1**  
 1. St Combs is located within the local growth and diversification part of the Rural Housing Market Area. The approved Aberdeen City and Shire Structure Plan requires 8,200 new houses to be allocated in this area between 2007 and 2023 to meet population growth and housing demand. The

proposed Aberdeenshire Local Development Plan helps to meet this figure by allocating 40 houses on site H1 split over two periods (2007 to 2016 and 2017 to 2023). Although there are existing allocations in St Combs (sites EH1 and EH2) for 47 houses, there is now justification for further sites to accommodate the structure plan requirement.

2. There is insufficient land within the settlement to accommodate any new housing. Consequently, development is necessary outwith the existing boundary to meet housing needs. The site contributes to the setting of the settlement. However, the evergreen plantation to the south of the site would provide a new defensible boundary and attractive approach to the settlement following development.

3. There is evidence that the site has been subject to flooding at the northern boundary adjacent to Tillyduff Gardens. On inspection this area was boggy and current excavations were evident revealing drainage pipes in this location. There is no objection from the Scottish Environment Protection Agency on flooding or drainage matters. However, this issue should be addressed at the application stage. A sustainable urban drainage solution would also ensure no additional flooding or drainage impact as a result of development.

4. The rear gardens on Tillyduff Gardens facing site H1 are very shallow, in some cases only a metre or two deep to the boundary with the proposed site. However, there is enough land to accommodate the allocation of 40 houses and ensure that the amenity of neighbouring residents is protected. This is a matter which can be further addressed when assessing the design and layout at the application stage.

5. The promoter of the site seeks the allocation be made entirely in the first period of the proposed Plan (2007 to 2016). There may be infrastructure and other development costs which necessitate such an approach. However, these have not been sufficiently evidenced to indicate that the full allocation should be made in the first period. In any case, as indicated in Issue 12 on housing land supply, the council has acknowledged that planning applications for development across two periods can be made at one time, and in exceptional circumstances housing can be brought forward.

6. No evidence suggests that the site is insufficient or inappropriate. The allocation should remain.

**Alternative B46**

7. One respondent objects to the carrying forward of sites EH1 and EH2, as they have not come forward for development. They should be deleted and replaced by the extension of site H1 to the east for up to 40 houses in the second phase of the Plan.

8. According to the draft housing land audit 2011 a house was been built on existing site EH1 and further housing is anticipated. It also programmes the development of 23 houses on site EH2 between 2013 and 2017. These sites are therefore effective and construction is programmed. In any case, sites EH1 and EH2 are only shown in the settlement statements supplementary guidance and not in the proposed plan. There is no remit through this examination to remove sites which are not identified in the proposed local development plan.

9. Allocation of a further site for up to 40 houses in the second period of the Plan would aid the falling school roll, provide new pedestrian links and further affordable housing, and landscaping could be used to minimise the impact on the Area of Landscape Significance. However, the council has sought to address the falling school roll by allocating site H1 for 40 houses, which would also provide affordable housing. This allocation is sufficient and appropriate at present to meet the housing requirement and settlement needs without the further allocations.

**Reporter's recommendations:**

No modifications.

<b>Issue 113</b>	<b>Strichen</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p20) Schedule 1, Table 3, (p26) Document 3E Supplementary Guidance, Settlement Statement (p 57 & 58)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Taylor Design Services on behalf of Burnshangie Developments Ltd (241)                  Knight Frank LLP on behalf of W A Mackie &amp; M W Merchant (844, 845)                  Scottish Environment Protection Agency (1979)                  Andrew Sturdy (2112, 2761)                  Andrew Roberts (2214, 2743)                  Burnshangie Developments Ltd (2764)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing Allocations at Strichen.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Strichen</b>  <b>844, 845:</b> Suggest reducing the number houses and size of site H1 as the site is particularly steep.</p> <p><b>241, 844, 845, 2743:</b> Express concern that the site floods in the field to the west, which also acts as a natural soakaway, suggesting the number of houses allocated should be reduced or the western field removed from the allocation.</p> <p><b>1979:</b> Scottish Environment Protection Agency note there is the possibility of flooding on the site as a watercourse runs through the site. Although they do not object to the allocation, they state that the flood risk should be highlighted in the text [supplementary guidance].</p> <p><b>2743:</b> The site is not suitable for 50 houses as flooding from the culvert affects properties in Mormond Place and developing the site will increase surface water runoff.</p> <p><b>844, 845, 2743:</b> The site is not suitable for 50 houses as it has access issues.</p> <p><b>2743:</b> Expresses concern that the site is not suitable for 50 houses as it will adversely affecting the skyline of the village.</p> <p><b>2112, 2761:</b> Expresses concern that increasing the density of the site would be detrimental to the character and setting of the settlement. Suggest a planning brief should be required limiting development above a certain contour.</p> <p><b>2112, 2761:</b> Supports development in EH2 rather than in H1 as it is a brownfield site, whereas H1 is on prime agricultural land, has better road access, does not affect valued views, is close to amenities, and is the original location of Strichen before it developed north across the river.</p> <p><b>2214:</b> Development should only be required to meet local demand and given the predicted low population growth, the additional 30 houses for site H1 are unjustified.</p> <p><b>2214:</b> It is unclear what the community benefit is, as the site does not include land for employment.</p>		

**Alternative sites Strichen**

**844, 845:** Allocate land at Hospital Brae (site B35, as identified in the Main Issues Report) for up to 32 houses, as site H1 is undesirable for development due to flood and access issues.

**2112, 2761:** Express concern with the failure to allocate employment land in Strichen in order to maintain local services.

**2764:** Site EH1 can accommodate a higher density of development on the site and requests it is increased from 15 to 33 houses (a planning application is pending for 18 houses on the north of the site).

**Modifications sought by those submitting representations:**

**241, 2112, 2761, 2743:** Reduce the allocation of houses on site H1.

**1979:** Add the following words to the supplementary guidance text for Strichen “A small watercourse runs through the site and flood risk has not been adequately quantified. A flood risk assessment may be required in support of any planning application and an appropriate buffer strip will be required adjacent to the existing watercourse.”

**2214:** Reduce the allocation of houses on site H1 from 50 to 20 units.

**844, 845:** Reduce the allocation of houses on site H1 from 50 to 28 units.

**241, 2112, 2761:** Remove the western field from the allocation.

**844, 845:** Remove the northern part of site H1 not allocated in the current local plan.

**2214:** Allocate land for employment (e.g. site H1).

**844, 845:** Allocate land at Hospital Brae for 32 houses (site B35, as identified in the Main Issues Report).

**2112, 2761:** Allocate land for employment in Strichen.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Strichen is located within the Local growth and Diversification Area, within the Rural Housing Market Area. The settlement strategy within the local growth and diversification area focuses development on settlements that will allow the provision of important infrastructure, or have specific needs identified (see issue 66). Strichen has a declining school roll (forecast to be at 58% of its capacity by 2016). In light of this, development has been proposed to sustain existing local services, provide housing choice and meet local need for housing.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the sites is contained in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, pages 63 and 64), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

**Site H1 Strichen**

The majority of the allocation is carried forward from the Aberdeenshire Local Plan (as eh2), thus the

principle of development on site H1 was considered at a previous examination (see attached extract of Local Plan Inquiry Report, Volume 3 Buchan, pages 24 and 25). The northern section was identified as a preferred site for housing in the Main Issues Report (site B25) to allow the access needed to develop the site, given ownership and flooding issues to the west of the site. The density of site H1 has been increased given the context of Strichen's built form, and to use the land more efficiently and sustainably.

A planning application is pending for the part of the site (APP/2009/2495), in which a Flood Risk Assessment has been submitted. The Flood Risk Assessment has been accepted by the Council's Flood Prevention Team and SEPA, who agree that the proposed development will not exacerbate the current situation on Mormond Place. In light of this, flood risk is unlikely to be a significant issue for the site. However, as only part of the site is subject to a current planning application, text has been added to the Strichen Settlement Statement that a Flood Risk Assessment will be required. A watercourse/drain runs through the site, but the site is of sufficient size to accommodate development while leaving areas of flood risk as open space.

The Roads Authority has not raised any access issues when commenting on site B25 in the Main Issues Report. They state that access requires to be taken from Mormond Place.

The site is more than 25m below the brow of the nearest hill and therefore is unlikely to breach the skyline. Scottish Natural Heritage has not raised any issues on landscape or visual impacts. A masterplan is required for the site, which will address concerns relating to topography and landscape/townscape setting, and will allow further opportunity for engagement in relation to the detail of the site, its layout, siting and design.

The support for EH2 is welcomed. However, site H1 is not on prime agricultural land and issues of access and visual impact are discussed above.

There is a local need for housing to sustain the school roll for Strichen Primary School, which is declining. Employment land does not form part of the developer's aspiration but sustaining the school retains this important local facility.

### **Alternative sites Strichen**

#### Site B35

Site B35 was fully considered in the assessment of response to the Main Issues Report, but following widespread community engagement the Council's conclusion was to exclude it in preference for concentrating development primarily on existing sites. The site is on the periphery of the settlement and on a prominent hill. The proposed allocations are already sufficient and appropriate and there is no need to consider alternatives.

#### Employment land

No employment land was proposed for development in Strichen, but local services include the school, which the proposed allocation of housing will help to maintain. Furthermore, Strichen is on the regional and local bus routes to Aberdeen, Fraserburgh, Ellon and Mintlaw, which all include employment land. In light of this, allocating housing in Strichen still improves the range and choice for housing within easy range of employment sites elsewhere.

#### Site EH1

Increasing the number of housing units on the site was not proposed at any previous stage, so there has been no site assessment (e.g. access) or public debate on the site. The proposed allocations are already sufficient and appropriate and there is no need to consider alternatives.

### **Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Strichen are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended but the following change has been made to Volume 3E Supplementary Guidance: Settlement statements Buchan:

In the supplementary guidance for Buchan, under the settlement statement for Strichen, add under section 'Proposed sites' for site H1, "A small watercourse runs through the site and flood risk has not been adequately quantified. A flood risk assessment may be required in support of any planning application and an appropriate buffer strip will be required adjacent to the existing watercourse."

**Reporter's conclusions:**

**Site H1**

1. Site H1 is an area of farmland used for growing crops and grazing. It occupies an area of some 3 to 3.5 hectares between Mormond Place on its northern boundary and the B9093 on its southern boundary. A flat area of grazing land lies to the west of the site adjacent to school playing fields. An open culvert runs from north to south along the northern boundary of the grazing area. From here the site slopes from 5 to 60 metres above sea level to an open field boundary in the east.

Housing need and demand

2. Strichen is located within the local growth and diversification part of the Rural Housing Market Area. The approved Aberdeen City and Shire Structure Plan requires 8,200 houses to be allocated within this area in the period 2007 to 2023 to meet population growth and housing demand. The proposed Aberdeenshire Local Development Plan helps meet this requirement by allocating 30 additional houses on proposed site H1 in the first plan period (2007 to 2016).

3. The adopted Aberdeenshire Local Plan allocated land for 47 houses on three sites in Strichen. Two of these sites are the subject of recent planning applications and are identified in the draft housing land audit 2011 to begin development in 2013 and 2014.

4. A housing need has been identified by the Housing Needs and Demand Assessment for Aberdeen City and Shire. The structure plan has identified the housing required to meet population growth and housing demand, and the proposed plan has allocated sufficient land to meet this need. The growth of Strichen by 30 additional housing units reflects the need to accommodate housing in the rural housing market area, the services, employment and facilities available.

5. There is demand for housing in the rural housing market area and within Strichen. The proposal for 30 additional houses would support the falling school roll, local services and facilities.

Flooding and drainage

6. The Scottish Environment Protection Agency and others have identified a flood constraint on the site. Following a site inspection, it is clear that the part of the field currently used for grazing collects water. The council has confirmed that the supplementary guidance for Buchan will be amended to highlight the need to take account of the flood constraint on the site. By this action, the representations from SEPA to the proposed Plan would be resolved. The area of land constrained by flooding would not need to be removed from the proposed allocation as the flood constraint could be minimised or reduced, and the land may make a contribution to public open space.

7. Concerns were also raised about drainage and surface water run-off. Housing developments are usually designed with a sustainable drainage solution to ensure a drainage run-off equivalent to that of a greenfield site. The exact nature of the drainage solution would be resolved at the planning application stage. No evidence submitted justifies the deletion of proposal H1 on the basis of either drainage constraint or flood risk to existing or future residents.

Density

8. Part of the site is allocated for 20 houses in the adopted Aberdeenshire Local Plan (site eh2).



The total number of houses on site H1 would therefore be 50. Equating the site area with the housing allocated and proposed would provide a density somewhere between 14 and 17 houses per hectare. This is a low density which is comparable if not lower than that of the surrounding residential streets. Restrictions of the gradient of the slope on the site and the area of flood constraint may reduce the amount of developable land but development is still likely to be designed at an acceptable density.

Access and road safety

9. The council has confirmed that access to the site would be from Mormond Place and not the B9093. The approach roads to the site on Sleight Crescent and Mormond Place are narrowed by parked cars. However, parking required by the housing should be designed and accommodated within the proposed housing site. Consequently, there should be no additional parking constraint on adjoining streets as a result of development. The number of vehicles using these approach roads would increase as a result of development. However, there is no representation from the roads authority in objection to the access arrangements or any identified harm to road safety as a consequence of development.

Character and setting of settlement

10. New housing would be visible from higher vantage points such as Hospital Brae to the north-west, and from Mormond Place. Glimpses of the site would also be available from High Street Close when exiting the settlement along the B9093. However, the proposed housing site does not break the ridge line and is contained by the curving form of the hillside and the B9093. Furthermore, as concluded above, the density of the development would be consistent with its surroundings. The skyline of the settlement would not be broken and due to the landform and surroundings the development would fit with the landscape setting of the settlement, while retaining its character.

Local employment and commuter traffic

11. Strichen has various indigenous employers, including the local hotels, public houses, shops, and the school. However, new residents of the proposed housing development may have to travel to find employment in other settlements. Fraserburgh is located some 15 kilometres to the north, Mintlaw some 11 kilometres to the south-east, and Peterhead some 30 kilometres to the east (a 35 minute drive). A circular bus route provides regular services to Fraserburgh, while a regular service is also provided linking Aberdeen to Ellon, Mintlaw, Strichen, and Fraserburgh. There is insufficient evidence to justify the deletion of proposal H1 on the basis of a lack of employment opportunities. Furthermore, there is a regular public transport service which could reduce reliance on private motor vehicles for commuting.

Masterplan requirement

12. The examination of the proposed Plan addresses unresolved issues to the plan itself. The requirement for a masterplan to be produced on site H1 and EH1 is provided in the proposed supplementary guidance for Buchan and not in the proposed Plan. Consequently, this examination has no remit to address this issue.

Conclusion

13. Proposal H1 would sustain the local school roll. It would fit with the character and maintain the setting of the settlement. The location of development would not be unsustainable, it could be successfully accessed, and flood and drainage constraints could be accommodated. Development would sustain local services, meet local need, and provide housing choice to help meet the structure plan's housing requirement for the rural housing market area. The allocation should remain.

**Alternative site B35**

14. An alternative site is proposed to the north of Hospital Brae for some 32 houses. The land is currently farmed. It is bound by Hospital Brae to the south, with bungalows opposite. Four houses and their grounds at Rowan Bank lie on the eastern boundary alongside further farmland to the north-east. A similar situation is present on the western boundary with new housing on Church View and farmland to the north-west. The northern boundary is left open to further farmland beyond.

15. The main issues report identified that the site could be developed subject to satisfactory access arrangements as an alternative to the allocation of site H1 discussed above. It was also noted in the report that the local school capacity would allow only 30 to 50 additional houses to be built in Strichen.

16. The site is relatively flat but slopes from around 70 to 85 metres above sea level. At this elevation the development would be higher than existing development within the settlement boundary. The site is bounded on three sides to some extent. However, the bungalows to the south are set at a lower ground level; the four houses at Rowan Bank are well dispersed; and the majority of the western boundary adjoins farmland. The context of the site and elevation leave the site exposed on the periphery of Strichen in a position which does not relate well to the existing settlement form.

17. Access to the site could be accommodated, there is a commitment to bring the site forward by the landowner, it is reasonably close to facilities and the south facing aspect would provide an opportunity for renewables. However, site H1 has been retained providing 30 additional houses in Strichen. A further 32 houses would provide 62 new houses in Strichen, thereby placing the school roll under pressure. There is sufficient and appropriate housing allocated to Strichen to meet the housing requirement and maintain existing services. In light of the above, the alternative should not be allocated.

**Employment land**

18. In the context of providing employment for new residents one representation questions the lack of employment allocations in Strichen. No potential employment sites in the settlement have been suggested.

19. Around 180 hectares of employment land are proposed in the rural housing market area for local growth. Of that allocation, five hectares are proposed at Mintlaw and 20.5 hectares at Fraserburgh, both within easy commuting distance of Strichen. Peterhead also provides a significant amount of employment. Alongside existing employment opportunities, the allocations in the area are likely to be sufficient to meet the demand from new residents. Therefore, no employment allocations are required in Strichen.

**Site EH1**

20. The adopted Aberdeenshire Local Plan identifies site EH1 as being suitable for around 15 houses. Site EH1 is not identified in the proposed Plan but is shown within the draft supplementary guidance for Buchan as a housing site carried forward. The representation suggests the site be re-allocated for 33 houses (18 in the north, consistent with a planning application which is pending; and 15 in the south). No evidence has been submitted to support or justify such an increase in density, and consistent with paragraph 17 above the addition of more housing would place pressure on the school roll. Site H1 provides appropriate and sufficient additional housing to meet housing needs in Strichen. No additional housing is therefore required or recommended on site EH1.

**Reporter’s recommendations:**

No modifications.

<b>Issue 114</b>	<b>Stuartfield</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p20) Schedule 1, Table 3, (p26) Volume 3E Supplementary Guidance, Settlement Statement (p 59 to 60)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
G S Burnett (190) Baxter Design Ltd on behalf of A Shand (1991) Susan Kindness (2217) Mr & Mrs J Baird (2348) Charles Dickie (2358)		
<b>Provision of the development plan to which the issue relates:</b>	H1 Allocation at Stuartfield.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Stuartfield</b>  <b>190, 1991, 2358:</b> Express concern that site B42, as identified in the Main Issues Report [site H1 and R2] does not represent a balanced and planned extension of Stuartfield, and would result in over-development.</p> <p><b>190:</b> Suggests the justification to enlarge site B42 [H1 and R2] and exclude B7 [by the Buchan Area Committee in March 2010] is inadequate.</p> <p><b>2217:</b> Little consideration has been given to the privacy of houses in Burnside Crescent compared with houses in Knock View, which were built later.</p> <p><b>2348:</b> Requests the reduction in overall growth in Stuartfield.</p> <p><b>Alternative site Stuartfield</b>  <b>190, 1991, 2358:</b> The respondents suggest an alternative site to H1, and propose site B7, as identified in the Main Issues Report instead of site B42 [H1]. The respondents support site B7 as it is closer to existing services and the village centre, it would be a more balanced and planned extension to the settlement, and it would not result in over-development (<b>190, 1991</b>).</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>190, 1991, 2358:</b> Delete site H1 (and R2) and allocate site B7, as identified in the Main Issues Report, for a mixed use development, including houses, retail/office accommodation and a health centre (<b>1991</b>).</p> <p><b>2348:</b> Reduce the number of houses proposed in site H1.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Stuartfield is located within the Local growth and Diversification Area, within the Rural Housing Market Area. The settlement strategy within the local growth and diversification area focuses</p>		

development on settlements that will allow the provision of important infrastructure, or have specific needs identified (see Issue 66). Stuartfield has a declining school roll (forecast to be at 78% of its capacity by 2016) and Grampian Health Board have identified the need for a new health centre in the settlement. In light of this, development has been proposed to sustain existing local services and meet local needs.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Therefore, there is no requirement to consider alternative sites. The majority of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, pages 65 to 67).

**Site H1 Stuartfield**

Development east and west of the settlement was initially put forward for development (sites B7 and EH1), but in the final analysis the Council chose site H1 as the preferred site for development in two phases. Members debated this issue in full at the meeting of the Buchan Area Committee held on 23 March 2010, in an open and transparent manner. They expressed concern that road access to site EH1, which is allocated in the current plan as sites A and fh1, has to go through site H1, and this would create an adverse visual impact unless site H1 is also developed. Allocation EH1 is carried forward from the Aberdeenshire Local Plan (as sites A and fh1) thus the principle of development on this site was considered at a previous examination (see attached extract of Local Plan Inquiry Report, Volume 3 Buchan, pages 26 and 27).

It is acknowledged that allocating site H1 for development would affect the overall balance of development in Stuartfield, but the Roads Authority requires two road accesses from both the north and south of the site. Developing only site B7 and removing sites EH1 and H1 would not be sufficient to fulfil the settlements key objectives. Therefore the whole of site H1 is allocated along with site EH1, and the new health centre is proposed on site H1.

A masterplan is required for site H1, which will address concerns relating to privacy, and will allow further opportunity for engagement in relation to the detail of the site, its layout, siting and design.

**Alternative site Stuartfield**

As the proposed site is sufficient and appropriate there is no need to consider alternatives. Additional development in Stuartfield would exceed the capacity of existing infrastructure and would result in over-development. Site B7 can be considered for development when the plan is reviewed.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Stuartfield are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site H1**

1. Stuartfield is located within the local growth and diversification part of the Rural Housing Market Area. The approved Aberdeen City and Shire Structure Plan requires 8,200 houses to be allocated within this area in the period 2007 to 2023 to meet population growth and housing demand. The proposed Aberdeenshire Local Development Plan helps to meet this requirement by allocating 75 houses on proposed site H1, with 50 houses proposed in the first plan period (2007 to 2016) and 25 in the second (2017 to 2023).

2. The original housing and street pattern of the settlement established by John Burnett in 1772 is

still clear in the present day with two principal wide roads crossing one another at the village square. By their nature settlements can expand or change over time. Since the 1970's there have been several additions to the settlement which have altered the symmetry of the settlement pattern. The allocation of site H1 would continue to alter the balance of the settlement pattern as the distribution of housing would be mainly concentrated to the north-east. However, the original street pattern and centre would not be affected by the inclusion of site H1 in the settlement.

3. The design of any future housing would be related to its context, including the existing houses at Burnside Crescent. There is enough land allocated to accommodate the houses proposed and retain sufficient land for privacy, amenity and light to existing residents. These matters would be assessed at the application stage and through the production of a masterplan required for the development.

4. As stated in Scottish Planning Policy, the planning system does not operate in the interests of one person. Consequently, the retention of existing views from an unlisted building, is not a matter which can be addressed by this examination.

5. The overall growth proposed for Stuartfield is both reasonable and appropriate to meet the housing requirement for the area and meet the settlement's objectives to sustain local services and meet local needs.

**Alternative B7**

6. Alternative B7 is closer to the town centre than proposal H1 and would produce a more balanced radial pattern of development. However, there is already growth to the north-east of the settlement, with development of existing sites ongoing. Development of site H1 would provide an opportunity to include a distributor road and provide new health, sport and recreational facilities. Although B7 would be closer, site H1 is still only half a kilometre from the town centre – a reasonable walking distance. The council has also indicated that waste water treatment facilities would not be able to cope with the introduction of alternative B7 alongside proposal H1 and would result in the over-development of the settlement. At present, the allocation of site H1 is sufficient and appropriate to meet the local needs and housing requirement of the wider housing market area. Alternative B7 is not required and services could not accommodate its development. The site should not be allocated for housing.

**Reporter's recommendations:**

No modifications.

<b>Issue 115</b>	<b>Crimond</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p20) Schedule 1, Table 3, (p26) Volume 3E Supplementary Guidance, Settlement Statement (p 7 to 8)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Tor Ecosse Limited (947) Halliday Fraser Munro on behalf of G Mitchell (1543, 1545, 1546)		
<b>Provision of the development plan to which the issue relates:</b>	H1 & E1 Allocations at Crimond.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Crimond</b>  <b>947:</b> Expresses concern with the deliverability of the site (e.g. sewers and services) as a result of its location.</p> <p><b>Alternative sites Crimond</b>  <b>947:</b> Suggests an alternative to site H1. The respondent proposes site B53, as identified in the Main Issue Report, for housing. The respondent states the site has no flooding issues and sits opposite a housing development and not an industrial site (the respondent claims these were concerns expressed by the Council). In support of the site, the respondent says it is 150m from sewers and services, on a bus route, and sits well within the landscape. The respondent adds they would support village facilities on the site, such as a medical centre incorporating a dentist and chemist.</p> <p><b>1543, 1545, 1546:</b> Suggest in addition to sites H1 and E1, sites B44 and B45, as identified in the Main Issues Report, for housing, employment land, the required distributor road, open space and footpath linkages. The respondents support the identification of these sites as they can address the deficiency in the housing allocations in the Local Growth and Diversification Area and present an opportunity to deliver development on a derelict, previously used site that lies within a Regeneration Priority Area. They question the archaeological value of the World War Two camp site, especially as Historic Scotland has made no reference to the site in their ongoing research in militaria across Scotland. The sites would provide an alternative route for the distributor road, rather than through site E1, avoiding the destruction of the Crimond tree belt, and would improve linkages from what is currently the southern edge of the village to site EH1 and site B45. Allocating further development land allows infrastructure requirements, including the distributor road to be shared between developments and increases the deliverability of these requirements.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>947:</b> Delete site H1.</p> <p><b>947:</b> Allocate site B53, as identified in the Main Issues Report for housing.</p> <p><b>1543, 1545, 1546:</b> Allocate site B45, as identified in the Main Issues Report for up to 70 houses and up to 2ha of employment land in the plan. Suggests the following text to be included in the settlement statement for Crimond: Site M1 is allocated for a mixed use proposal of up to 70 houses, 50 houses in the first phase and 20 houses in the second. 2ha of employment land require to be</p>		



incorporated into the site. A distributor road to the south of the settlement with the potential for a bus route will be required through the site. The site will require a masterplan.

**1543, 1545, 1546:** Allocate site B44, as identified in the Main Issues Report for up to 20 houses in the first phase of the plan. Suggests the following text to be included in the settlement statement for Crimond: Site H2 is allocated for up to 20 houses [in the first phase of the plan]. Open space and footpath links will be required. A distributor road to the south of the settlement with the potential for a bus route will be required through the site. The site will require a masterplan in conjunction with site M1.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Crimond is located within the Local Growth and Diversification Area, and Regeneration Priority Area, within the Rural Housing Market Area. The A90 trunk road runs through Crimond, which makes it undesirable to increase local traffic crossing this road. This favours development to the south side of the A90, where the majority of the existing services (e.g. school) are located. A generous amount of land was proposed for development at the Main Issues Report stage, although each site had its own issues to overcome (e.g. visual impact, access or within a designation). Although there is limited need for development in Crimond, it is located within the Regeneration Priority Area, and two allocations amounting to up to 90 houses and employment land are proposed to provide housing choice, opportunity for development of business land, and to sustain existing local services.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. Some of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, pages 10 to 13).

**Site H1 Crimond**

Scottish Water has not raised any issues regarding water supply, and there is sufficient capacity in the waste water treatment works for the proposed allocation.

**Alternative sites Crimond**

Site B53

Site B53 was fully considered in the assessment of response to the Main Issues Report and following widespread community engagement the Council's conclusion was to exclude it in preference to concentrating development to the south side of the A90, as noted above. The site is divorced from the settlement, is within an area of landscape significance and undeveloped coast designations, and there are more appropriate sites for housing in the village. The provision of land for a medical centre etc is welcomed, but land is already reserved for community facilities, including a health centre on site R1. The site could be considered for development when the plan is reviewed.

Sites B44 and B45

Sites B44 and B45 were fully considered in the assessment of response to the Main Issues Report, and following widespread community engagement the Council's conclusion was to exclude them in preference to developing on land that is easily accessible, adjacent to the settlement and not on a site of locally important heritage value.

Issues relating to the general sufficiency of housing land supply are dealt with in Issue 12 Housing land supply.

The sites are isolated from Crimond and the Crimond tree belt cuts off the sites from the settlement.

<p>The Council as Road Authority states that access to these sites would be required via sites H1 and E1 with a distributor road linking all development sites. If sites B44 and B45 were developed before a new link road is built (i.e. before sites H1 and E1), separate access would be required, as there is no appropriate access road from the settlement, increasing the isolation of these sites.</p> <p>Developing site B45 would involve the demolition of a World War 2 camp site which is of at least local significance. The camp site is linked to Rattray Airfield, another archaeological site, which is less than 1km north of Crimond.</p> <p>There are more appropriate sites for development in Crimond and site B44 could be considered for development when the plan is reviewed.</p> <p><b>Conclusion</b> None of the modifications sought are supported. The development strategy and land allocations in Crimond are already appropriate and sufficient to meet the needs of the settlement strategy.</p>
<p><b>Any further plan changes commended by the planning authority:</b></p> <p>No changes are commended.</p>
<p><b>Reporter's conclusions:</b></p> <p><b>Sites H1 and E1</b></p> <p>1. The allocation of both sites H1 and E1 does not, as shown in the settlement statement supplementary guidance for Buchan, promote the loss of established tree belt. Both sites would be accessed from the A90. Although there are no opportunities for these proposals to link to the local road network there are footpaths and an existing farm track to the east of site H1 which allow some connectivity to the existing settlement.</p> <p>2. There is no reason why the proposed allocation H1 cannot be served by waste water, sewerage, or utilities. Scottish Water has provided no objection to this allocation. There is no evidence that the site is undeliverable. Sites H1 and E1 should remain allocated.</p> <p><b>Alternative site B53</b></p> <p>3. The site of alternative B53 is currently arable farmland bounded by the A90 to the south, a recent housing development at Louisa Crescent to the west, a dense tree belt to the north and further farmland to the east. Located within the coastal zone, there is a presumption against development in this location that would erode the zone's special nature.</p> <p>4. The promoter of the site confirms that the site is ready developable, on the bus route, visually contained, and could accommodate village facilities, including the required health centre. However, the council's approach to development in Crimond is to restrict development to the south side of the A90 to reduce undesirable crossing of the trunk road. A site for the health centre has been identified elsewhere. The allocation of proposal H1 would provide sufficient housing land to meet both local needs and the housing requirement for the area. Allocation of alternative B53 would also erode part of the coastal zone. In conclusion, alternative B53 should not be allocated.</p> <p><b>Alternatives sites B44 and B45</b></p> <p>5. Alternative B44 is located to the south and south-east of Crimond beyond an existing tree belt on set aside and arable farmland. Alternative B45 is located further south-east on a disused World War II airfield. The sites are promoted for 20 houses, open space, and footpath links (alternative B44); and 70 houses and 2 hectares of employment land (alternative B45). Both sites would provide land for a distributor road.</p> <p>6. Crimond is located in the local growth and diversification part of the Rural Housing Market Area. As identified through Issue 12 above there is no deficit in meeting the housing requirement or</p>

approved Aberdeen City and Shire Structure Plan allowance for this housing market area as a result of the contribution from small sites. An allocation of 90 houses has been made at site H1 in the proposed Plan. This is sufficient and appropriate to meet local needs and contribute to the housing requirement for the area without further allocations.

7. The structure plan does not identify any allocation for employment land in the local growth and diversification areas. However, the proposed plan allocates over 180 hectares of land for employment in the rural housing market area, providing a range and choice of employment locations. Consequently, alongside the allocation of 6 hectares on proposed site E1, a further contribution of 2 hectares from alternative site B45 is not required.

8. Development of these two sites would link to the proposed distributor road from sites H1 and E1. The costs of providing such infrastructure could be shared between development sites, reducing operating costs and increasing viability/deliverability of individual sites. The promoter has also suggested that alternative B45 could make a contribution to the depot and recycling facilities at Mintlaw. Despite these benefits, both alternatives are separated physically from the settlement by a tree belt and are isolated from the settlement.

9. Site B45 is also at the limit of the distance where residents would walk to settlement services, being 1 km from the school and over 1 km to the new health centre. It is also proposed on a known archaeological site. Although the concrete buildings and hard standing on the site are in a state of disrepair, they and the site have historical and archaeological value. Any loss of such should be the subject of a suitable assessment, which has not been submitted to this examination.

10. The council has made sufficient and appropriate allocations to meet local needs for housing and employment in an area identified for regeneration. Any further allocations are not required at present but, as indicated by the council, may be re-assessed when the local development plan is reviewed.

**Reporter's recommendations:**

No modifications.

<b>Issue 116</b>	<b>Fetterangus</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map Schedule 1 – Table 3 Volume 3E Supplementary Guidance, Settlement Statements (page 12 & 13)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Knight Frank LLP on behalf of Charles Gall (3, 116) Baxter Design Ltd on behalf of D Jones (1967)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocations in Fetterangus at H1 & H2.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H2 Fetterangus</b>  <b>3, 116:</b> Express concern that development on the site would be contrary to both Scottish Planning Policy and Aberdeenshire City and Shire Structure Plan, as it is likely to have a negative impact on the setting of Fetterangus Church, which is a Schedule Ancient Monument. Notes that when responding to the Main Issues Report, Historic Scotland had strongly objected to development on the west side of Fetterangus, as it may adversely impact on the setting of Fetterangus Church.</p> <p><b>1967:</b> The respondent supports the site and is in negotiations with adjacent landowners of site H1 with a view to providing an overall masterplan and access to serve site H2.</p> <p><b>Alternative site Fetterangus</b>  <b>3, 116:</b> The respondent suggests site B75, as identified in the Main Issues Report, as an alternative site to H2. Site B75 is adjacent to site fh2* [correct reference is fh1] in the Aberdeenshire Local Plan, which has recently been granted planning permission, and it would round off the east side of the settlement.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>3, 116:</b> Delete site H2.</p> <p><b>3, 116:</b> Allocate site B75, as identified in the Main Issues Report for around 30 houses.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Fetterangus is located within the Local Growth and Diversification Area within the Rural Housing Market Area. The settlement strategy within the local growth and diversification area focuses development on settlements that will allow the provision of important infrastructure, or have a specific need identified (see Issue 66). Fetterangus has a declining school roll (forecast to be at 45% of its capacity by 2016). In light of this, development has been proposed to sustain existing local services, provide a choice of housing and meet local need for housing.</p> <p>The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. The</p>		

issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, pages 18 and 19).

**Site H2 Fetterangus**

In the light of Historic Scotland's concerns regarding developing westwards, towards Fetterangus Church, development was initially proposed east of the settlement (i.e. site B75). However, the Council were of the opinion that site H2 would be the most natural progression for development in the village. A field and playing field separates site H2 from Fetterangus Church, and the masterplan required for the site will address concerns relating to the setting of Fetterangus Church, and will allow further opportunity for engagement in relation to the detail of the site, its layout, siting and design.

Support for the site is welcomed.

**Alternative site Fetterangus**

Site B75 was fully considered in the assessment of response to the Main Issues Report and following widespread community engagement the Council's conclusion was to exclude it in preference to developing to the west of the village, on sites H1 and H2, as discussed above. Sites H1 and H2 are much closer (within 100m) to the primary school than is site B75. The site could be considered for development when the plan is reviewed.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Fetterangus are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site H2**

1. The representation suggests that the allocation of proposed housing site H2 would harm the setting of Fetterangus Church, contrary to national guidance. Consequently, it is suggested that the H2 proposal should be replaced by alternative B75.
2. Historic Scotland also raised concern regarding the proximity of the proposal to the scheduled ancient monument at the main issues report stage, requesting that development go no further than the Greens of Gaval farm track. The proposal does not extend beyond this track, and Historic Scotland has not made a representation to the proposed Plan about proposal H2.
3. Scottish Planning Policy seeks to safeguard historic assets through development plans. It notes that the historic environment can accommodate change which is informed and sensitively managed but that in some cases the importance of the heritage asset is such that change may be difficult or may not be possible. In relation to scheduled ancient monuments, the policy states that the purpose of scheduling a monument is to secure its long term protection within an appropriate setting. Development which would have an adverse effect on the integrity of a scheduled ancient monument's setting should not be permitted unless there are exceptional circumstances.
4. Historic Scotland's managing change in the historic environment guidance informs that setting often extends beyond the curtilage/boundary of an historic asset into a broader landscape context. It also notes that less tangible elements can be important in understanding the setting, including function, sensory perceptions, or landscape.
5. The scheduled ancient monument of Fetterangus Church (remains of) lies within a graveyard to

the south-west of the settlement. The dry-stone walled graveyard is surrounded by arable farmland and a playing field to the north-east. The graveyard and former church are in a peaceful setting, which is provided by the space within the graveyard itself, the function of the site, and the surrounding open space and rising landform to Gaval in the north.

6. At its closest, site H2 is some 170 metres north-east of the ancient monument. The view to and from the proposed housing site from the monument is currently obscured by the graveyard wall and vegetation growing on the boundaries of the intervening playing field and farmland. Although housing in this location would bring development closer to the ancient monument, the function and space within the graveyard would not be altered, while sufficient open space would still exist to ensure the integrity of its setting was not harmed. Structural planting could also be provided along the western boundary of site H2 if required at the planning application stage. On the basis of the above conclusions, proposed site H2 should remain in the Plan.

**Alternative site B75**

7. Alternative site B75 is located on the eastern edge of Fetterangus bounded by housing to the west, an existing housing proposal under construction to the south, and open farmland to the north and east. Housing development on this alternative site could be designed as an expansion of the existing housing site. However, sufficient housing has been allocated to Fetterangus (79 houses on sites H1, H2 and EH1) to meet the local needs of the settlement and to help meet the housing requirement for the Rural Housing Market Area. In addition, the site is highly visible from the approach into the settlement along Gaval Street with no defensible boundaries on two sides. The site should not be allocated for housing.

**Reporter's recommendations:**

No modifications.



<b>Issue 117</b>	<b>Old Deer</b>	
<b>Development plan reference:</b>	Schedule 1, Table 1 (p25) Document 3E Supplementary Guidance, Settlement Statement (p34 to 36)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Scottish Environment Protection Agency (1979)                  Baxter Design Ltd on behalf of Mr Catto (2170)                  Dr John Ollason (2896)                  Alexander &amp; Kathleen Thom (2926)                  Rev Sheila Kirk on behalf of Congregational Board of Deer Parish Church (2933)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at Old Deer.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>1979:</b> The Scottish Environment Protection Agency requests that the allocation of a cemetery is shown on the proposals map, as development contributions to provide a new cemetery extension in Old Deer is mentioned in the settlement statement text for Mintlaw and Stuartfield. However, no specific site appears in the supplementary guidance or on the Plan for Old Deer.</p> <p><b>Site EH1 Old Deer</b>  <b>2896, 2926, 2933:</b> Do not support the allocation of EH1 for housing. Respondents <b>2896</b> and <b>2926</b> express concern that the allocation, which surrounds The Church of Scotland Manse will reduce daylight and privacy into the manse, and spoil the quality and character of the area, which is a Conservation Area. Respondent <b>2926</b> adds time should be allowed for the most recent housing development to be assimilated into the village and questions the need for further building given the number of new properties still for sale. Respondent <b>2933</b> expresses concern that no notification to allocate the site was served on the manse property.</p> <p><b>Alterative site Old Deer</b>  <b>2170:</b> Expresses concern that site H1 [EH1] may not come forward for development and suggests an additional provision of land for housing in Old Deer to the southwest of the settlement.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>1979:</b> Allocate land for a new cemetery extension on the Proposals Map and Supplementary guidance in Old Deer.</p> <p><b>2896, 2926, 2933:</b> delete site EH1 for housing.</p> <p><b>2170:</b> Allocate land west of Old Deer for housing (e.g. 18 units).</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>                  Old Deer is located within the Local Growth and Diversification Area within the Rural Housing Market Area. There is limited need for development in Old Deer as there is no school. It is located between Mintlaw and Stuartfield and it does not have the same level of facilities that would justify a new</p>		

allocation for housing. In light of this, only the remaining allocation from the current plan is carried forward for development to meet local need for housing.

The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. Some of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, pages 47 and 48).

**Cemetery extension**

It is accepted that the settlement statement should identify the location of the proposed extension to Old Deer Cemetery.

**Site EH1 Old Deer**

The site is identified in the existing plan as site fh1. A single dwelling house (the Manse) has been built on the allocation.

The generally flat nature of the site is unlikely to reduce light into the Manse or affect its privacy.

The impact on the quality and character of the area is not likely to be significant given the small scale and peripheral location of the site. However, its location within Old Deer Conservation Area and its close proximity to the Manse will be a constraint on the design and layout of the allocation.

The Manse and six other properties were notified about the proposed plan when it was published in July 2010.

**Alterative site Old Deer**

The site was not proposed at any previous stage so there has been no site assessment or public debate on the site.

There are insufficient facilities and limited need for development in Old Deer, as discussed above, which would justify a new allocation for housing in the settlement.

**Conclusion**

With exception of the minor modification below, it is not necessary to modify the plan. The development strategy and land allocations in Old Deer are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

It is suggested that the following change is made to the plan:

Add an "R1" designation to the Proposals Map.

The following change has been made to Volume 3E Supplementary Guidance: Settlement statements Buchan:

In the supplementary guidance for Buchan, under the settlement statement for Old Deer, add under section 'Proposed sites' "Site R1 is reserved for an extension to Old Deer cemetery." and add an "R1" designation to the settlement statement map on page 35.

**Reporter's conclusions:**

**Cemetery expansion**

1. The council has confirmed that the supplementary guidance for Buchan will be amended as requested by the Scottish Environment Protection Agency to identify the area for cemetery

expansion in Old Deer. A change should also be made to the proposals map for Buchan to identify the area concerned.

**Site EH1**

2. Site EH1 is shown in the supplementary guidance for Buchan and is not part of the proposed Aberdeenshire Local Development Plan. The role of this examination is to address unresolved representations to the local development plan, not supplementary guidance. Consequently, there is no remit to address the representations seeking its removal.

**Alternative housing site south of Abbey Street**

3. As the existing housing site has not been marketed for development, an alternative housing site is suggested. The existing housing allocation (EH1) is constrained for market reasons and no further housing land is proposed in Old Deer. EH1 remains allocated in supplementary guidance, which will form part of the development plan. The site could be marketed at any stage and come forward for development. Old Deer is a relatively small settlement and has no school or facilities. It would therefore be inappropriate to allocate further housing land while the existing site was still capable of development, as this site is sufficient to meet local needs when developed.

4. In any case, the alternative site is located in the conservation area on greenfield land outwith the settlement boundary on its eastern edge. It is bounded by houses to the east but is open to farmland on other boundaries. Development of the site would harm the attractive approach to the settlement and the setting of the conservation area. The alternative should not be allocated.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

The Plan should identify the cemetery expansion proposal area on the Buchan proposals map as ‘Land reserved for a community purpose’ with the notation R1.

<b>Issue 118</b>	<b>Longside</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (P20) Schedule 1 – Table 3 (p26) Document 3E Supplementary Guidance, Settlement Statement (page 18 to 20)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Alastair Scott (598) William & Patricia Buchan (614) Halliday Fraser Munro on behalf of CHAP Homes Ltd (1632, 1635) Gary & Morag Urquhart (2528)		
<b>Provision of the development plan to which the issue relates:</b>	M1 Land Allocations in Longside.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1 Longside</b>  <b>1632, 1635:</b> The respondent supports the allocation of the site, which will assist in delivering a new western route, reducing traffic through the centre of Longside.</p> <p><b>598, 2528:</b> The respondent says they were informed that the site was allocated as green belt/greenfield and there were no plans to develop the area.</p> <p><b>598, 614:</b> Express concern with privacy for existing properties on Church Lane should the site be developed in close proximity to Church Lane.</p> <p><b>598:</b> Express concern with the potential design of the houses being double storey and overlooking and over-shadowing existing dwellings should the houses be built in close proximity to Church Lane.</p> <p><b>614:</b> Water drainage coming off the hill from the development site is currently a problem.</p> <p><b>614:</b> Church Lane is not suitable for additional traffic, which has been demonstrated with the recent closure of Main Street in Longside.</p> <p><b>2528:</b> The scale of the development would destroy the ethos of the village and village life.</p>		
<b>Modifications sought by those submitting representations:</b>		
614, 2528: Delete site M1.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Longside is located within the Local Growth and Diversification Area within the Rural Housing Market Area. The settlement strategy within the local growth and diversification area focuses development on settlements that will allow the provision of important infrastructure, or have a specific needs identified (see issue 66). Longside has a declining school roll (forecast to be at 88% of its capacity by 2016) and development provides the opportunity to provide for a distributor road to</p>		

the south of the settlement. In light of this, development has been proposed to sustain existing local services and to meet local need for housing.

The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. A few of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, pages 30 to 32).

**Site M1 Longside**

The support for the site is welcomed.

Allocation M1 is carried forward from the Aberdeenshire Local Plan (as sites fh1, P4, fh3\* and EmpA): thus the principle of development on this site was considered at a previous examination (see attached extract of Local Plan Inquiry Report, Volume 3 Buchan, pages 8 to 12). It has not been proposed to allocate the east side of Longside as green space or green belt, as the Local Plan Inquiry recommended the identification of site fh3\* to secure the construction of part of the by-pass (paragraph 91.14).

It is unlikely that development on site M1 would over-look onto properties on Church Lane as there are houses only along the one side of the road (south-side). However, there is an opportunity to influence the layout and design of the houses through the masterplan, which is required for the site, to ensure there is sufficient distance between the existing and proposed housing. Furthermore, it is likely that part of the design would look for street frontage, although this is a matter for detailed design.

The surface water issue is likely to be from poor drainage, given that there are no watercourses within the site and the Scottish Environment Protection Agency has not raised any issues relating to flooding or drainage. Given the scale of the site an appropriately designed sustainable drainage system would take account of surface water runoff.

Regarding road access and traffic, the Council's Roads Authority require access to be taken from the existing development to the north and connect through to Inverquhomery Road, avoiding Church Lane. The Roads Authority also requires a roundabout on Inverquhomery Road to access site M1 and existing houses to the south of the site. Some development may be accessed from Church Lane, to ensure good street frontage, as discussed above, but most of the south-bound traffic would be directed to Inverquhomery Road and not Church Lane.

The scale of development proposed to the west of the settlement, and its likely impact on the settlement was discussed at the previous Local Plan Inquiry. The Reporter did not consider that the village atmosphere would be threatened, or that the growth of the development proposed would be so great that it would be unable to absorb the changes. Given that the same area of land is being proposed for development, it is not envisaged that site M1 will adversely impact on residents' quality of life.

**Conclusion**

The modification sought is not supported. The development strategy and land allocations in Longside are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. Housing (90 houses) and employment (1.7 hectares) are proposed for site M1 in Longside. The site was previously identified in the adopted Aberdeenshire Local Plan for employment (EmpA) and

future housing land (fh1 [50 houses] and fh3\*), which were the subject of a local plan inquiry.

2. Scottish Government Circular 1/2009 on development planning states that reporters should generally not recommend modifications to parts of plans that have been examined in previous examinations or rolled forward from previous plans, unless circumstances have clearly changed. The principle of development remains unchanged since the adopted local plan but specific housing numbers and employment hectarage is now given. There is, therefore, scope to address concerns relating to the allocation as proposed.

3. The ground level at the southern edge of site M1 is significantly higher than that of Church Lane. Concerns related to overlooking and loss of sunlight to the front gardens and windows of residents on this Lane are understandable. However, there is enough land allocated to allow a substantial set back and ensure that new housing could be designed and laid out to maintain sufficient privacy and daylight for these residents. These matters would also be addressed at both the masterplanning and planning application stages.

4. There are no known watercourses across the site and the Scottish Environment Protection Agency raises no concerns to the development of proposal M1. In most instances, the design and layout of the proposed development would include a sustainable urban drainage solution. Unsatisfactory drainage of the site at present does not justify deletion of the site.

5. Access would be taken from an existing housing development to the north (accessed from Main Street) with a connection through to Inverquhomery Road. This solution would reduce the likelihood of any additional traffic flow on Church Lane.

6. There is support for the development of this site as a continuation of existing housing construction to the north. The principle of development on this site was previously established. Development for a mix of uses would provide for local need and housing demand and help to sustain existing local services, vital to the maintenance of village life. The allocation should remain.

**Reporter's recommendations:**

No modifications.



<b>Issue 119</b>	<b>Maud</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (p20) Schedule 1, Table 3, (p26) Volume 3E Supplementary Guidance, Settlement Statement (p21 & 22)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
James & Kathleen Brown (25) Brian & Glenda McEwan (52) Knight Frank LLP on behalf of J & B Muir (154, 155) Margaret Simpson (161) Dorothy Chapman (2268) Brian Chapman (2269)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocations in Maud – H1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Sites H1 and EH1 Maud</b>  <b>154, 155:</b> Support the allocation of site H1 as it is a logical location for the future expansion of Maud; is within walking distance of local services; can be independently accessed via Castle Road and Victoria Road; can provide two points of access into site EH1; and would sustain the local community.</p> <p><b>161:</b> Suggests the site should not be allocated given the strength of objection from previous consultation events.</p> <p><b>25:</b> Objects to site EH1 as there is low demand for houses in Maud and other brownfield sites should be developed first.</p> <p><b>161, 2269:</b> Express concern with the need for the proposed site as newly built houses remain unsold.</p> <p><b>52:</b> Express concern with development of the site as it would spoil the character of the village, affect peoples' privacy as houses would be too close to existing properties, the school is almost at maximum capacity and cannot cope with a significant increase of pupils, and there is not enough employment in Maud to support an increased population.</p> <p><b>2269:</b> Suggests site B84, as identified in the Main Issues Report [EH1] should be developed before any other site is developed.</p> <p><b>Alternative sites Maud</b>  <b>25, 161, 2268, 2269:</b> Suggest alternative sites to H1 and/or EH1 and EH2. Existing housing sites, gap sites, brownfield land and smaller plots within Maud should be developed before larger sites on the periphery of the village. It is suggested by one respondent that developing brownfield sites would improve the appearance of the village (<b>25</b>).</p> <p><b>154, 155:</b> Suggests an alternative to site EH1. Proposes site B71, as identified in the Main Issues Report, since site EH1 is identified in the Housing Land Audit as constrained and therefore unlikely to come forward during the lifetime of the plan. Thus it would not support the local school, which has a declining school roll. Site B71 is adjacent to an existing allocation under development in the current plan and it would 'round off' the settlement on the main gateway into Maud from Aberdeen,</p>		

and provide an attractive entrance into the village. It was a popular location with local residents at a public exhibition in 2009. It is within walking distance of local amenities. Site EH2 already benefits from planning permission.

**Modifications sought by those submitting representations:**

**52, 161:** Delete site H1.

**25, 161, 2268, 2269:** Phase allocations to allow brownfield land (e.g. Sellars yard, Sherran's coal yard and the railway station yard), smaller undeveloped areas of land in Maud and EH1 (**2269**) to be developed before larger peripheral sites (e.g. site H1).

**154, 155:** Delete site EH1 and replace with site B71 as identified in the Main Issues Report for up to 50 houses.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Maud is located within the Local Growth and Diversification Area within the Rural Housing Market Area. Development in Maud would support a number of services and shops. Its school roll is slowly falling (forecast to be at 83% of its capacity by 2016). In light of this, an allocation of up to 75 houses and the continuation of two housing sites within the current plan have been proposed to sustain local services and provide opportunity to meet local need for housing.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. The majority of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 3 Buchan Paper' (May 2010, pages 33 to 35).

**Site H1 Maud**

The support for the site is welcomed.

Site B10, as identified in the Main Issues Report (page B20) was initially put forward for development, as it has the greatest connectivity with the existing housing estates compared with the other proposed sites, and sites B71 and B72 (site H1) were considered as possible future housing sites. However, the Council took a view, which placed greater weight on the community's preference for site H1 and its good linkages with site EH1, and site H1 is now the settled view of the Council as to where development should take place (see Issues and Actions Volume 3 Buchan p33).

The generally flat nature of the site means that development is unlikely to affect the character of the settlement.

A masterplan is required for the site, which will allow an opportunity to influence the layout and design of the site, and address concerns relating to privacy.

There is sufficient capacity in the school to accommodate the development proposed.

No employment land has been proposed by developers. Within the village the redevelopment of the former mart site provides opportunities for small-medium size businesses. Furthermore Maud is on a number of regional and local bus routes to Aberdeen, Ellon, Fraserburgh, Mintlaw and Turriff.

The school roll in the area is falling, and the need for development in Maud is discussed above.

Site EH1 is allocated in the current plan and can come forward for development at any time. However, the local development plan has little influence over when a developer may market a site.

**Alternative sites Maud**

Brownfield and gaps sites

Remaining allocations and gap sites are unlikely to meet need for development in Maud to sustain local services, and the strategy and aims of the Structure Plan during the lifetime of the local development plan (i.e. up to 2021). Furthermore, brownfield or gap sites can be developed as in fill development in accordance with Policy 8 *Layout, siting and design of new development* and supplementary guidance *SG LSD4: Infill development*, without the need to be allocated in the plan.

Site B71

Site B71 was fully considered in the assessment of response to the Main Issues Report and following widespread community engagement the Council’s conclusion was to exclude it, in preference to developing site B72 (site H1), and to consider site B71 for development in future years.

There is still interest from the Council to develop site EH1 for housing, and an additional site was put forward for development by the Council in the Main Issues Report (site B84). The masterplan, which is required for sites H1 and EH1, will ensure good linkages and design between the two sites.

Site H1 is proposed for 75 houses, and a further allocation on top of the existing housing sites would result in over-development. In light of this, it would not be appropriate to allocate site B71 for development. However, it could be considered for development when the plan is reviewed.

Only half of site EH2 benefits from planning permission.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Maud are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Site EH1**

1. Site EH1 is allocated in the adopted Aberdeenshire Local Plan for around 32 houses. It does not form part of the proposed Aberdeenshire Local Development Plan but is shown on a plan for Maud in proposed supplementary guidance on settlements in Buchan. The role of this examination is to address unresolved representations to the proposed Plan, not the adopted plan or supplementary guidance. Consequently, there is no remit to address the representations seeking its deletion.

**Site H1**

2. Maud Primary School has a total capacity of 120 pupils. Currently, there is a spare capacity of 16 pupils, forecast to increase to 20 pupils by 2016, which is likely to be sufficient to accommodate the proposed additional growth in Maud. Failing which, proposed local development plan policy 9 would enable the planning authority to seek reasonable developer contributions towards education. A lack of school capacity does not, therefore, justify deletion of proposal H1.

3. Development of both existing site EH1 for 32 houses and proposed site H1 for 75 houses would have an impact on the visual character of the settlement. Housing would extend the settlement to the north and would be visible from both the Buchan Way and the approach into the settlement from the east. However, Scottish Natural Heritage noted at the Main Issues Report stage that development on site H1 would improve settlement form. Masterplanning of the site would enable the design and layout of the housing to refer to and complement the context and setting. The allocation of housing land would also support local needs and help sustain local services, helping to

maintain the settlement's character.

4. The promoter of site H1 has submitted an indicative layout for development. This demonstrates that there is enough land allocated to ensure sufficient privacy to existing residents. This matter would also be addressed when preparing the masterplan for the site and at the planning application stage.

5. Maud has employment opportunities and the council has identified further potential for small business development. The settlement is also accessible to other settlements and Aberdeen, where employment can be found. Consequently, there is no justification to delete site H1 on the basis of a lack of employment opportunities.

6. Maud is located in the local growth and diversification part of the Rural Housing Market Area. The approved Aberdeen City and Shire Structure Plan requires 8,200 houses to be allocated in this area between 2007 and 2023. Despite recent economic and market conditions, there is support to develop proposal H1 and a requirement to meet housing need in the area. The allocation is both appropriate and sufficient and should remain.

**Brownfield and gap sites**

7. Representations suggest the development of brownfield and gap sites before site H1. There are various brownfield sites within the Maud settlement boundary but none have been promoted by an owner or a developer to this examination. In any event, as stated by the council, these are likely to provide insufficient housing numbers to sustain local services and meet the housing need. Development of these sites could come forward through the development management process supported by proposed plan policy 8 and associated supplementary guidance on infill development.

**Alternative site B84**

8. The representation seeks the development of alternative site B84 before any other site is completed in the settlement. However, a full reading of the representation appears to indicate that it seeks the development of the adjacent existing housing site (EH1) and other gap sites in the village in advance of new allocations.

9. The development of gap sites is addressed above. The council notes that they have little influence on when a site may come forward for housing. However, allocations are usually made on the basis that a site would come forward within the plan period. Existing housing sites, such as EH1, are part of the programming for the adopted local plan, which sets guidance for proposals up to 2015. Site EH1 is currently constrained and may not come forward in advance of proposed site H1. No recommendation made through this examination would resolve this issue.

**Alternative site B71**

10. It is suggested that existing site EH1 is constrained and cannot be relied upon to deliver housing, and therefore further housing should be allocated to the south of Maud on alternative site B71 to compensate. Site EH1 is shown as constrained in the latest housing land audit. However, it has not been removed from the audit or deleted from the proposed supplementary guidance on settlements in Buchan. There is no remit to delete the site through this examination. The council also consider that the site is still capable of being delivered for affordable housing.

11. A further allocation to the south of the settlement might improve settlement form and could compensate for a lack of delivery from site EH1. However, if an additional allocation was made without the deletion of site EH1 there is a risk that all the sites would be developed leading to over-development. This would place a strain on local infrastructure and services, which the council indicate might not be able to cope. Such growth should be assessed at the next local development plan review. In these circumstances, a further allocation at alternative B71 is not recommended.

**Reporter's recommendations:**

No modifications.

<b>Issue 120</b>	<b>Rora</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (P20) Schedule 1, Table 3, (p26) Volume 3E Supplementary Guidance, Settlement Statement (page 49 & 50)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>William Burnett (633)  Rora Village Community Association (1065, 1067)  Steven Abrams (1070)  Robert &amp; Mary Anderson (1105)  William &amp; Dorothy Burnett (1113)  Michael Robertson (1134)  Colin Scott (1136)  Scottish Environment Protection Agency (1979)  Douglas Grant (2050)  Lorna Clure (2195)  George Evans (2322)  Catherine Voar (2326)  Lynne Marshall (2334)  Jane Mackie (2485)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocations in Rora – H1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Sites H1 and P1 Rora</b>  <b>1065, 1067, 1070, 1105:</b> Express support for Main Issue Report site B38 [H1] for up to 6 houses and the community park (P1) opposite the village hall, as it is in the heart of the village and links the areas together (<b>1065</b>).</p> <p><b>1979:</b> Scottish Environment Protection Agency recommends that due to the presence of the watercourse adjacent to the site, a development brief should highlight the flood risk of the site.</p> <p><b>2322:</b> The site has poor drainage conditions due to the soil's high clay content, and the new development would disrupt the water table.</p> <p><b>2326:</b> The site will flood.</p> <p><b>2322:</b> Expresses concern that the site will not add to the well being of residents, no street lighting is proposed and there will be no gain to the village from the addition of a public transport route.</p> <p><b>2322, 2334:</b> The site is proposed in a village with no amenities.</p> <p><b>2326:</b> The site does not make an aesthetic flow into the village and the character of the village would be spoiled by the development. Suggests it is more appropriate that individual houses are built, which is what has happened in the past.</p> <p><b>2334:</b> Expresses concern that a play area in a village with no pavements and little street lighting would affect pedestrian safety.</p> <p><b>2322, 2326:</b> The park proposed by the developer is not supported by residents, it would not be</p>		

adequately maintained, and there is no guarantee it will not be developed on in the future (**2322**).

**2485:** Reports that the community fund from the proposed Middleton of Rora [wind] turbine would support the maintenance of the park that is proposed on site H1.

**Alternative sites Rora**

Site B89

**633, 2195:** Proposes site B89, as identified in the Main Issues Report, as an alternative to site H1, as it would address road safety issues approved by the Council and contribute to the traffic calming measures for Rora. It is not on prime agricultural land and has no drainage issues. A smaller scale of development would integrate well within the small community, be more appropriate, and link Smithy Croft with The Greens and The Street (**2195**).

**1134:** Gives support to development on site B89, as a five a-side football playing field is proposed, which would result in children not having to cross the road, and street lighting would be contributed to.

**2050:** Proposes an alternative to site H1, site B89, as the community park would be on the same side of the road as the public hall, and development on the site would start to create a better laid out village.

**1113:** Supports a five a-side football park on site B89.

**1065:** The respondent has no objection to 2 houses on site B89, but objects to a park on the site, as no-one will see it.

**1067, 1136:** Do not support development on site B89. One respondent expresses concerns with developing on site B89 as it has poor drainage, views would be spoiled and it would increase the number of houses in the countryside (**1136**).

Site at The Spittal

**2326:** Suggests an alternative to site H1. Proposes land to the south of site H1, for up to 4 houses, as it would be accessed from The Spittal and fill the space between the main road and the first house on The Spittal. The respondent notes, that this area has better drainage, would be aesthetically better and would continue the flow of houses.

**Modifications sought by those submitting representations:**

**1979:** Add to the supplementary guidance text for Rora “A small watercourse is adjacent to the site and flood risk has not been adequately quantified. A development brief should note that a flood risk assessment may be required in support of any application.”

**2322, 2334:** Delete sites H1 and P1.

**633, 2050, 2195:** Delete sites H1 and P1 and replace with site B89, as identified in the Main Issues Report for up to 4 houses and a public park to the east of site B89.

**1065:** Allocate site B89 for up to 2 houses.

**1113:** Allocate a five a-side football park on site B89.

**1134:** Allocate site B89 for housing and a five aside football playing field.

**2326:** Delete sites H1 and P1 and replace with a site south of H1 for up to 4 houses on The Spittal.



**Summary of responses (including reasons) by planning authority:**

**Overview**

Rora is located within the Local Growth and Diversification Area within the Rural Housing Market Area. Rora is only served by a community hall, but it does have a reduced speed limit of 30mph where most communities of this scale do not. Settlements of this scale would not normally receive an allocation and would have to satisfy the policy and Supplementary Guidance on Rural Development. However, a planning application for a community picnic/play area received planning consent in 2005 (APP/2004/4377) close to the village hall. The development of site H1 would enable the development of a park, which would provide a community benefit and join two areas of Rora together – The Greens and Spittal Road.

The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. In light of this, there is no requirement to consider alternative sites. The majority of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, pages 56 to 58).

**Sites H1 and P1 Rora**

The support for the site is welcomed.

Drainage appears to be an issue for the whole area and not just for site H1, as there are several drains that run parallel to field boundaries. The Scottish Environment Protection Agency note the presence of the drain (watercourse) adjacent to the site, but do not raise any flooding concerns, only requiring that the flood risk is highlighted in a development brief. Regarding Scottish Environment Protection Agency's proposed modification, the development management process is the appropriate stage to identify which assessments will be required.

The small-scale of development proposed in site H1 does not allow for substantial community benefit in terms of off-site developer contributions and bus services. However, the development of H1 will provide community benefit in the form of a park, which the area does not have. Currently there is one local amenity within Rora, the village hall, which lies adjacent to site H1.

The allocation is unlikely to adversely affect the character of Rora as the shape of site H1 reflects the linear layout of existing streets/dwellings. Individual houses previously built have not always respected the linear characteristic of the area and allocating land for housing would help to sustain this characteristic.

The Council's Roads Authority raises no perceived issues with road safety (i.e. no traffic calming measures are required) or access to the site, subject to the road satisfying required standards. They require the proposed point of access to be linked with roads to adoptable standards. The development management process is the appropriate stage to identify the need for street lighting.

No objections were received to the picnic area that was approved in 2005. Planning conditions would ensure that plants within the park are replaced as necessary for up to five years after its completion. The possible additional proposed funding source to assist in maintaining the park is welcomed.

**Alternative sites Rora**

Site B89

Site B89, as identified in the Main Issues Report (page B21), which proposed only housing, was fully considered in assessment of responses to the Main Issues Report, but following widespread community engagement the Council's conclusion was to exclude it, giving preference to developing site H1 to secure the provision of the play area/park.

The proposed alternative site now includes the addition of a large play area and offers similar advantages to site H1 in terms of linking parts of Rora together (The Greens, The Street and The

Spittal (at North Lohead)) and a play area. It also proposes a much larger park and traffic calming measures, including street lighting along the main road.

There is strong local opinion on both sites H1 and B89, but the allocation within Rora is already sufficient to meet the needs of the settlement in the plan period. The B89 site could be considered for development when the plan is reviewed.

**Site at The Spittal**

Land south of The Spittal is within site B38, which was identified as a preferred site for development in the Main Issues Report. However, site H1, which is also within site B38, was considered the most appropriate site for housing, as it would provide more community benefit in terms of the provision of a park. The allocation within Rora is already sufficient to meet the needs of the settlement in the plan period. However, the additional site could also be considered for development when the plan is reviewed.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Rora are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Sites H1 and P1**

1. The settlement pattern of Rora is somewhat dispersed. The majority of houses front The Street in a linear pattern ending in the village hall to the west. A further node of housing is found at the Greens to the north of The Street, and linear development at Lochhead and along the Spittal to the south-west of The Street.
2. Development of site H1 around the approved park would continue and balance the linear pattern of development along The Street. It would also provide an opportunity to relate development to the new park and provide active frontage. The allocation of six additional houses in the settlement is in proportion to the amenities it can offer and would help to meet local needs while complementing the existing settlement character.
3. Street lighting is provided along The Street and this is likely to be continued into the new development. There are no pavements in the settlement, which has a speed limit of 30 miles per hour. In these circumstances, it is understandable that there are concerns related to road safety. However, the roads authority has raised no objection to the proposed housing. This matter would be addressed further at the planning application stage.
4. The Scottish Environment Protection Agency has indicated that a watercourse runs alongside proposal H1, and local respondents suggest that the area floods and has poor drainage. There is no requirement for a development brief for proposal H1 in the proposed supplementary guidance for settlements in Buchan. Despite this, the issue of potential flooding and drainage from the site would be addressed at the planning application stage through proposed local development plan policy 8 on design, siting and layout of new development. It is normal that such developments be designed to accommodate a sustainable drainage solution and avoid flood risk.
5. Given that the planning permission for the park was granted to Rora Hall, it would be reasonable to expect that the park would be maintained satisfactorily by members of the local community.
6. The allocation of proposal H1 is sufficient and appropriate to provide for local housing needs and should remain.

**Alternative site B89**

7. Alternative site B89 is promoted for four houses and a public park. Development of this site to the rear of properties on The Street and west of the Greens would result in a more nucleated pattern of development less in keeping with the linear character of the settlement. The scale of housing proposed would be appropriate. Development could provide a safe location for play, a contribution towards traffic calming, and be designed to respect its context. However, the Rora Village Community Association has objected to the alternative, and an appropriate and sufficient allocation has been made at site H1 to meet local needs. Therefore, alternative site B89 should not be allocated.

**Site at The Spittal (full allocation of alternative B38)**

8. The representation suggests that development of proposal H1 should be reduced to 4 houses and located further west than proposed to reduce the risk of flooding and create a better aesthetic flow to the village. As stated above, proposal H1 has been found to be appropriate and sufficient as presented. The scale of development proposed is proportionate to the settlement size. Issues of flood and drainage risk would be addressed at the planning application stage. The allocation provides an opportunity to continue the linear pattern of development along The Street and relate to the new park proposal to create a satisfactory design. Proposed site H1 should not be relocated or reduced in scale.

**Reporter’s recommendations:**

No modifications.

<b>Issue 121</b>	<b>St Fergus</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (p20) Volume 3E Supplementary Guidance, Settlement Statement (page 55 to 56)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>A R D Properties Ltd (96)  David Buchan (505)  Mr &amp; Mrs Kenneth Fowlie (506)  R Leslie (507)  E Buchan (508)  Stuart Leslie (586)  Alexander Duthie &amp; Sons Ltd (917, 1695)  DDP LLP (Planning Consultants) on behalf of Church of Scotland General Treasurer (1163, 1164)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocations in St Fergus at H1 & H2.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 St Fergus</b>  <b>1163, 1164:</b> Express support for the site, as it is appropriate and would create a logical extension to the settlement.</p> <p><b>586:</b> Expresses concern that the scale of the development would affect the dynamics and tranquillity of the village.</p> <p><b>505, 506, 507, 508:</b> Accept the requirement to provide 55 houses on the site, but do not want the tranquillity of the area spoilt by an ever-expanding housing estate.</p> <p><b>Alternative site St Fergus</b>  <b>96, 917, 1695:</b> Request land south of H1 is allocated in the plan for housing.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>586:</b> Reduce number of houses on site H1.</p> <p><b>96, 917, 1695:</b> Allocate land south west of site H1 for housing.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  St Fergus is located within the Local Growth and Diversification Area, and Regeneration Priority Area, within the Rural Housing Market Area. St Fergus has a steadily declining school roll (forecast to be at 76% of its capacity by 2016). It is also located in close proximity to St Fergus, a significant employer in the area. In light of this, and the declining school roll, an allocation of up to 55 houses has been proposed to sustain local services, provide a choice of housing locally, and meet local need for housing.</p> <p>The allocations made are appropriate and sufficient for the purposes of delivering the strategy and</p>		

aims of the Structure Plan. Further information on the sites/policies is contained in the 'Issues and Actions Volume 3 Buchan' paper (May 2010, pages 61 and 62), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

**Site H1 St Fergus**

The support for the site is welcomed.

The school roll in the area is falling, and the need for development in St Fergus is discussed above.

Half of site H1 is carried forward from the Aberdeenshire Local Plan as allocation fh1, and the remainder was identified in that plan as an area of search for future housing (fh2\*). The site is a logical extension of St Fergus as it is enclosed by houses to the west, protected land (site P2) to the east, Newton Road to the north and a minor road to the south. Furthermore, there is an opportunity to influence the layout and design of the houses through the masterplan, which is required for the site.

**Alternative site St Fergus**

The site was not proposed at any previous stage so there has been no site assessment or public debate on the site. The scale of proposed site, if combined with site H1, is likely to result in over-development and exceed school roll capacity (there is limited land available to extend the school). The proposed allocations are already sufficient and appropriate and there is no need to consider additional or alternative sites. However, the site can be considered when the plan is reviewed.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocation in St Fergus is already appropriate and sufficient to meet the needs of the settlement strategy without identifying an additional housing allocation south of the settlement.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site H1**

1. Saint Fergus is located within the local growth and diversification part of the Rural Housing Market Area (RHMA), and is part of the regeneration priority area. The approved Aberdeen City and Shire Structure Plan requires 8,200 houses to be allocated within the RHMA in the period 2007 to 2023 to meet population growth and housing demand. The proposed Aberdeenshire Local Development Plan helps to meet this requirement by allocating 45 houses at site H1 in the first plan period (2007 to 2016). This is in addition to the 10 houses allocated in the adopted Aberdeenshire Local Plan on part of this site.

2. The proposed housing site would occupy a crop field bound by Kinloch Road to the west, Newton Road to the east, a substantial tree buffer around gardens to the north and an area of protected woodland and recreation ground to the south. Development in this location would be sufficiently contained to allow the retention of the character and setting of both Kirkton of St Fergus (to the north) and St Fergus. There is no evidence to suggest that development would harm the tranquillity or dynamics of village life.

3. Land to the south of properties on Newton Road is currently shown as a protected area in the adopted local plan, and is shown in the proposed supplementary guidance as an area protected to conserve the recreational ground, woodland and setting of the settlement. The allocation of proposal H1 does not alter this area of protection. Consequently, the present environment enjoyed from the rear gardens of properties on this road would be likely to remain.

4. The proposed housing allocation H1 is appropriate and sufficient to meet local needs in the regeneration priority area and sustain existing local services. The proposal should not be deleted.

**Additional site east of Kinloch Road**

5. Representations seek the allocation of land to the east of Kinloch Road, south of Kirkton of St Fergus, for further housing. No supporting information is supplied with the representations to justify the site's inclusion in the Plan. Furthermore, the site was not proposed at any earlier plan making stage to allow public scrutiny or debate. In any case, development of the site would be on the periphery of the settlement. The current boundaries of the site would not allow the site to be contained and would be likely to harm the character and setting of Kirkton of St Fergus to the north. The council has also indicated that there is insufficient education capacity to allow more development than has already been allocated. The additional site should not be allocated.

**Reporter's recommendations:**

No modifications.



<b>Issue 122</b>	<b>St Fergus Gas Terminal</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p20) Volume 3E Supplementary Guidance, Settlement Statement (p53 to 54)	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Environment Protection Agency (1979)		
<b>Provision of the development plan to which the issue relates:</b>	Allocations at St Fergus Terminal.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site R1 St Fergus Gas Terminal</b></p> <p><b>1979:</b> Areas of the site have fluvial flood risk, and the Scottish Environment Protection Agency objects to the site unless the issue of flood risk is highlighted in the Plan or Supplementary Guidance, as required by Scottish Planning Policy, to inform the development area and layout.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>1979:</b> Delete site R1 unless the following wording is included in the supplementary guidance for St Fergus Gas Terminal "Part of this site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and adequate buffer strips will be required adjacent to existing watercourses."</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Site R1 St Fergus Gas Terminal</b></p> <p>In light the Scottish Environment Protection Agency's concerns of potential flood risk on the site, text has been added to the supplementary guidance for St Fergus Gas Terminal to clarify that a flood risk assessment and buffer strips will be required.</p>		
<b>Any further plan changes commended by the planning authority:</b>		
<p>No changes are commended.</p> <p>The following change has been made to Volume 3E Supplementary Guidance: Settlement statements Buchan:</p> <p>In the supplementary guidance for Buchan, under the settlement statement for St Fergus Gas Terminal, add under section 'Proposed sites' for site R1, "Part of this site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site and adequate buffer strips will be required adjacent to existing watercourses."</p>		

<b>Reporter's conclusions:</b>
<p>1. The council has confirmed that the supplementary guidance for Buchan will be amended as requested by the Scottish Environment Protection Agency to highlight the need to take account of the fluvial flood constraint on the St Fergus Gas Terminal site. By this action, the representation from SEPA to the proposed plan would be resolved.</p>
<b>Reporter's recommendations:</b>
<p>No modifications.</p>

<b>Issue 123</b>	<b>Other Sites in Buchan Rural Housing Market</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (P20) Schedule 1 Table 3 (page 26) Schedule 2 Table 3 (p31) Schedule 3 (38) Volume 3E, Supplementary Guidance, Settlement Statements Buchan	<b>Reporter:</b> Alasdair Edwards
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ryden LLP on behalf of McIntosh Plant Hire (1213, 1823, 1826, 2148) Baxter Design Ltd on behalf of J Macintosh (1968)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in other settlements within Buchan.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Kininmonth, Leys Quarry</b> <b>1213, 1823, 1826, 2148:</b> Request that site B39, as identified in the Main Issues Report in Kininmonth (Leys Quarry) be allocated for 1.85 ha of employment land and 45 houses. The site is in close proximity to the local primary school, houses and employment uses. It is a brownfield site. The Scottish Environment Protection Agency's flood map does not identify any flooding on the site. It has good transport links. It would help meet the Structure Plan's requirements for houses in the local growth and diversification areas of the Rural Housing Market Area.</p> <p><b>Bridge of Faichfield</b> <b>1968:</b> Request that site B63, as identified in the Main Issues Report in Bridge of Faichfield (between Longside and Peterhead) is allocated for development, as the flooding and gas pipeline issues can be resolved, and due to the amount of mature landscaping, it would fit within the landscape. Suggests, as an alternative, listing the site in Appendix 1 of defined settlements in the <i>SG Rural Development 1: Housing and business development in the countryside</i>. Suggests Bridge of Faichfield should at least be recognised as a cohesive group in the wording of the supplementary guidance.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>1213, 1823, 1826, 2148:</b> Allocate site B39, as identified in the Main Issues Report, as a mixed use site for 1.85 ha of employment land and up to 45 houses in the plan.</p> <p><b>1968:</b> Allocate site B63, as identified in the Main Issues Report, for development (e.g. 9 houses and 4 business units) in the plan; or list Bridge of Faichfield as a settlement in Appendix 1 of the <i>SG Rural Development 1: Housing and business development in the countryside</i>.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b> All these sites are within the Rural Housing Market Area and fall within the "local growth and diversification area." The strategy within this area is for growth in communities to meet local needs. Allocations are made where there is a specific need identified, including providing opportunities to increase numbers going to primary schools where the roll is dropping.</p>		

**Alternative Sites**

The allocations made within the Rural Housing Market Area are already appropriate and sufficient and there is no requirement to consider alternative sites.

Kininmonth, Leys Quarry

The site at Leys Quarry, site B39 in the Main Issues Report, was fully considered following consultation on the Main Issues Report, but following widespread community engagement the Council's conclusion was to exclude it, as the development form in this area is organic and it would result in over-development. Although sustaining the school is important, it cannot be the determining factor if sustainable development is to be promoted. When commenting on the Main issues Report, Scottish Natural Heritage advised against development on the site as they considered the development would be unsustainable. There are no other facilities in the area and Mintlaw is only 5km away. It would be more appropriate for proposals for housing and employment land in this area to be considered under Policy 3 and supplementary guidance on development in the countryside. When commenting on the Main Issue Report, the Scottish Environment Protection Agency registered concern about whether the potential flood risk has been adequately quantified, as the site is adjacent to a minor watercourse and much of the site is made up of large ponds. They suggest a flood risk assessment is required. See 'Issues and Actions Volume 3 Buchan' paper, page 26, Leys Quarry.

Bridge of Faichfield

The site at Bridge of Faichfield, site B63 in the Main Issues Report, was fully considered following consultation on the Main Issues Report, but following widespread community engagement the Council's conclusion was to exclude it, as part of the site is at medium to high risk of flooding. Furthermore, there are no services or facilities that would justify an allocation. See 'Issues and Actions Volume 3 Buchan' paper page 9, Bridge of Faichfield. However, development in this area could be considered under Part B.3) (cohesive groups) of supplementary guidance *SG Rural Development 1: Housing and business development in the countryside*.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in the Rural Housing Market Area are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Kininmonth, Leys Quarry**

1. The representation promotes the allocation of a former working quarry at Leys for 45 houses and 1.85 hectares of employment land. The brownfield site contains substantial areas of deep water and scrubland. A group of buildings is clustered north beyond the site (West Leys and East Leys) alongside Kininmonth Primary School. To the west is a caravan dealership adjacent to the A952 and farmland beyond. A small group of buildings (St Swithin) sits to the south, and open farmland lies to the east.

2. The site is located within the local growth and diversification part of the rural housing market area. The housing allocation in the RHMA is addressed in Issue 12 (housing land supply) where the council's approach was found to be adequate. There is, therefore, no need for further housing in the rural housing market area to meet the housing requirement.

3. The proposed Plan also allocates some 180 hectares of employment land in the rural housing market area, including 13.8 hectares in Buchan, to enable local growth and rural employment opportunities. The proposed mixed use development may allow people to live near their place of

work and provide job opportunities to replace those lost from the closure of the quarry. However, there is a sufficient range and allocation of employment land in the rural area to satisfy local growth. No further employment allocations are therefore required.

4. Leys is located next to the A952. However, apart from the school, the site is fairly remote from local services and amenities, Mintlaw being some 5km to the south. Housing in this location would therefore promote unsustainable travel patterns, with a reliance on private motor vehicles. This was noted by Scottish Natural Heritage in its response to the main issues report.

5. Kininmonth Primary School has a pupil capacity of 47. The school roll in 2010 was 31 pupils (66%) and is forecast to fall to 30 pupils by 2016. Family housing in this location would support the school roll but could similarly, at the scale proposed, place the school under pressure. Development of the site would also re-use a previously developed site and could improve the appearance through remediation. However, the scale of development proposed would be out of character with the dispersed building groups in the vicinity. No remediation strategy has been submitted to demonstrate effectiveness within the plan period.

6. There are adequate and sufficient housing and employment allocations in the rural housing market area. Although there are benefits in re-using brownfield land and supporting the local school roll, the location of the site for the scale of development proposed is unsustainable. It should not be allocated for development.

**Bridge of Faichfield, alternative site B63**

7. Bridge of Faichfield lies to the south of the A950 between the settlements of Longside and Peterhead within the rural housing market area. Around 10 buildings are dispersed in the area along two minor roads. The representation suggests the allocation of current farmland within Bridge of Faichfield for development. An indicative masterplan shows potential for nine properties.

8. The Scottish Environment Protection Agency has identified part of the site within a medium to high flood risk area and consequently not all the site may be developable. The indicative masterplan submitted shows a landscaping mound and a sustainable urban drainage pond to address flooding and drainage issues. There may be a risk of flooding but an area of land is still capable of development.

9. The settlement strategy is to provide new development to meet local needs, on a scale that will provide important infrastructure, and that is appropriate to the size of the community. Local needs have been met by allocations in Longside. The scale of development proposed would be out of character with its surroundings. Bridge of Faichfield has no services or facilities and is around 4km from either Longside or Peterhead, a location which would place an unsustainable reliance on motor travel for amenities and employment. In consideration of the above, the site should not be allocated.

10. The representation also requested that the site be identified in the list of defined settlements within the supplementary guidance Rural Development 1 Housing and Business Development in the Countryside. The remit of this examination is to address unresolved issues to the local development plan and not those to supplementary guidance. Consequently, there is no remit to address this request.

**Reporter’s recommendations:**

No modifications.

<b>Issue 124</b>	<b>Cuminestown</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Volume 3f, Supplementary Guidance, Settlement Statements Formartine (p9-10)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mandy Howitt (104) William Lippe Architects Ltd on behalf of J M Anderson (472) Ryden LLP on behalf of R Ironside (1924, 1925, 2144, 2147)		
<b>Provision of the development plan to which the issue relates:</b>	Existing Land Allocations EH1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>EH1 Cuminestown</b></p> <p><b>104:</b> Objection to site EH1 as the settlement would not be able to cope with an extra 50 houses. The settlement has limited facilities, no play areas and a poor level of public transportation. Additional houses would put pressure on the road system exacerbating traffic levels, and the school is in a poor condition and is not large enough to cope with the additional pupils.</p> <p><b>1924, 1925, 2144, 2147:</b> Respondee raises concern in relation to the deliverability of EH1 as it has access and marketability constraints and has not been developed despite current allocations in the Aberdeenshire Local Plan for 40 housing units. EH1 has not been proven as deliverable (1924). Failure to allocate effective land for development would be contrary to the spatial strategy. Predicted programming indicates that no development will occur until 2017, in the second period of the plan, which will result in no development in the settlement for 20 years. EH1 is constrained, and therefore it is not an effective site and cannot be classed as contributing to the housing allocations. It should be removed from the plan with an alternative site proposed as its replacement.</p> <p><b>472:</b> Support for EH1 allocation. However, future allocations need to be considered to ensure that the masterplan, which they confirm is being prepared, is deliverable. Additional land is also promoted to the north of EH1 (site F183) as identified in the enclosed plan for residential development.</p> <p><b>Alternative Sites Cuminestown</b></p> <p><u>Site F183</u></p> <p><b>472:</b> Promotion of additional housing land to the north of EH1, since further allocations need to be considered to ensure the masterplan for site EH1 is deliverable, as identified in the enclosed plan.</p> <p><u>Site F27</u></p> <p><b>1924, 1925, 2144, 2147:</b> Objection to failure to allocate land for development at Cuminestown, as it is the right location for growth. Promotion of alternative site for 81 housing units. The allocation will meet the demands for housing in the area, support a falling school roll at Monquhitter Primary in accordance with the spatial strategy and key planning issues for Cuminestown, as identified within the settlement statement. The site is in close proximity to local shops, community facilities, good public transport networks and Monquhitter Primary School, which will encourage transport modes and reduce reliance on car usage. The site is deliverable, there are no barriers to its development and it could facilitate local road infrastructure improvements and improved connectivity for pedestrians and cyclists. There are no identified waste issues. However, the proposal includes development of a household waste and recycling centre to replace the existing facility. Allocation of</p>		



F27 could contribute to the installation of a waste water treatment facility if required (1925, 2144, 2147). The Main Issues Report indicated a potential flooding risk on part of the site and as such no housing is proposed on the part of the site at risk and the wildlife corridor has been extended (1925, 2144, 2147).

**Modifications sought by those submitting representations:**

**104:** Although not explicitly stated it is assumed the resposdee wishes site EH1 deleted.

**472:** Promotion of additional housing land to the north of EH1.

**1924:** Deletion of EH1 and its allocation of 50 units transferred to alternative site at F27. Additional 31 units from unallocated 25% windfall sites.

**1925, 2144, 2147:** Deletion of EH1 and its allocation of 50 units transferred to alternative site at F27. Additional 31 units from units available within the Rural Housing Market Area.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Cuminestown is located within the Aberdeen Rural Housing Market Area as set out in the Structure Plan. The allocation is already appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. The allocation within Cuminestown was carried forward from the Aberdeenshire Local Plan (see supporting information), and therefore the principle of development on site EH1 was considered at a previous examination (see supporting information). The allocation was carried forward following receipt of a development bid for residential use on the site which demonstrated a continuing active interest in developing the site. Furthermore, the existing site is centrally located, could provide good access to facilities within the settlement and development to the north of the main street would be consistent with the settlement pattern (see 'Issues and Actions Paper Volume 4 Formartine May 2010' (Cuminestown page 30)). The allocation proposed reflects the level of development that Cuminestown can adequately absorb within its existing infrastructure without impacting on the character of the village whilst meeting the settlement's key planning objectives to provide for local housing need in the settlement and to support local services and facilities, including Monquhitter Primary School which is forecast to have a roll of 74% of capacity in 2016. Issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report (page F29), and were considered in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Cuminestown page 30).

**EH1**

The rural nature of the settlement inevitably has an impact on the level and frequency of public transportation. However, there are a number of public bus services which serve Cuminestown Monday - Saturday including an on demand dial-a-bus service. The level of services is as could be expected in a village of this nature and can only be sustained by additional growth.

Internal consultations with the Roads Authority have resulted in no perceived issues with access subject to satisfying required standards, although the public road may have to be upgraded.

Whilst the principle of development on site EH1 was considered during the plan preparation process of the Aberdeenshire Local Plan 2006; a bid (F183) for residential development was received during the proposed local development plan preparation process which shows a continuing active interest in residential development on this site. Furthermore, a planning application (APP/2010/2472) for residential development on part of the site is pending which shows a continuing active interest in the site (see supporting information). While 'marketability' constraints have previously led to the conclusion that the site is not effective the site is not 'undeliverable' in that it could be brought to market if there was sufficient demand. In relation to the deliverability, the developer's agent advised in February 2011 that the site is deliverable (see supporting Deliverability Statement) in relation to

the concerns raised regarding access. The Action Programme will ensure that potential impediments to the effectiveness of the site are identified and opportunity for review of the status of the site will be available in advance of the next Local Development Plan.

The next local development plan review will be the appropriate avenue to consider future land allocations for Cuminestown.

**Alternative Sites**

As the allocation discussed above is appropriate and sufficient there is no requirement to consider alternative sites. Furthermore, any other sites identified in the village are likely to suffer from the same marketability issues as the proposed site.

Site F183

Site F183 was fully considered in response to views expressed on the Main Issues Report (page F29) and following widespread community engagement the Council’s conclusion was to exclude the additional land proposed over and above the land carried forward from the Aberdeenshire Local Plan. An additional allocation at site F183/EH1 would be over and above the requirement for local housing need.

Site F27

Site F27 was fully considered in response to views expressed on the Main Issues Report (page F29) and following widespread community engagement the Council’s conclusion was to exclude it. While the alternative site at F27 for 81 housing units would support the school roll and is located in close proximity to services, the existing EH1 site fulfils the same roles. EH1 fits within the existing settlement pattern whereas inclusion of site F27 would extend the settlement envelope to the west effectively creating a gap site between the existing settlement and site F27. Development at site F27 would be over the aforementioned local housing need requirement.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Cuminestown are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. There are a number of representations on behalf of 3 individuals raising concerns with regard to site EH1 – as shown on the Map attached to the settlement statement for Cuminestown in the supplementary guidance document 3F for Formartine. Site EH1 is in fact a “carry forward” – comprising sites eh1 and A, along with future housing land fh1 – from the Aberdeenshire Local Plan. This, like all other ‘EH’ sites, is not a local development plan proposal – and so unresolved representations on such matters do not form part of this examination. Accordingly, the representations lodged in respect of site EH1 are matters for the council to consider.

**Alternative sites put forward as suggestions for allocation**

Site F183 (north end)

2. This representation contends that consideration should be given to the area immediately to the north of site EH1 – which forms the remaining part of site F813 identified in the Main Issues Report that has not been included within EH1. The council, in response, argues that the allocation for 50 houses on site EH1, carried forward from the Aberdeenshire Local Plan, provides sufficient land to meet local needs for new housing and strategic planning strategy requirements in this area over the local development plan period. It also points out that the site was carried forward following receipt of a development bid, demonstrating a continuing market interest here. In this context and taking into

consideration the centrality of the EH1 site within the settlement, there is insufficient justification for the remainder of the F183 site to the north of EH1, and therefore more peripheral, to be included in the Plan. Furthermore, given the fact that Cuminestown is a small village with a population of less than 400 people, there is no persuasive case for making an additional allocation in the local development plan, to supplement the 50 units already allowed for by the council on site EH1.

Site F27

3. The representation seeks to add a further allocation in the local development plan on site F27 (as shown in the Main Issues Report) for 81 houses (at 25 units per hectare) together with a play area and land for other community facilities, including amenity areas. This is proposed partly on the basis of the policy context, as articulated in a supporting document. This draws attention to the location of the site, being free of flooding issues and situated close to local shops, community facilities and public transport networks as well as to the local Monquhitter Primary School. As the council points out, development of the EH1 site would perform the same role – being even closer to the school, adjoining the village centre and in close proximity to its associated facilities and services. The representation contends that the EH1 site proposed by the council has access issues and suggests that there is a reluctance on behalf of the developer there to complete the work – making it unlikely that the EH1 site will be developed.

4. As outlined above, the council has sought to carry forward the EH1 allocation in the settlement statement on the basis that there is developer interest – and the contention that the site cannot be readily accessed has not been substantiated. Whilst the EH1 site does not front directly onto High Street the council’s Roads Authority has not ruled out site EH1 on the basis of access problems. Based on all of these considerations there is insufficient justification to merit extending the village of Cuminestown westwards through an allocation of site F27 at this time.

**Recommendation**

No modifications.

<b>Issue 125</b>	<b>Garmond</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Volume 3f, Supplementary Guidance, Settlement Statements (p19-20)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Ryan Porter (2506)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocation at H1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>H1 Garmond</b>  <b>2506:</b> Objection to eastern section of site H1 as development of this area will unduly affect the aspect from the respondent's property and could negatively impact the property value in the future. Suggest development be located further north and on the western side of the settlement.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>2506:</b> Although not explicitly stated, it is assumed the respondent wishes site H1 deleted.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Garmond is located within the Aberdeen Rural Housing Market Area as set out in the Structure Plan. The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. It reflects the level of development that it can adequately absorb whilst meeting the settlement's key planning objective to provide for local housing needs while preserving the special built form of the settlement.</p> <p><b>H1</b>  A development brief is proposed for site H1, and that is the appropriate opportunity for engagement in relation to the detail of the site, its layout, siting and design for example.</p> <p>No bids for development were received to the north of the settlement. The bid received to the west of the settlement forms part of site H1.</p> <p><b>Conclusion</b>  None of the modifications sought are supported. The development strategy and land allocations in Garmond are appropriate and sufficient to meet the needs of the settlement strategy.</p>		
<b>Any further plan changes commended by the planning authority:</b>		
No changes are commended.		

**Reporter’s conclusions:**

1. Garmond is one of the smallest settlements in the Rural Housing Market Area and comprises only a linear grouping of houses on either side of the minor road, known locally as Main Street, that runs north to south through it.
  
2. The only housing allocation proposed for Garmond in the proposed Plan is H1 for up to 10 houses on two sites either side of Main Street, at the northern end of the settlement. The larger part of that allocation is on a gap site and so would represent infill development – and this has not been the subject of objections. The representation concerns only the smaller section of H1, a rectangular parcel of land fronting onto the east side of Main Street. That land forms part of a larger, generally level cereal field. Its eastern boundary, whilst currently undefined by any natural or other features does correspond to the rear line of adjoining gardens of houses immediately to the south. Similarly, the northern site boundary is not readily defined by any natural or other features of the field. Nevertheless, the northern boundary is logically chosen as it would limit the new development to be no further north than the two houses on the opposite, west side of Main Street which mark the northern limit of the built-up area of the settlement. This is reinforced by the 30 mph speed limit signs at this point along Main Street for traffic arriving from the north, heading south through Garmond.
  
3. The key issues expressed in the representation concern the loss of open aspect and the perceived adverse effect on property values if the eastern parcel of H1 land was developed opposite the house occupied by the respondent. These, however, are not valid planning considerations and in any event not sufficient reasons to delete this proposed H1 allocation or part of it. The representation suggests that instead of developing that parcel of land to the east of Main Street, there could be further development to the north of all the existing houses on the west side of Main Street. This would neither be appropriate nor preferable to the council’s H1 proposal as it would unnecessarily elongate the settlement even further. It would also represent an unfortunate form of ribbon development that should not be encouraged, particularly as there are no natural or other features to limit development even further northwards in future. In contrast the H1 proposed by the council is a means of consolidating the form of Garmond by a combination of using an infill opportunity and marginally extending northwards the east side of the built up area, to match that on the west side.

**Reporter’s recommendations:**

No modifications.

<b>Issue 126</b>	<b>Turriff</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Volume 3f, Supplementary Guidance, Settlement Statements (p33-36)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
C A Duguid & Sons (199, 200) Susan Garven (488) Knight Frank LLP on behalf of R F Maxwell & Sons (584, 585) Jim Paterson (593, 869) Ryden LLP on behalf of L Bodie & E Halkett (1893, 1894) Reiach & Hall Architects on behalf of Landowners of Proposed Sites (2853)		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations H1, E1, E2, E3 & M1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Turriff</b>  <b>1893, 1894:</b> Support for the strategy of development which will allow appropriate growth in scale with the size of the settlement.</p> <p><b>1893, 1894:</b> Support for allocation of site H1 for 60 units to be delivered in phase 1 (2007-2016) of the Plan alongside sites EH1 and R1. Site H1 forms a logical extension to existing R1 and EH1 sites, which are instrumental in delivering the key planning objectives for the settlement. The masterplanned approach for the sites is deliverable within the proposed timescales and will assess any potential flooding issues and ensure the development fits sensitively within the landscape of the town. H1 will assist in sustaining existing services in addition to provision of new services, a variety of housetypes and meet demand for housing in the Rural Housing Market Area around Turriff. The gradient of the site is not steep and is on a similar level to existing residential areas. A variety of access options exist. In terms of delivery the landowners have been in negotiation with residential developers and Aberdeenshire Estates Department.</p> <p><b>584, 585:</b> It is contended that the preferred strategy for development to the north and east of Turriff is flawed, leading to urban sprawl which would be prominent on the landscape setting of Turriff. Alternative site promoted.</p> <p><b>584:</b> Objection to the inclusion of site H1, as it is not suitable for development due to a number of constraints (drainage, sewerage, accessibility, gradient of land, marketability). The land is also under different ownership which may pose issues with the site's delivery. The site is located away from the town centre and facilities.</p> <p><b>Site M1 Turriff</b>  <b>488:</b> Concern is raised in relation to the level of development proposed for Turriff</p> <p><b>584, 585:</b> It is contended that the preferred strategy for development to the north and east of Turriff is flawed, leading to urban sprawl which would be prominent in the landscape setting of Turriff. An alternative site is promoted.</p> <p><b>584:</b> Doubts are raised regarding the strategy for Turriff in relation to the bypass (and its delivery within the timescales) and associated implications that it will have for the settlement, the existing residents and the allocations to the east, should it not be delivered.</p>		



**584:** Objection raised to the size of the allocations for site M1. There are a number of constraints which will make the delivery of the site difficult. Major infrastructure investment for roads and drainage is required to release the site. The land is also under different ownership which may pose issues with the site's delivery. M1 cannot be delivered without the removal of ancient woodland which would require support from Scottish Natural Heritage for its removal. The environmental impact of its removal would be contrary to the objectives of the Local Development Plan.

**488:** The land for M1 would not be suitable for housing as water runs off this area and onto the development below.

**593, 869:** The Respondent would like no change to occur to the surrounding area to his property. However, if the development (and associated roads infrastructure) is to proceed, the respondent would prefer it was located away from his property, with inclusion of natural landscaping due to noise, vibration and visual impact of the roads infrastructure.

**Site R1**

**1893, 1894:** Support the allocation of EH1, H1 and R1, which are instrumental to delivering the key planning objectives for the settlement. The masterplanned approach for the sites is deliverable within the proposed timescales. The provision of the new primary school will provide improved facilities for the community. The gradient of the site is not steep and is on a similar level to existing residential areas.

**Alternative Sites Turriff**

Site BUS1

**199, 200:** The Respondent would like an area of land (part of BUS1) to be redesignated to residential uses. Map attached.

Site F118

**584:** Alternative site at Millmoss will provide a viable and deliverable alternative for mixed uses to site H1 and a reduced site M1.

**584, 585:** Including land to the south of Turriff would lead to a more compact expansion of the town which would ease traffic congestion and traffic dispersal. It is the most marketable location for new employment and commercial uses. The site is part brownfield development and offers the opportunity to remove the Ministry of Defence facilities currently featuring prominently on the approach to Turriff. The site is close to services, is accessible and will improve accessibility with the upgraded links proposed. The site is deliverable, has no constraints, the majority of the site is under single ownership and will result in early provision of affordable housing. The proposal is less prominent in the landscape and will provide a gateway to the settlement with the potential to provide an alternative location for a primary school. Overall the proposal represents a logical and sustainable extension for Turriff which would be well integrated with the town.

Sites to south-east of Turriff

**2853:** Additional land on two sites proposed to be zoned as housing/mixed use. Sites provide potential linkages between existing housing development and site M1, a potential extension to site M1 and to the development of the settlement. Sites are accessible to existing roads infrastructure and services. Site B also has an open aspect over site P2 identified as open space for recreational use.

**Modifications sought by those submitting representations:**

**1893, 1894:** No change sought.

**584, 585:** Delete site H1 from the Local Development Plan.

**488, 593, 869:** Although not explicitly stated it is assumed the respondee wishes site M1 deleted.

**584, 585:** Reduce allocation on site M1 to 100 houses (2007-2016) and 160 houses (2017-2023).

**199, 200:** Redesignate part of BUS1 to residential use.

**584, 585:** Allocate mixed use site at Millmoss for 100 houses (2007-2016), 150 houses (2017 – 2023) and 3 hectares of employment land (2007-2023).

**2853:** Allocate two sites for housing/mixed use. Plan attached.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Turriff lies within the Rural Housing Market Area and in the “local growth and diversification area” identified within the Structure Plan. Turriff is a significant rural service centre and the key planning objectives for Turriff are to meet the demand for new housing, sustain existing services, provide opportunity for local employment, to assist in the long term relief of town centre congestion through provision of a distributor road, and to provide improved community facilities including replacement and new primary schools. Allocations are made to the north and east of the town to meet these objectives.

Further information on the sites is contained in the Issues and Actions paper (Volume 4 page 76 Turriff), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

**Site H1**

The support for site H1 is welcomed, as is confirmation of delivery within the timescales of the plan.

Development to the north of Turriff fits well within the landscape, builds on development at Meadowbank and integrates well with the existing settlement as access links can be provided.

There appears to be no significant issue with ground conditions that could not be addressed at the detailed planning stages.

It is accepted that provision of waste water drainage is a constraint and that expansion of Turriff Waste Water Treatment Works will be required. This is within Scottish Water’s investment programme as a growth project for SR10. Any alternative site would be similarly constrained and therefore this is not a reason to consider an alternative site.

There are various options for access, including access through the other allocated sites to the south. Site H1 requires to be masterplanned with site EH1 and R1 and this will allow an integrated approach to access to be progressed.

The gradient of the site is not a constraint and the site is of a similar topography to existing development at Meadowbank.

It is understood the owner of site H1 has been in negotiations with developers and Aberdeenshire Estates department in respect of delivery of the site.

Whilst the site is not close to the town centre it is in a sustainable location. The site is close to the existing employment uses at Markethill industrial estate and the replacement of Markethill Primary School on site R1 means the site will be close to community facilities.

**Site M1**

Development to the east of Turriff integrates well with the existing settlement, as access links can be provided and it fits well within the landscape. The site also assists in the long term provision of a bypass to relieve town centre congestion. Site M1 is required to include a distributor road which is capable of being upgraded to a bypass. The allocations made are only initial stages in the provision

of a bypass and site M1 is not expected to provide a full bypass. As all sites are required to contribute to an eastern bypass, this is not a sufficient reason to consider alternative sites.

The size of the allocation made reflects the functions provided by the settlement, its current size and capacity to accommodate growth, and the need for the critical mass to provide the distributor road and a new primary school. It constitutes an increase in the size of the settlement by approximately 20%. Bids F129 and F179 form the largest part of site M1 and deliverability of these sites with access to site F5 has been confirmed.

The ancient woodland designation is acknowledged and the supplementary guidance settlement statement for site M1 Turriff requires that the Woods of Delgaty are retained in the design of the development.

There appears to be no significant issue with ground conditions that could not be addressed at the detailed planning stages. Any issues with water run-off should be dealt with through the SUDS design.

Material considerations in planning must be factors relating to the use and development of land and not to the personal circumstances and interests of individuals. A masterplan is proposed for site M1, so there will be a further opportunity for engagement in relation to the detail of the site, its layout, siting and design.

**Site R1**

The support for site R1 is noted.

**Alternatives Sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

Part of BUS1

The site was not proposed for housing at any previous stage, so there has been no site assessment or public debate on the merits of housing development on this site. Development of this site for housing would be an unnecessary loss of business land from an established industrial estate.

Site F118

The site at Millmoss, site F118 in the main issues report, was considered following consultation on the Main Issues Report, but following widespread community engagement the Council's conclusion was to exclude the site, as development to the south of Turriff would have a major impact on the landscape and setting of the existing town and would bring little benefit to the settlement. In particular, it would not contribute to provision of any by-pass. Site F118 is visually prominent, is generally north facing and has poor access links to the town centre.

Sites to south-east Turriff

The site was not proposed at any previous stage so there has been no site assessment or public debate on the site. Whilst these sites could help deliver the future eastern bypass sufficient land has already been allocated in Turriff to meet local needs. Development of these sites should be considered at the next review of the Local Development Plan.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Turriff are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. Turriff, as well as being in the Formartine part of the Rural Housing Market Area, is in a designated local growth and diversification area – as defined in the approved structure plan. Furthermore, Turriff is one of largest rural service areas of Aberdeenshire where the council, through its planning policies, seeks to meet the demand for new housing, as well as providing opportunities for local employment – all of which will help to sustain local services. Other planned improvements include the provision of a new distributor road to relieve town centre congestion and improvements to education services through new and replacement primary schools. It is in this context that the unresolved representations regarding particular allocations proposed by the council and alternative site suggestions are considered below.

**Site H1**

2. Whilst there are representations lodged supporting this proposed allocation for up to 60 new houses on the northern edge of the town, another respondent questions the suitability of the site for housing. This is based on concerns regarding drainage, access, topographical and marketing constraints, and visual amenity issues. Against that background, the same respondent argues that a site at Millmoss on the southern edge of the town should be preferred for allocation. The merits of that alternative site suggestion in its own right are considered later, following an assessment of site H1.

3. In response to the issues raised, the council is justified in contending that the H1 allocation on an existing paddock area would fit within the gently rolling local landscape on the northern fringe of Turriff. It would also continue on from recent housing developments nearby at Meadowbank, which has similar topography. Furthermore, the H1 site adjoins the existing allocation EH1 from the Aberdeenshire Local Plan, that is still to be implemented.

4. Whilst acknowledging the waste water drainage constraints affecting the H1 site, the council points out that the required expansion of the local waste water treatment works to accommodate the proposed new houses is already identified within the investment programme of Scottish Water. The council is also correct in pointing out that gradient and surface water drainage are not issues of overriding concern, let alone insurmountable obstacles to development of the site. Furthermore, the council points out that there are a number of options regarding site access for developing site H1, including through Meadowbank and site EH1.

5. In summary, the masterplan envisaged by the council for the development of site H1 would provide the opportunity to address all of the outstanding matters of potential concern satisfactorily. With regard to marketability, it is noted that the owner of site H1 has commenced negotiations with potential developers as well as with the council regarding the site's implementation. Based on all of these considerations, it is not necessary to look for alternative sites to allocate in place of site H1.

**Site M1**

6. Concerns are expressed about the overall scale of development allocations for Turriff – in particular for site M1. The representations argue that the strategy to extend Turriff to the north (through site H1, dealt with above) and to the east on site M1 is flawed as it would lead to urban sprawl. This argument is not persuasive. Given the densely developed built-up area of Turriff today, significant growth cannot be accommodated simply through infill development – particularly when one of the few infill opportunities is already shown as forming the southern part of safeguarded area BUS1.

7. One representation contends that there are a number of access and drainage infrastructure constraints, as well as fragmented ownership issues, affecting site M1. It is argued that in overall terms these would have the effect of limiting the ability of site M1 to deliver the scale of development envisaged here in the proposed Plan. Once again this is suggested as part of the justification for consideration of an alternative site at Millmoss, dealt with later.

8. In response to the criticisms of allocation M1, the council is correct in asserting that the M1

allocation, whilst on open farmland and representing a 20% growth of Turriff's housing stock, would fit reasonably well into the local landscape. In addition there are no persuasive arguments to challenge the council's contention that the development proposed on this site can be made readily accessible to the centre of Turriff and to local services and facilities.

9. Furthermore, the M1 site is strategically well placed to incorporate the planned new distributor road that is required to relieve traffic congestion in the town centre – with the potential for upgrading to a bypass in future. The council is justified in concluding that this major new road infrastructure and a proposed new primary school on the site can only be achieved if the M1 development is of sufficient critical mass. It is noted that the proposed development would involve a masterplan process that, amongst other things, would safeguard the Woods of Delgaty, as well as addressing detailed access and drainage issues, along with layout and siting considerations. There would be a further round of public consultation at that stage of the process when detailed site-specific concerns can be taken into account. Based on all of these considerations, it is not necessary to look for alternative sites to allocate in place of M1.

### **Alternative sites**

#### Part of BUS1

10. The respondent is seeking part of BUS1 to be reallocated from its safeguarded employment use status, as shown in the settlement statement for Turriff, to become a new housing allocation. This concerns a disused industrial/commercial area that is now principally a broadly square, open yard at the southern end of BUS1. There are housing areas immediately to the west, south and east of this brownfield site. Nevertheless, the land part of the much larger BUS1 designated employment area, that lies principally to the north and north-east of it.

11. As the council points out, this particular parcel of land has not previously been put forward for housing development so its suitability for that has not been formally assessed or been the subject of public consultation. Furthermore, there has been no substantive case put forward to indicate that there is a shortage of housing land allocated for Turriff, or within the wider housing market area, that the suggested reallocation of this site for residential development would seek to address.

12. Based on the available evidence, the council is justified in concluding that allocation of the site in question for housing would be an “unnecessary loss of business land”. Nevertheless, it would still be open to the landowner or indeed anyone else to come forward with proposals for development of this site, for residential or other uses - in the form of a planning application. At that stage the promoter of any such development would need to demonstrate to the planning authority's satisfaction how this would address the local and strategic planning policies and other material considerations. That process would include public scrutiny and consultation before any such planning application was determined.

#### Site F118 Millmoss

13. One of the respondents argues that expansion of Turriff should be southwards in the form of a mixed development on the large site referred to as F118 or Millmoss in the Main Issues Report, rather than northwards (site H1) or eastwards (site M1), as now proposed by the council in the proposed Plan. Supporting documentation lodged with the aim of justifying allocation of site F118 includes an illustrative masterplan for 250 new houses together with 40,000 square feet (i.e. around 3,700 square metres) of business, retail and community facilities together with upgrading of road links to ease traffic congestion in the town.

14. One of the arguments put forward in the representation – that development on this site would be less prominent in the landscape than the proposals of the council - is not persuasive. It is acknowledged that the site in question is partly brownfield and the development proposed here would enable former Ministry of Defence structures to be removed. Nevertheless, the overall package of proposals would also involve large areas of open countryside and would be very prominent in the landscape. This would be particularly so when approaching from the south-east along the main A947 road or from the south along more minor roads. The fact that the development

could be regarded as a new gateway to Turriff is not sufficient justification to offset the damage it would cause by its unacceptable visual impact, which would be detrimental to the setting of the town.

15. As the council points out the proposed local access arrangements would not provide good links to the town centre. Furthermore, strategically the access improvements envisaged on site F118 would not have the same scope to contribute towards the realisation of a new bypass, as offered by the proposals for site M1. It is noted that whilst the F118 option was considered at the Main Issues Report stage, which included widespread public consultation, it was later excluded for the reasons summarised above.

Sites to the south-east of Turriff

16. Two other sites, referred to as A and B in the representations have been put forward for consideration as housing or mixed use allocations. These comprise large open fields/paddocks located to the east of site F118 and to the south of site M1 in open countryside by Smiddyseat Farm at the south-eastern edge of Turriff. In response, the council acknowledges that, in principle, these sites could contribute to the realisation of a future bypass for Turriff but notes that there is already sufficient land allocated for development in the plan period. Furthermore, as the council points out, this particular parcel of land has not previously been put forward for housing development so its suitability for that use has not been formally assessed or been the subject of public consultation. Accordingly, it would be inappropriate to allocate this land for housing in the local development plan. In any event, there is insufficient documentation lodged in support of the representation to justify allocation of sites A and B at this stage.

**Reporter's recommendations:**

No modifications.



<b>Issue 127</b>	<b>St Katherines</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Volume 3f, Supplementary Guidance, Settlement Statements (p29-30)	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Thomas &amp; Carol Smith (170)  Taylor Design Services on behalf of All Saints Episcopal Church (202)  William Lippe Architects Ltd on behalf of Michael Hunter (395)  William Lippe Architects Ltd on behalf of Patrick Sleigh (411)  William Lippe Architects Ltd on behalf of Neil Robertson (492, 493)  Taylor Design Services on behalf of George Phillip (498, 501)  Taylor Design Services on behalf of G Horne (500, 503)  Knight Frank LLP on behalf of Mr Sleigh (557, 558)  Meldrum &amp; Bourtie Community Council (1253)  Ryden LLP on behalf of Tor Ecosse Ltd (1895)  A Morrow (2056)  Neil Gordon (2266)  J &amp; E Law (2312)</p>		
<b>Provision of the development plan to which the issue relates:</b>	M1 Allocation at St Katherines.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1 St Katherines</b>  <b>557, 558:</b> Support for the allocation at St Katherines was given in terms of meeting significant local demand for housing with good public transport and accessibility and providing critical mass to resolve waste water issues and sustaining local services, in particular the falling primary school roll and community facilities at Fyvie. Implementation of speed restrictions will increase road safety. Site M1 should be included within Schedule 2 Table 4 of the Plan to show the provision of employment land within the site.</p> <p><u>Constraints</u>  <b>170, 202, 395, 411, 492, 493, 498, 500, 501, 503, 1253, 1895, 2056, 2266, 2312:</b> These representations promote the reduction or removal of the allocation and its redistribution elsewhere (see issue 66 Spatial Strategy Local Growth and diversification, issue 77 Other Sites Formartine AHMA and issue 128 Other Sites Formartine RHMA). Constraints relating to waste water, access and roads infrastructure, lack of public transport and the lack of sewage treatment and other facilities may limit or prohibit the development or exacerbate existing problems in the settlement (170, 395, 411, 492, 493, 1253, 1895, 2056, 2312).</p> <p><b>1895:</b> It is unclear why development at St Katherines has been proposed, when it was not a preferred site at Main Issues Report stage due to constraints which could only be relieved by a considerable level of development and would not be in keeping with the scale of the settlement.</p> <p><u>Level of development</u>  <b>202, 498, 500, 501, 503:</b> It was observed that this was a poor example of how a rural settlement should be allowed to grow.</p> <p><b>170, 395, 411, 492, 493, 2056, 2266:</b> Representations raised concern in relation to the scale of the proposal in relation to the existing village and the impact on the character and amenity of the settlement. It is suggested that a smaller allocation would be more in keeping with the scale and</p>		

character and in accordance with Supplementary Guidance Rural Development 1.

Settlement pattern and ability to create an attractive place

**2056:** One respondent questioned the suitability of the site and has preference for ribbon development as a more traditional form of development.

**202, 498, 500, 501, 503:** Several representations raised doubt as to whether the site would facilitate the creation of an attractive place.

Aims of the plan

**2266:** One respondent does not see how the development of St Katherines would achieve the aims of the plan in terms of quality of life, greenhouse gases and carbon emissions, or of maintaining the identity of the community or of development which is appropriate to the size of the community.

**Modifications sought by those submitting representations:**

**170:** No specific change stated.

**557, 558:** No change made in respect to the identification of site M1 in St Katherines for the development of 50 houses during the first phase of the LDP. Schedule 2, Table 4 of the plan should specify the amount of employment land for site M1.

**395, 411, 492, 493:** Reduce allocation to 5 units and redirect the remaining allocation to other settlements (see issue 66 Spatial Strategy Local Growth and diversification, issue 77 Other Sites Formartine AHMA and issue 128 Other Sites Formartine RHMA).

**2056:** Delete allocation.

**1253, 2266:** Although not explicitly stated, it is assumed the respondee wishes the allocation removed.

**202, 498, 500, 501, 503, 2312:** Although not explicitly stated, it is assumed the respondee wishes the allocation removed and the allocation redirected to another settlement in Formartine (see issue 66 Spatial strategy local growth and diversification and issue 128 Other Sites Formartine RHMA).

**1895:** Remove allocation and redistribute 30 units to an alternative site at Daviot (see issue 128 Other Formartine RHMA).

**492:** Business/employment should be directed to Oldmeldrum (see issue 66 Spatial strategy local growth and diversification and issue 67 Oldmeldrum).

**Summary of responses (including reasons) by planning authority:**

**Overview**

St Katherines is located within the Rural Housing Market Area and the Local Growth and Diversification Area as set out in the Structure Plan. The level of development proposed reflects the level of development that St Katherine can adequately absorb within its landscape and the level of development required to alleviate constraints. Fyvie primary school has a falling roll and is forecast to be operating at 59% in 2016. It has not been possible to make any new allocations in Fyvie, but allocations at St Katherines are within the school catchment and will help to support the school.

The council's position in relation to the adequacy of the housing land supply is addressed in the council's response to Issue 12 Housing Land Supply and Issue 25 New Housing Land Allocations.

**Site M1**

The support for site M1 is noted. The omission of the employment land proposed on site M1 St

Katherines from Schedule 2 is a technical error. Minor amendment to Schedule 2 is proposed to rectify this error (see issue 26 Employment Land Allocations).

### Constraints

It is recognised that there are at present no sewers in St Katherines. The Council took a view which placed greater weight on the perceived community benefit of alleviating existing infrastructure issues and the support for Fyvie primary school. The developer has advised that they have budgeted for providing a treatment plant.

The Roads Authority have stated that road and junction improvements would be required to deliver this site. The developer has advised that the masterplan will include provision for a new right-turn lane, bus stop/lay-by, pedestrian crossing facility, gateway features and associated footpaths. St Katherines is accessible by public transport with the main service being the 305 and 325 Stagecoach service which runs regularly between Aberdeen and Elgin.

St Katherines does currently lack facilities. However, the level of development proposed will provide areas of formal open space, a new bus stop and footpaths which will benefit the whole community. It would be unrealistic to expect substantial additional new facilities to be provided from a development of 50 houses.

The constraints are not insurmountable and reallocation of the site to other settlements is not required.

### Level of development

The level of development proposed in St Katherines reflects the levels of development required to provide waste water treatment and road improvements. A smaller allocation would not provide the critical mass to overcome constraints or alleviate the existing infrastructure issues. Impacts on character and amenity can be minimised through sensitive design and landscaping and further community engagement on the masterplan.

### Settlement pattern and ability to create an attractive place

Historically, growth of St Katherines has not been linear and development has instead grown back from the A947. St Katherines has a compact built form and this should be retained rather than allocating land along the roadside. All new development in Aberdeenshire will be assessed against Policy 8 Layout, siting and design and therefore should fit within the landscape and create an attractive place to live and work.

### Aims of plan

The site meets the aims of the plan. It provides employment land in proportion to the housing allocation, meeting the aim to grow and diversify the economy. The site is on a regular bus route and the provision of employment land reduces the need to travel, thus meeting the aim to take on the challenges of sustainable development and climate change, and making efficient use of the transport network. The allocation meets the need for housing in the rural housing market area and therefore meets the aim to make sure the area has enough development land to provide for the people, homes and jobs to support services and facilities. The site is allocated for a mix of uses with the requirement for a masterplan and therefore meets the aim to promote sustainable mixed communities with the highest standards of design.

In terms of maintaining identity the settlement has developed organically with individual dwellings or small clusters added which have not reflected the historic identity of the area. Many of the newer residential dwellings are “modern” in appearance and have little aesthetic relevance to the original settlement or the traditions of rural Aberdeenshire as a whole. In contrast the masterplanned approach provides an opportunity for development to enhance the identity of St Katherines.

### **Conclusion**

None of the modifications sought are supported, with the exception of the modification to schedule 2 to correct a technical error made.

**Any further plan changes commended by the planning authority:**

It is suggested that the following change is made:

Introduce an entry to Table 4 of Schedule 2 “St Katherines M1, 1ha” to reflect error. This will have consequential changes to Table 1 with an additional 1ha being added to the Local growth (RHMA) total allocation. (See issue 26).

**Reporter’s conclusions:**

1. St Katherines is a small hamlet bounded on its east side by the main A947 road. It is located within Rural Housing Market Area. This is essentially a dormitory settlement, situated between Oldmeldrum and Turriff, and comprises a grouping of houses either side of a minor road linking onto the main A947 road. St Katherines has no public sewerage system or waste water treatment works and there are no shops, other community facilities or services, apart from a bus stop – the nearest primary school being at Fyvie, approximately 5km to the north along the A947.
2. The Main Issues Report raised a number of important issues about St Katherines – including the fact that the A947 road is a dominant feature with a high level of vehicle movements. It also noted that there were issues with access onto that road and pointed out that St Katherines has a compact form that should be retained. Furthermore, it stated that the constraint posed by waste water considerations “could be relieved by considerable housing development, but this would not be in scale with the size of the current settlement.” Based on all of those considerations, at that time the council concluded that site F59, put forward for consideration then as an allocation, was not preferred for development.
3. None of the above issues and concerns appears to have changed since the Main Issues Report – indeed they have been referred to and elaborated in the representations lodged to the proposed Plan. Furthermore, the Roads Department of the council in its comments on the plan stated that site F59 is “not recommended for development due to the existing concerns with access onto the A947. New access on to the A947 not acceptable on grounds of poor visibility. Also access from unclassified road onto the A947 is sub-standard and any additional traffic flows on to [this] unclassified road would result in the need for a visibility improvement at this junction.”
4. Against this background, it is surprising that the council appears to have set aside all of these concerns including its own, as summarised above, to now propose site F59 as an allocation for mixed development of up to 50 houses and employment uses that would more than double the size of St Katherines. The main justification put forward by the council for this is that the proposed allocation would be of a sufficient scale to alleviate existing infrastructure issues, including provision of a sewerage system – as well as providing support for Fyvie primary school and some new employment opportunities locally. It also notes that the masterplan put forward by the promoters of the site would provide satisfactory access arrangements to meet the concerns of the Roads Authority. These are not sufficient reasons, individually or in combination, to justify an allocation of the scale now proposed at this location – particularly when the council acknowledges that St Katherines currently lacks community facilities and the proposed new development would only provide areas of open space, a new bus stop and footpaths.
5. Apart from the limited bus service along the main A947 road corridor, the existing and new residents would therefore continue to be reliant on car transport for reaching all shops, schools and other community facilities and services. Another concern is that the northern boundary of the proposed allocation site is totally undefined by any natural or other features. Furthermore, there is no landscape protection proposed by the council to reduce the visual impact of the new development, for example when viewed from the A947, or to safeguard against pressures for further expansion northwards in the future. In summary, the concerns raised in the Main Issues Report about the scale of expansion now proposed by the council at St Katherines – and underlined by those same issues being highlighted in feedback from the consultation process – remain valid.

Indeed these ongoing concerns far outweigh the limited benefits now relied on by the council for proposing this particular allocation.

6. For the above reasons, it can be concluded that, on balance, there is insufficient justification to allocate the M1 site at the scale and in the form proposed by the council. Nevertheless, there is a case and an opportunity to make some provision to meet local needs, more in keeping with the size and character of St Katherines. Accordingly, if only that part of site M1 immediately to the west of the existing housing (as far west as the field boundary shown as the western perimeter of M1) and facing onto the north of the unclassified road was allocated, then this would enable up to 5 houses to be developed. In summary, this markedly reduced allocation would comprise only the small rectangular parcel of land that forms the south-western corner of what the council proposes as M1. For the avoidance of doubt this would mean that no housing or other development would be allocated on the larger, broadly rectangular part of M1 to the north of the rear gardens of existing houses. Indeed, that larger rectangular area would remain outwith the settlement boundary and part of the open countryside, currently in use for cereal crop production.

7. The much reduced rectangular area being retained for allocation for up to 5 houses would not be large enough to also provide employment land so it should be shown as H1 rather than M1. Whilst this would not address local employment needs, the revised allocation would still contribute to achieving the other key planning objectives for this settlement of meeting local needs for housing – at a scale commensurate with the size of the settlement – as well as supporting local services and facilities, including the local school. The reduction in housing being allocated for St Katherines and the decision to no longer allocate 1 hectare of employment land does not necessarily result in a requirement for further allocations elsewhere in the plan area as there is already sufficient provision to meet overall structure plan requirements for the Rural Housing Market Area.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

Delete site M1 and instead allocate only the southern corner of it, re-designated as H1 for 5 houses – with the northern boundary of the site following the same line as the rear garden boundaries of the existing houses immediately to the east and the western boundary following the field boundary – as previously shown for that part of M1 – with consequential changes to Table 4 of Schedule 2 and the RHMA total figure.

<b>Issue 128</b>	<b>Other Sites: Formartine Rural Housing Market Area</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p21) Schedule 1, Table 4, (p27) Schedule 2, Table 4, (p31) Volume 3f, Supplementary Guidance, Settlement Statements Formartine	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Taylor Design Services on behalf of All Saints Episcopal Church (202, 243) Norman P Lawie Limited on behalf of I Stewart (260) Norman P Lawie Limited on behalf of Ian Cruickshank (269) William Lippe Architects Ltd on behalf of Michael Hunter (395, 397, 401, 2883) William Lippe Architects Ltd on behalf of Patrick Sleigh (411, 419, 2885) William Lippe Architects Ltd on behalf of Neil Robertson (492, 493) Taylor Design Services on behalf of George Phillip (498, 501) Taylor Design Services on behalf of G Horne (500, 503) Ryden LLP on behalf of Tor Ecosse Ltd (1895) J & E Law (2312) James G Ironside Limited (2880) James G Ironside Limited on behalf of J Ledingham (2882)		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations in other settlements within the Formartine Rural Housing Market Area.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Daviot</b>  <b>260:</b> Daviot should be included as a settlement suitable for development, as it is within the Aberdeen to Huntly development corridor. F19 should be allocated for 100-130 residential units and the provision of a village centre, which could provide a business allocation. The allocation would allow for the upgrade of the sewage plant and the improvement of the access road from the Inverurie/Rothienorman Road to the village of Daviot.</p> <p><b>397, 401, 419, 1895, 2885:</b> Objection to the failure to allocate land for residential development at Daviot. Unallocated houses for phase 1 and 2 in Local Growth and Diversification areas in the Rural Housing Market Area should be allocated to settlements under Policy 5 to secure suitable infrastructure and to support local services. An allocation at Daviot is necessary to sustain primary and secondary school rolls which are forecast to decline. Daviot is a community with primary school and community facilities which are close to public transport links and in close proximity to services at Inverurie which itself has significant road and rail infrastructure (397, 401, 419, 2885) and would not increase reliance on private car usage (1895).</p> <p><b>1895:</b> Objection to the failure to acknowledge Daviot within the supplementary guidance settlement statement for Formartine. It is contended that there is a shortfall in the housing land supply and that allocating no development to Daviot up to 2023 would be detrimental to the settlement and its facilities. An allocation at Daviot would address the issue of allocations to lower Formartine. There is significant demand for affordable housing in the area and the development could contribute over 7 affordable housing units to alleviate the current shortage. Site F19 is well contained in the landscape and the development would complement, and integrate with, the existing built form of the village and the surrounding landscape. Alternative development proposals would substantially increase the size of the village and put pressure on existing infrastructure (primary school and road network) whereas F19 would round off the settlement and sustain local services. The site is not constrained by physical or natural features and can provide a substantial amount of open space as part of the development. It is contended that there is capacity at Invercarnie Water Treatment Works and the</p>		



proposed development would upgrade the Daviot Waste Water Treatment Works which has limited capacity whilst utilising SUDs.

**395, 397, 401, 411, 492, 493, 1895, 2883:** A reduced allocation at St Katherines M1 should be transferred to Daviot and other settlements (see issue 127 St Katherines and issue 87 Other sites Formartine AHMA). In Daviot there is capacity within the primary school and several sites which can be easily developed to provide a total of 45 units (**395, 397, 401, 411, 492, 493, 2883**).

**397, 401:** 8 houses should be allocated to F29. The site is attached to the existing settlement, with vehicular access to the local road network and there is capacity in the waste water treatment plant. F29 is deemed to be infill and potential windfall and it is contended its allocation would accord with Scottish Planning Policy.

**411:** 45 units can be accommodated wholly or partially within part of F115.

**419, 2885:** 45 units should be allocated to Daviot with 37-45 allocated to F115. The site is attached to the existing settlement and there is capacity in the waste water treatment plant.

#### **Fintry**

**2882:** Land at Fintry is promoted for up to 6 houses with access taken from the B9105 and a pedestrian link to the primary school. A children's play area will form part of the 40% open space provision. Site layout attached.

#### **Fisherford**

**269:** Respondent promotes the deletion of site FH1 and FH2 from the Aberdeenshire Local Plan and replacement with an alternative site at F18.

#### **Fyvie**

**2312:** Respondee contends that development should take place in Fyvie rather than the proposed allocation at St Katherines (see issue 66 Spatial strategy Local Needs and 127 St Katherines).

#### **Woodhead**

**202, 243, 498, 500, 501, 503:** Request inclusion of sites F42, F45 and F175 at Woodhead with housing land allocations. It is contended that the assessment of the sites was flawed particularly in relation to perceived drainage constraints. Residential development at Woodhead would support the maintenance of a viable school roll at Fyvie Primary school, particularly in the absence of suitable allocations made in Fyvie. Woodhead is an attractive settlement which has developed organically with a church, and allocations would support the local primary school at Fyvie. The community is thriving and to ensure its continuity it requires a modest expansion of its population (**498, 500, 501, 503**). It is felt that a specific allocation would provide greater certainty over that proposed at St Katherines. Although not explicitly stated, it is assumed the respondee believes that development at Woodhead is preferable over development at St Katherines (see issue 127 St Katherines).

**2880:** Respondent requests the inclusion of land, which is effectively a gap site, within the settlement boundary of Woodhead, between Stroma & School Croft.

#### **Modifications sought by those submitting representations:**

**260:** Allocate F19, Daviot for 100-130 residential units and associated community facilities.

**395, 397, 401, 492, 493, 2883:** Daviot should be allocated up to 45 housing units. Site F29 should be allocated 8 of these (397, 401).

**411:** Allocate 45 housing units to Daviot at F115.

**419, 2885:** Allocate 45 housing units to Daviot with 37-45 allocated to F115.

**1895:** Allocate 30 units to site F19 in Daviot with 12 housing units in phase 1 and 17 housing units in phase 2.

**2882:** Inclusion of land at Fintry for up to 6 houses.

**269:** Deletion of site FH1 and FH2 in Fisherford from the Aberdeenshire Local Plan to be replaced with an alternative site at F18.

**2312:** Although not explicitly stated it is assumed the resposdee wishes development in Fyvie.

**202, 243, 498, 500, 501, 503:** Inclusion of sites F42, F45 and F175 at Woodhead with housing land allocations.

**2880:** Inclusion of land between Stroma & School Croft within the settlement boundary of Woodhead.

**Summary of responses (including reasons) by planning authority:**

**Overview**

The allocations already made in the Formartine part of the Aberdeenshire Rural Housing Market Area are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Many of the issues raised in relation to these settlements were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Paper Volume 4 Formartine May 2010'.

**Daviot**

Daviot is within the Local Growth and Diversification Area as set out in the Structure Plan and not within the Aberdeen to Huntly Strategic Growth Area as stated by the resposdee. Therefore, allocations have been based on local needs and have taken into consideration the capacity of the settlement and its ability to absorb further development. As stated in the Main Issues Report (page F30) no specific needs were identified for the settlement. The strategy for allocations in the Local Growth and Diversification Area is addressed through the council's response to Issue 66 Spatial Strategy - Local Growth and Diversification Areas.

As stated in the 'Issues and Actions Paper Volume 4 Formartine May 2010' (Daviot pages 31 – 32) education facilities are currently at capacity and there is little opportunity for expansion of the local primary school if further development was promoted. Daviot Primary School is currently over capacity and is forecast to be at 88% capacity in 2016. Therefore it is not accepted that further development is required to sustain the education facilities.

Sites F19, F29 and F115 were fully considered following the public debate on the Main Issues Report (page F30) and following widespread community engagement the Council's conclusion was to exclude them. To accord with Scottish Planning Policy Planning, planning authorities are required to promote development to existing settlements where capacity is available and it makes effective use of existing infrastructure (paragraph 80). Daviot is currently at capacity in relation to its primary school provision. There is limited capacity at the waste water treatment works. There is a lack of employment opportunities, which would encourage private car usage. It is considered that additional development at Daviot would have a considerable impact on the community, its facilities and the local road network. Whilst Scottish Planning Policy supports infill development it should be sustainable in relation to social, economic, transport and other relevant physical infrastructure and as discussed above this would not be the case at Daviot. There has been no support for development expressed by the community council or statutory consultees at Main Issues Report stage.

The next local plan review will be the most appropriate avenue to reconsider allocations at Daviot. In the intervening period it is more appropriate to consider small scale development in the settlement through Policy 3: Development in the Countryside, where Daviot is listed in Appendix 1 as an

identified settlement where some small scale development will be allowed for, subject to other policy considerations.

**Fintry**

Land at Fintry was not proposed at any previous stage of plan development and there has been no site assessment or public debate on the site now proposed. It is more appropriate to consider small scale development in the settlement through Policy 3: Development in the Countryside, where Fintry is listed in Appendix 1 as an identified settlement where some small scale development will be allowed for, subject to other policy considerations.

**Fisherford**

Site F18 was fully considered following the public debate on the Main Issues Report (pages F30 – F31) and following widespread community engagement the Council’s conclusion was to exclude it. Sites FH1 and FH2 from the Aberdeenshire Local Plan have not been carried forward as allocations in the proposed plan due to infrastructure constraints which affect the sites (see attached extract of Housing Land Audit 2010) and no active interest in developing the sites was received in the form of a development bid. F18 could not act as a replacement allocation to sites which have not been carried forward from the Aberdeenshire Local Plan. As stated in the ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Fisherford page 38) it is more appropriate to consider small scale development in the settlement through Policy 3: Development in the Countryside, where Fisherford is listed in Appendix 1 as an identified settlement where some small scale development will be allowed for, subject to other policy considerations.

**Fyvie**

The strategy for allocations in the Local Growth and Diversification Area is addressed through the council’s response to Issue 66 Spatial Strategy - Local Growth and Diversification Areas. In the absence of new land allocations at Fyvie (see ‘Issues and Actions Paper Volume 4 Formartine May 2010’ Fyvie page 39), it is more appropriate to consider small scale development in the settlement through Policy 3: Development in the Countryside, where Fyvie is listed in Appendix 1 as an identified settlement where some small scale development will be allowed for, subject to other policy considerations.

**Woodhead**

The strategy for allocations in the Local Growth and Diversification Area is addressed through the council’s response to Issue 66 Spatial Strategy - Local Growth and Diversification Areas.

Sites F42, F45 and F175 were fully considered following the public debate on the Main Issues Report (page F40) and following widespread community engagement the Council’s conclusion was to exclude them. As stated in the ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Woodhead pages 84 - 85) there is no public waste water infrastructure in the settlement and this would require to be resolved if further development was to take place. The sites were not preferred at Main Issues Report (page F40) due to environmental implications, which the ‘Issues and Actions Paper Volume 4 Formartine May 2010’ (Woodhead pages 84 - 85) expanded upon, in relation to their ‘Sites of Environmentally Sensitive Area’ and ‘Sites of Interest to Natural Science’ designations. Whilst it is accepted that development at Woodhead would support the falling school roll at Fyvie, it would also encourage reliance on private car usage due to lack of employment opportunities available in the settlement, which would not be in line with the sustainability objectives of the proposed local development plan. Whereas, the proposed allocation at St Katherine’s is for mixed use development which will provide opportunity for local employment (see issue 127 St Katherine’s).

The site between Stroma and School Croft was not proposed at any previous stage so there has been no site assessment or public debate on the merits of this site.

**Conclusions**

None of the modifications sought are supported. The development strategy and land allocations in the Formartine part of the Aberdeenshire Rural Housing Market Area are already appropriate and sufficient to meet the needs of the settlement strategy.

<b>Any further plan changes commended by the planning authority:</b>
No changes are commended.
<b>Reporter's conclusions:</b>
<p><b>Daviot</b></p> <p>1. Daviot, is located close to but outwith the Aberdeen to Huntly strategic growth area. Nevertheless, as well as being within the Rural Housing Market Area, Daviot is also part of a Local Growth and Diversification Area, as defined in the approved structure plan. In this context, the council points out that allocations have to be based on local need and take into consideration the capacity of a settlement to absorb further development – and it contends that no local need has been identified for Daviot.</p> <p>2. Whilst Daviot's village shop has now closed, it retains some community facilities at its core – notably a school, a pub and a village hall. In terms of local infrastructure capacity, the council acknowledges that Daviot school, which is currently operating at full capacity, will drop to 88% capacity by 2016. Similarly the council points out that there is limited capacity at the local waste water treatment works. Another concern expressed by the council in respect of Daviot is the lack of local employment opportunities so new housing development here would encourage car usage. No such concerns have been highlighted in respect of its proposed new allocations for other settlements in the area such as St Katherines, which has no local community facilities or services apart from a bus stop.</p> <p>3. Against this background three possible sites for new housing allocations are put forward in representations. The first of these, identified as site F115 in the Main Issues Report, is a large open area of cropped fields, in part defined by hedgerows, adjoining the southern edge of the built-up area of Daviot. This site is highly visible and the large scale of development it could accommodate would be visually intrusive and totally out of keeping with the scale of Daviot. Site F19, a field on the northern edge of Daviot, as shown in the Main Issues Report, whilst smaller, is similarly prominent in the local landscape – particularly when approaching from the north along the steeply sloping minor road that leads down to the village centre. Furthermore, as in the case of F115, the topography of the site would make it difficult for any development on site F19 to be effectively screened. Furthermore, in terms of service infrastructure, development of either of these sites (F115 or F29) for housing would not be readily accommodated given the limited school and waste water treatment capacities at Daviot.</p> <p>4. The other site put forward for consideration is a small, rectangular piece of rough pasture on the western edge of the core built-up area of the village – shown as site F29 in the Main Issues Report. This flat site, unlike sites F115 and F19, is well defined – by existing development immediately to the east, a screening of mature trees along its southern boundary and two roads forming its northern and western edges. It is close to the village centre and the local school to the east and set well away from the historic policies of the House of Daviot to the north-west. Furthermore, the landscape setting of the Daviot estate is already screened by trees and further safeguarded by areas designated as P1 and P2 (in the addendum settlement statements) specifically intended to conserve the landscape setting. In summary, development of the F29 site would be confined by its closely defined boundaries and well located in relation to the core of the village and its services and facilities. Furthermore, if limited to the 8 houses proposed by the representations this should not place unacceptable pressure on the capacities of the nearby school and the local waste water treatment plant. The council has confirmed that there are no overriding concerns regarding: access to this site; contamination; archaeological interests; or in respect of ecological issues – all being issues raised by local people.</p> <p>5. Whilst the council and local representations contend that there is no evidence of local need, the pressure for new housing allocations at Daviot suggests a reasonable degree of local market demand reflecting the attractiveness of Daviot as a small village with its own school and pub.</p>

Indeed some limited development would help to sustain these local community facilities and services and hopefully would be a positive step towards the re-opening of the village shop. Furthermore the proposal for site F29 would be commensurate with the scale and location of Daviot. A number of representations have been lodged by people living in houses to the east and north-east of site F29 expressing concerns, amongst things, about their loss of amenity and outlook if this site was developed with 8 houses. Those neighbouring dwellings are generally on higher ground so would retain longer views over the development of site F29, including westwards in the direction of Bennachie. Similarly, the contention made in some representations that development of site F29 would be obtrusive is not persuasive, particularly as this low-lying site is very well defined by strong boundary features – and there are other developments further to the west including the Kirkdale nursery site and the Daviot Estate. In summary, given the location and low profile of the F29 site, the proposed development here could be readily accommodated in a manner that would meet local need whilst not being detrimental to the character of the settlement as a whole. This would accord with the council’s key planning objective of preserving local amenity.

**Fintry**

6. Fintry is within the Aberdeenshire Rural Housing Market Area. There is a single representation seeking an allocation for up to 6 houses and a children’s play area on a strip of arable land. This is within a field used for growing cereal crops to the rear of a small group of existing houses at Fintry. The proposed site – whilst adjoining those houses on its southern side and flanked by the B9105 road at its eastern end – has a totally undefined northern boundary, being simply part of a much larger field. If the site in question was allocated and developed for housing this would make the rest of that field vulnerable to pressures for development further northwards into the wider countryside beyond. The representation comprises an illustrative plan, showing the proposed plots, and a short statement referring to access and the scope for proposed pedestrian links to the local primary school nearby.

7. Furthermore, the council quite correctly points out that whilst some small-scale development might be allowed at Fintry through Policy 3, the proposed site was not previously put forward for consideration at the appropriate stage of plan development. Accordingly, it has not been formally assessed as a possible housing allocation or been the subject of public consultation as part of the plan process. Based on all these considerations, the fact that the site could be accessed off the B9105 road and offers scope for a pedestrian route to the local school are not sufficient reasons to allocate it for housing in the Plan, even on an exceptional basis.

**Fisherford**

8. The representation seeks deletion of sites fh1 and fh2 (as allocated in the Aberdeenshire Local Plan) and allocation instead of site F18 shown in the Main Issues Report. Firstly, it is not within the scope of this examination to formally consider possible deletions of existing allocations from the extant plan. In any event, the council points out that, due to their infrastructure constraints, the fh1 and fh2 sites are not being carried forward as proposed allocations in the Aberdeenshire Local Development Plan.

9. In support of the case being made for allocation of site F18, on the western edge of Fisherford, the respondent draws attention to planning consent having been granted for both sites A and B – identified as allocations in the Aberdeenshire Local Plan for around 7 and 5 houses respectively. Nevertheless, neither of those sites has yet been developed. In that context the council is justified in concluding that there should be no other new housing land allocations for Fisherford, given the limited scale of the settlement. In particular it argues, quite reasonably, that it is more appropriate to consider small-scale development proposals, in the context of planning policies applicable to the site concerned, rather than agree to another large scale allocation, such as on site F18. Based on all of these considerations, the fact that the site is free from constraints and the local school may be operating well below its capacity are not sufficient reasons to justify allocation of site F18.

**Fyvie**

10. This comprises a single representation that makes a general, non site-specific suggestion that development should take place in Fyvie in preference to the allocation proposed by the council at St



Katherines. In response, the council points out that having removed two constrained sites from possible allocation, it no longer proposes to allocate any new sites for housing at Fyvie in the local development plan. Instead Fyvie would be identified as a rural settlement in Appendix 1 of the rural development policy. This would have the effect of allowing for some small-scale development at Fyvie to support the local school, so long as this did not place unacceptable pressure on other elements of the local infrastructure. In this context, given the fact that the respondent does not put forward any particular site for allocation at Fyvie there is no justification or basis for exploring the matter further as part of this examination.

**Woodhead**

11. Woodhead is another small settlement in the Rural Housing Market Area and it is also in a Local Growth and Diversification Area. At the Main Issues Report stage several sites were put forward for consideration including the 3 sites (F42, F45 and F175) now in question. The council’s preference at that time was for site F78. This was based on the assertion that it offered the opportunity for some community facilities and is centrally located – but the latter is a point of contention. The 3 sites now under consideration were rejected at that time because of unspecified “environmental implications” – later clarified by the council as referring to the relationship of those areas to Environmentally Sensitive Areas and Sites of Interest to Natural Science designations. The council has also highlighted other reasonable concerns – in particular the fact that there is no public waste water infrastructure in Woodhead. Against this background, the council has not proposed any housing or other allocations for Woodhead in the proposed Plan. Instead it defines an area of land P1 protected to conserve the Glebe land – which includes the site F45 now put forward as part of the representations – in the addendum to the settlement statements.

12. The council acknowledges that additional housing development at Woodhead would support the falling school roll at the nearby village of Fyvie. Nevertheless, it also points out that such development would not be sustainable as it would encourage reliance on car usage, particularly given the lack of employment opportunities locally. In that regard it points to the benefits of its proposed allocation at St Katherines, where the mixed use allocation is intended to provide for local employment. That matter is discussed in more detail elsewhere in this report under Issue 127. Most importantly, the council points out that as the site now suggested between Stroma and School Croft, Woodhead was not previously proposed, it has not had the benefit of any site assessment or public consultation.

13. Based solely on the local considerations and development issues relating to Woodhead, as summarised above, the council is correct in concluding that there is justification for not allocating any of the sites now being put forward in representations – particularly given the environmental designations that apply in this locality.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

Allocate site F29 at Daviot, as shown on the Main Issues Report for housing development for 8 houses – and make consequential changes to Table 4 of Schedule 1 to show these units for the first plan period.



<b>Issue 130</b>	<b>Garioch Other Land Rural Housing Market Area</b>	
<b>Development plan reference:</b>	Section 6 Proposals maps Garioch (p22) Schedule 1 Table 5 (p27) Schedule 2 Table 5 (p32) Volume 3I Supplementary Guidance, Settlement Statements Garioch 2010 (p7)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Des Tough (49)  Norman P Lawie Limited on behalf of Ian Gilbert (252)  Norman P Lawie Limited on behalf of D Duncan (262)  Ryden LLP on behalf of Mr &amp; Mrs Skevington (285, 286)  James Smith (597)  William Lippe Architects Ltd on behalf of Thomas A Baird (408, 2876)  DDP LLP (Planning Consultants) on behalf of Church of Scotland General Treasurer (1160, 1161)  Ryden LLP on behalf of Ian Duncan Developments Ltd (1887, 1888)  Ryden LLP on behalf of Mr &amp; Mrs Goodwin (1916, 1930)  Sandra Jesse (2568)  Ruth McMinn (2591)  George Wood (2592)  Wilma Smith (2596)  Alan Gullan (2597)  GH Johnston Building Consultants Ltd on behalf of Monument Leisure Ltd (3032)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in and around other settlements in the Rural Housing Market part of Garioch.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Oyne</b>  <u>Site G25</u>  <b>262:</b> Main Issues Report site G25 would allow 12 to 18 residential units with over 1.5 ha of public open space. Development of G25 would enhance the entrance to the village and develop an unused and unattractive area.</p> <p><u>Site G126</u>  <b>285, 286:</b> The development of 5-10 houses on the site which is adjacent to the settlement boundary would be suitable. The site would contribute to the housing requirement in the Rural Housing Market Area. There is capacity in the local school and the allocation would support it. The settlement is close to the SGA with its transport links. The site would fit within the landscape.</p> <p><u>Site around Archaeolink and Touched by Scotland</u>  <b>408, 2876:</b> The infill site around Archaeolink and Touched by Scotland should be allocated for housing. A small number of units should be allocated to Oyne as it is in the Huntly to Pitcaple Strategic Growth Area and would sustain the existing community facilities and services. There is capacity at school for additional 26 households. Oyne in on main route for public transport.</p> <p><b>Drum of Wartle</b>  <b>49:</b> The Main Issues Report sites G135 and G134 at Drum of Wartle are unsuitable for development: the respondent agrees with the non-allocation of these sites.</p> <p><b>Auchleven</b>  <b>597:</b> Support the non-allocation of land at Auchleven (Premnay) as it is already overdeveloped,</p>		

infrastructure is unable to cope and there are few public transport opportunities.

Site G21

**252:** Auchleven is a suitable settlement for development. The Main Issues Report proposal G21 should be allocated for around 20 houses and 1.8 ha of land for landscaping an extension to the school playing field.

Site G81

**1887, 1888:** Object to the failure to allocate land at Main Issues Report site G81, Auchleven.

The development could provide a school extension, ensuring the sustainability of the school.

18 of the houses would be affordable. The development would fit well within the landscape. The development would provide enhanced pedestrian connectivity. The site lends itself to a sustainable, low energy development. This would be enhanced through carbon reducing design of the homes. The re-opening of the shop and provision of other services would increase the sustainability of the settlement. Development would improve wastewater capacity in the settlement. The settlement would meet the needs of a rural growth and diversification area.

**Kirkton of Rayne**

**1160, 1161:** Object to the failure to allocate land at the Glebe in Kirkton of Rayne. The site is located immediately to the west of Kirkton of Rayne. It would fit within the landscape and provide a natural and logical extension to the settlement. The site is highly accessible for pedestrians and vehicles; existing access would be upgraded and maintained. The allocation would meet the need for Local Growth and Diversification and would comply with Scottish Planning Policy, by contributing to the effective 5 year supply of housing land and providing a small scale housing development which supports local services.

**Old Leslie**

**1916, 1930:** Object to the failure to allocate land at Old Leslie. The settlement would meet the needs of a settlement in the rural growth and diversification area. The Main Issues Report site G56 should be allocated for 20 units over the course of the Plan. An indicative masterplan has been prepared which shows that the site could accommodate 20 units, servicing, and recreation area. The site is free from constraints and the Council acknowledged this in the Main Issues Report, it is not appropriate to consider the development of the site through the Rural Development policy when there is a clear benefit to the community through this particular allocation and a need to find such sites in the rural growth and diversification area.

**Durno**

**2568, 2591, 2592, 2596, 2597:** Support the Plan's approach to development in Durno. Adequate sewerage must be a pre-requisite to any more development, and so not identifying allocations at this stage is the correct approach to take.

**Pittodrie House**

**3032:** A comprehensive masterplanned mixed use golf / tourism related development with 75 mainstream houses and 85 holiday lodges at Pittodrie House was promoted as a bid to the Main Issues Report but given scant regard. This proposal is deliverable and should be included in the plan

**Modifications sought by those submitting representations:**

**Oyne**

**262:** Allocate Main Issues Report site G24 in Oyne for up to 18 units over the course of the Plan.

**285, 286:** Allocate site G126 for up to 10 houses.

**408, 2876 :** Allocate site at Oyne for 10 houses in 2007 to 2016

**Auchleven**

**252:** Main Issues Report proposal G21 should be allocated for around 20 houses and 1.8 ha of land for landscaping an extension to the school playing field.

**1887:** Allocate site G81, Auchleven for 71 houses, a village green, recreation area, shop and space for small businesses.

**Kirkton of Rayne**

**1160, 1161:** Allocate land for 10 houses on the Glebe, Kirkton of Rayne for development over two phases of the Plan.

**Old Leslie**

**1916, 1930:** Allocate Main Issues Report site G56 in Old Leslie for 20 units over the course of the Plan

**Pittodrie House**

**3032:** Include an allocation for a 75 mainstream houses and 85 holiday lodges as part of a golf / tourism related development.

**Summary of responses (including reasons) by planning authority:**

**Overview**

All these sites are within the Rural Housing Market Area that falls within the “local growth and diversification area.” The strategy within this area is for growth in communities to meet local needs.

**Oyne**

Oyne is not in the Strategic Growth Area. It has few facilities and employment opportunities to support new development. Development located in Inch is more sustainable due to the rail halt and the existing provision of services and employment opportunities. Organic growth through Policy 3 Development in the Countryside is more appropriate for the settlement. No allocation is required in Oyne

Further information on the sites is contained in the Issues and Actions paper (May 2010 Volume 5 page 104 Oyne), which was prepared following consultation on the Main Issues Report, and was produced to inform the allocations in the Proposed Plan.

Site G25/G126

These sites were fully debated following consultation on the Main Issues Report, but following widespread community engagement the Council’s conclusion was to exclude these, due to the issues discussed above, the limited waste water treatment capacity and flood risk.

Site around Archaeolink and Touched by Scotland

This site was raised in response to the main issues report consultation, but has not been the subject of public consultation. The site would not be considered as infill development, as it lies on the edge of the settlement,

**Drum of Wartle**

The support for non-allocation of sites in Drum of Wartle is noted.

**Auchleven**

Premnay primary school is forecast to be operating at 163% capacity in 2016 and there is no identified need for development in the village. In addition to this, the scale of development required to address the lack of drainage and school capacity would have to be considerable. Development of

this scale would have significant impacts on settlement character. Development at this scale is best directed to more sustainable locations. No allocations are required in Auchleven. However, small scale development through Policy 3 Development in the Countryside could be supported.

Further information on the sites is contained in the Issues and Actions paper (May 2010 Volume 5 page 3 Auchleven).

Sites G21/G81

These sites were fully debated following consultation on the Main Issues Report, but following widespread community engagement the Council's conclusion was to exclude these, due to the issues discussed above, drainage constraints and the lack of capacity at the school.

**Kirkton of Rayne**

This site was not proposed at any previous stage, so there has been no site assessment or public debate on the site. Kirkton of Rayne is a group of approximately 16 houses and there is no need identified in the settlement. The ten units proposed would not deliver substantial planning gain. An allocation is not required in Kirkton of Rayne, but small scale organic growth on unallocated land could be supported through Policy 3 Development in the Countryside.

Further information on the sites is contained in the Issues and Actions paper (May 2010 Volume 5 page 80 Kirkton of Rayne).

**Old Leslie**

Old Leslie is a small rural community comprising only a small group of houses. There are no facilities within the settlement and residents would require to travel by car to access these. There is no identified need within the settlement to support an allocation. Development of site G56 would be significantly out of scale with the existing community and would impact on the character of the village.

Further information on the sites is contained in the Issues and Actions paper (May 2010 Volume 5 page 81 Leslie).

**Durno**

The support for non-allocation of sites in Durno is noted.

**Pittodrie House**

The site was included within the Main Issues Report as site G17 and as such was fully debated and the subject of widespread community engagement, but the Council's conclusion was to exclude it. The site was given the same level of assessment as other sites. It is more sustainable to direct development to Chapel of Garioch where there is an identified need to support facilities. Development of the type proposed is best pursued through Policy 10 Enabling development. This policy can be applied in exceptional cases in the Rural Housing Market Area. The supplementary guidance for this policy requires enabling development to be the minimum necessary to achieve the use, and the local development plan has not been given sufficient information to be able to make a judgement on this issue.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations made in the Rural Housing Market Area are already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Oyne**

1. Oyne is not considered by the council to be located within the Huntly-Pitcaple strategic growth area (SGA). It lies within the "local growth and diversification area" where the strategy restricts growth to that which meets local needs. Whilst new development could help sustain the primary school, the village has few facilities or amenities and limited waste water treatment capacity. Any further development would put more pressure on local roads, and the limited public transport provision also supports a restriction on development at Oyne.

Site G25

2. Site G25 lies to the west of the centre of Oyne in a prominent location opposite the Archaeolink Prehistory Park, which is set back from the main road, the B9002. Any development on this site would have a major visual impact on this entrance to the village. According to the Scottish Environment Protection Agency, most of the site is at high risk of flooding.

Site G126

3. Site G126 is well screened from the adjoining highway and has the potential to provide a well-designed and landscaped small residential development. The development bid illustrates how a development of 5-10 houses could fit within the landscape. There is some community support for the development of this site. However, flooding from the Gadie Burn remains an issue and a flood risk assessment would be required to determine the developable area of the site. Concerns have also been expressed regarding the impact of an increase in traffic on the adjacent unclassified road and the rail crossing. The council's revised rural housing policy allows up to 3 houses on sites in small settlements and, taking account of the constraints that apply to development in Oyne, it is considered that any future development of site G126 should be more appropriately considered in terms of this policy.

Site around Archaeolink and 'Touched by Scotland'

4. It is contended that this site, located to the west of 'Touched by Scotland', comprises an infill site and is suitable for 3 houses in accordance with the council's revised rural housing policy. However, the site is located beyond the western edge of the existing built development and at some distance from the centre of Oyne. It is not accepted that the site is an infill site and any housing on the site would extend the ribbon of development westwards along the B9002. The suitability of the site for housing in terms of the revised rural housing policy is a matter for the council to determine. It is not a matter for this local development plan examination.

**Drum of Wartle**

5. The support for the non-allocation of sites in Drum of Wartle is noted.

**Auchleven**

Sites G21/G81

6. Auchleven is a rural settlement with few facilities and there is no identified need for the scale of development proposed. There are unquestionable constraints to development at Auchleven related to issues of lack of drainage and school capacity. The scale of development required to address these issues would have significant impacts on settlement character. According to the council, the scale of development proposed on sites G21 and G81 would not provide the critical mass to overcome these capacity issues.

7. More specifically, site G21 is located to the north of the broad landscaped area (shown as P1 on the settlement map in SG) along the boundary of the Hermit Seat development and which defines the extent of the present built-up area. Any new development beyond this landscaped area would extend into open countryside and would not be well related to the present form of the settlement. Site G81 constitutes over-development in relation to the size of the existing settlement. Such a large-scale development would not be consistent with the principles of sustainable development set out in the vision and aims of the plan and in the spatial strategy.

**Kirkton of Rayne**

8. Kirkton of Rayne is a small rural community of approximately 16 houses. It is located within the “local growth and diversification area” where the strategy restricts growth to that which meets local needs. Whilst there is capacity in Rayne North Primary School, which supports small scale growth, the scale of development proposed (10 houses) would be disproportionate when compared with the size of the existing community. Furthermore, any housing development on the suggested site would not be well related to the form of the existing settlement.

**Old Leslie**

9. Old Leslie comprises a small linear group of houses. A development of 20 houses would be totally out of scale with the existing community and would be detrimental to the character of the village. The community lacks any facilities and such a scale of development would not be consistent with the principles of sustainable development set out in the vision and aims of the plan and in the spatial strategy.

**Durno**

10. The support for the non-allocation of sites in Durno is noted.

**Pittodrie House**

11. Outline planning permission for a golf course and 79 timeshare units at Pittodrie House was granted in May 2003. In 2008, a master plan for a phased development of 85 holiday lodges, a hotel extension, golf course and 75 mainstream houses was prepared. Pittodrie House lies outwith any recognised settlement and the allocation of land for the scale of mainstream housing envisaged would not be consistent with the principles of sustainable development set out in the vision and aims of the plan and in the spatial strategy. Any development of mainstream housing in association with the type of tourism and leisure development proposed at Pittodrie House falls to be considered against the appropriate policies of the proposed Plan.

**Reporter’s recommendations:**

No modifications.



<b>Issue 131</b>	<b>Fettercairn</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (p23) Schedule 1, Table 6, (p32) Document 3H Supplementary Guidance, Settlement Statements (p12 and 13)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Andrew Hayes (662)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocations in Fettercairn – H1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b>  <b>662:</b> Remove H1 from the plan in favour of Fasque (see issue 140 Other K&amp;M Housing Land). The suburban spread is unimaginative and inappropriate due to Fettercairn's significant and unique cohesive identity and character. This allocation would be of huge detriment to the area.</p>		
<b>Modifications sought by those submitting representations:</b>		
662: Remove site H1.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Fettercairn lies within the Local Growth and Diversification Area, and is within the Rural Housing Market Area. Within the Rural Housing Market Area, the Structure Plan promotes a high level of growth (see issue 66). Fettercairn has been identified as a settlement which requires growth to support services. Fettercairn has the planning objectives of sustaining existing services and meeting local need for housing. There is substantial capacity within the school, which is forecast to be operating at only 39% capacity by 2016. However, the settlement is severely constrained by flood risk which has limited the level of allocations.</p> <p>The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the site is contained in 'Issues and Actions Volume 6 May 2010' (page 55) which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.</p> <p><b>Site H1</b>  Site H1 extends the Cairn Grove development at Fettercairn and allows planned expansion of the settlement. As mentioned above, there is a need to sustain the Primary School. It is recognised that Fettercairn has a special identity and character. A development brief is required for the site, and this will need to reflect the special character of the settlement and promote a high level of design. In any case, much of the more recent development has been to the north of the settlement and there will be less impact on the character of the settlement from development in this location.</p> <p>Regarding the replacement of site H1 with development at Fasque, this is considered under issue 140. Development at Fasque can be considered under the rural development policy</p>		

<p><b>Conclusion</b></p> <p>The modification sought is not supported. The development strategy and land allocation in Fettercairn is appropriate and sufficient to meet the needs of the settlement strategy. In addition to allocations within settlements the Rural Development policy promotes development which can facilitate development at Fasque.</p>
<p><b>Any further plan changes commended by the planning authority:</b></p>
<p>No changes are commended.</p>
<p><b>Reporter's conclusions:</b></p>
<p>1. There is a strong argument in favour of promoting a modest expansion to the village of Fettercairn, which is consistent with structure plan policy for the Rural Housing Market Area and the other policies of the proposed local development plan. The proposed development of 30 houses (15 during the period 2007-2016) would help to sustain the local primary school and other local services, and to meet the local demand for housing.</p> <p>2. The proposed site H1, though on the northern edge of the village, would be a logical extension of the adjoining housing estate currently under construction, and would be well integrated with the settlement. The primary school is nearby.</p> <p>3. The merits of the respondent's proposed development at Fasque are considered elsewhere under Issue 140. However, the country estate at Fasque is some 2km outside the village, and that proposal cannot be regarded as a feasible alternative to the proposed allocation at Fettercairn.</p>
<p><b>Reporter's recommendations:</b></p>
<p>No modifications.</p>

<b>Issue 132</b>	<b>Auchenblae</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (p23) Schedule 1, Table 6, (p28) Volume 3H Supplementary Guidance, Settlement Statements (p1 - 2)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Auchenblae &amp; District Community Association (16)  James &amp; Jenny Thomson (148)  Savills on behalf of Kincardineshire Investment Company Ltd (1061, 2133)  Halliday Fraser Munro on behalf of Drumtochty Castle (1472, 1473, 1474)  J Eddie (2463)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations in and around Auchenblae – M1 & H1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Development in Auchenblae</b>  <b>16:</b> 80 houses is greatly out of proportion for the village and its facilities.  <b>16, 148:</b> 80 houses will be detrimental to the character of a traditional village.  <b>16, 148:</b> The infrastructure can barely cope with present needs, the primary is already extended by portacabins. The traffic impact would exacerbate an already serious problem, and there is also a problem with agricultural machinery accessing the village.</p> <p><b>Site M1</b>  <b>1061, 2133:</b> The respondent highlights their support for the site.  <b>1472, 1473, 1474:</b> The site is allocated to the east of the village, away from the historic core. This built form exacerbates the unbalanced nature of the settlement and increases the distance to the village centre and the primary school.  <b>2463:</b> The justification of the site to increase the primary school to 120 capacity. However, the school is already operating at capacity and out of portacabins. There is additional house building in the area putting pressure on the school.  <b>2463:</b> 75 houses is in excess of 25% growth of the settlement.  <b>2463:</b> Road congestion and road safety concerns would result from this development. However, if the golf course road was brought to adoptable standard this could be alleviated.  <b>2463:</b> The respondent highlights potential issues with drainage, as there is a property higher than this which already pumps sewage. It is questioned if a pumping system would be accepted or whether a new sewer be required.</p> <p><b>Site H1</b>  <b>1061, 2133:</b> There is support for the site.  <b>1472, 1473, 1474:</b> These respondents object to the site. It can offer a very limited number of housing units due to flooding restrictions and does not meet Scottish Planning Policy paragraph 77</p>		

to make 'efficient use of land'.

**Site EH1**

**1061, 2133:** Support the allocation of site EH1.

**1472, 1473, 1474:** Site EH1 will be clearly visible and impact on the landscape character of the area.

**Alternative Site**

**1472, 1473, 1474:** K72 should be allocated for housing for up to 20 units. It makes far more efficient use of land than H1 and can overcome shortfall in Rural Housing Market Area numbers. The site would have less impact on the road network, as it is closer to the village centre and recreational area, would help retain the historic form of the settlement, and has no visual impact on approach from the south (unlike development to the east of the settlement). There are no constraints on site K72, and no justification for the site continually being regarded as 'incapable of development'. The site could accommodate the recycling point and it would be more accessible to the residents in the historic core of the village.

**Modifications sought by those submitting representations:**

**16, 148:** Eighty houses cannot be accommodated in the settlement.

**2463:** The school, roads and drainage cannot cope with an additional 75 houses on site M1.

**1472, 1473, 1474:** The site at Drumtochty Park (MIR site K72) should be allocated for up to 20 houses.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Auchenblae lies within the Local Growth and Diversification Area, and is within the Rural Housing Market Area. Auchenblae has been identified as a settlement which requires growth to support services. Auchenblae has the planning objectives of meeting local needs for housing, and provision of employment land. The settlement is a local service centre, it has a primary school, a doctors' surgery and a village shop.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. Most of the issues raised in relation to this settlement were addressed in response to the consultation on the Main Issues Report, and were considered in 'Issues and Actions Volume 6 May 2010' (page 7).

**Development in Auchenblae**

The scale of development has caused concern to a number of respondents. The level of development proposed represents an approximate 30% increase in the size of the settlement, but this is to be delivered over the next 12 years, and possibly beyond if allocations are not taken up. There is concern voiced about the capacity of the Primary School, but the level of growth proposed enables up to two additional (permanent) classrooms and will not result in portakabins. Developer contributions will be required for an expansion of, or replacement of the health centre. Potential traffic impacts can be covered in the masterplanning of the site. The Roads Authority have not ruled out development due to the traffic impact at this stage. Likewise the landscape impact of the site can be covered in the masterplanning of the site.

Support for the site is noted. The precedent has been set for development to the east of the settlement as almost all new development is in this location. There is only limited potential for development to the west of the settlement. Site M1 allows a masterplanned approach to development, and will deliver a recycling point. On approach to the village from the south, the recent development at Castlehill Gardens is visible, and development of M1 will not have a greater visual

impact as it sits behind this development. Development of M1 will be more visible on approach from the north, but design of the site can ensure impact is kept to a minimum. There is no proposal at present to upgrade Golf Course Road, but this may be considered at the masterplanning or detailed planning stage. Regarding drainage issues, Scottish Water advise that there is insufficient capacity for new development at Laurencekirk Waste Water Treatment Works, and that a growth project will be initiated once the development meets Scottish Water’s 5 point criteria. Regarding the increased distance to the school, it is argued that the site is not much further from the school than the current development.

**Site H1**

Support for the site is noted. Site H1 can only deliver 5 units, but it represents an extension of site EH1 (A in the Aberdeenshire Local Plan) and can utilise the same infrastructure. The site is sufficient in size to accommodate the development while avoiding the area at flood risk. In any case a flood risk assessment will be required prior to the development of the site.

**Site EH1**

Support for the site is noted. An application for 15 houses on the site (APP/2008/0319) has been delegated for approval by the Area Committee, but awaits a Section 75 Agreement. Concerns regarding the visual and landscape impact are noted, but the site sits below Castlehill Gardens, and significant landscaping is proposed for the site.

**Alternative Sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

Site K72 was fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement the Council’s consideration was to exclude it.

The site, which is located to the west of the settlement, sits behind the main street and above the public park. A site was allocated in the draft Aberdeenshire Local Plan and subsequently removed. A previous planning application has also been refused on the site as it did not comply with policy Hou4 (housing in the countryside). The site, although having no visual impact from the south, has a visual impact from the north. The site has been protected in the Settlement Statement in order to preserve the setting of the settlement. In order to access the site, traffic would still need to use the main street and so the claim the site has less traffic impact is not supported. The site is said to be more accessible to the historic core, however the site is not significantly closer to the ‘centre’ than those sites allocated.

Following consultation on the Main Issues Report, members of the community highlighted their preference for development to the east of the settlement.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Auchenblae are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

1. Auchenblae is located in the Local Growth and Diversification Area, where the structure plan expects the level of growth in individual settlements to relate to local needs. The aim is to provide a mix of housing opportunities for everyone, and to give priority to mixed use developments which respect the character of the landscape and local identity.

2. There is a justification for development at Auchenblae to support local services, but there is also a need to ensure that local infrastructure such as the primary school, doctors' surgery, and sewage treatment plant can cope with any village growth.

**Site M1**

3. The proposed plan envisages a substantial expansion to the village on its north-east edge (M1), together with a minor extension to a site allocated in the previous plan (H1). The village would grow by almost one third within the lifetime of the plan. This level of growth has the potential to overload the local infrastructure referred to above. There is also concern that congestion in the village would be exacerbated.

4. However, there is a converse argument that development on the scale proposed would facilitate a permanent extension to the school, and would help to fund an expanded health centre. The waste water treatment works at Laurencekirk will need to be upgraded to cater for new development in the area, regardless of the proposals at Auchenblae. Similarly, Mearns Academy is programmed for replacement, and any new development in the village would be required to contribute towards the upgrading of all relevant infrastructure.

5. In principle, the development of site M1 would represent a logical extension to the area of new housing at the north end of the village. Recent development has taken place to the east of the main street, and it would be possible to successfully integrate the development of M1 with the neighbouring estate at Hillview Road and Mackenzie Avenue.

6. Although the new development at M1 would be conspicuous at the entrance to Auchenblae from the north, the proposal offers the opportunity to create a more sympathetic edge to the village on this approach. From the south it would be viewed in the context of the prominent new houses at Castlehill Gardens. It would not impinge on the historic core of Auchenblae, along Inverurie Street, High Street and Kintore Street.

7. Although M1 is at the opposite end of the village from the primary school, the distance is only around 0.5km, which is not excessive. It would be a matter for the masterplan to explore means of minimising any traffic congestion arising from the development, and improving pedestrian linkages. Overall, the site would provide a substantial number of houses to cater for demand in the local growth and diversification area, and up to 1 hectare of employment land, together with an area for a recycling point.

**Site H1**

8. Site H1 is a small site, capable of accommodating 5 houses, which would be developed as an extension to the EH1 site allocated in the previous local plan. The EH1 site is not a proposal in the proposed LDP, but is a commitment from the Aberdeenshire Local Plan. The boundary of the H1 site has been drawn to avoid the area liable to flood, and the supplementary guidance states that a flood risk assessment will be required. I can therefore see no reason to oppose this minor allocation.

**Alternative site**

9. The alternative site (K72), which is located on the north west edge of the settlement, is technically capable of development, lies closer to the village centre and nearer to the primary school than site M1. It was proposed for development in the draft Aberdeenshire Local Plan, but was rejected in accordance with the recommendation of the local plan reporters in 2005, in favour of site EH1.

10. Site K72 runs to the rear of houses facing Inverurie Street, and sits above The Den, an attractive wooded public park alongside the Luther Water. I can understand the desire of the council (and local residents) to protect this area to preserve the setting of the village, and its attractive



amenity area. Housing on this area of land would potentially erode the special character of the village, without bringing the scale of development capable of generating the boost to local services and jobs that would be associated with the allocated site M1. On balance, I also consider that continuing to extend the village on its east side is the best way to retain the character of the historic core.

**Reporter's recommendations:**

No modifications.

<b>Issue 133</b>	<b>Luthermuir</b>	
<b>Development plan reference:</b>	Section 6 The Proposals Map, (p23) Schedule 1, Table 6, (p28) Volume 3H Supplementary Guidance, Settlement Statements (p27-28)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Gary &amp; Catriona Gauld (193) Kenneth Fairweather (194) Anthony Ratcliffe (195) Isabel Ritchie (234) The Scottish Wildlife Trust (532) Morag Holtes (696) Hilda Murray (700) Heather Souttar (724) L Crane (725, 750, 727, 2910) Andrew Ballantyne (726) R Duncan (728) I Duncan (729) Michelle Gibb (730) Daniel Gibb (731) Kenneth Gibb (732) Nicola Gibb (733) Jill Simpson (734) Gareth Simpson (735) Gavin Simpson (736) Mitchell Simpson (737) J Jones (738) A Ramsay (739) A J Ratcliffe (740) Cameron Walker (741) John Clark (742) Gail Clark (743) J Pearce (744, 745, 746) F Mathers (747) J Mathers (748) O Ramsay (749) Craig El (751) G Gibb (752) Andy &amp; Andrea Duncan (753) Alan MacDonald (754) Malcolm MacDonald (755) I Thow (756) M Thow (757) Chris Pollok (758, 2994) Paul Greig (759) Melissa Robb (760) C Gauld (761) Colin Frew (762) M Frew (763) D Harrison (764) E Mitchell (765) Margaret Merchant (766) Hugh Merchant (767) C Newman (768)</p>	<p>Alanna Mundie (1200) Kenny McMillan (1203) Harry Whitley (1204) Dave McKay (1206) G McLean (1208) Donnie Ferguson (1218) Karen Brown (1220) Iain Thomson (1222) Karen Wilkinson (1223) Angela Percival (1224) J Bridges (1225) Gary Gibb (1226) B McMillan (1227) G Ogilvie (1228) Alison Ogilvie (1229) D Clark (1230) L Gray (1231) Justeen Peacock (1232) Gordon Summers on behalf of Luthermuir Annual Motor Bike Rally (1235) William McKelvey on behalf of Luthermuir Annual Motor Bike Rally (1236) Helen Kelman on behalf of Luthermuir Annual Motor Bike Rally (1237) Scott Gray on behalf of Luthermuir Annual Motor Bike Rally (1238) Lloyd Scott on behalf of Luthermuir Annual Motor Bike Rally (1239) Elle Porter on behalf of Luthermuir Annual Motor Bike Rally (1240) Ivan Smith on behalf of Luthermuir Annual Motor Bike Rally (1241) K Tutchenor on behalf of Luthermuir Annual Motor Bike Rally (1242) Robert Christie on behalf of Luthermuir Annual Motor Bike Rally (1243) R Byrne on behalf of Luthermuir Annual Motor Bike Rally (1244) Jane Pearce on behalf of Luthermuir Annual Motor Bike Rally (1245) S McShane on behalf of Luthermuir Annual Motor Bike Rally (1246) David Ted (1259) Emma Wood (1261) G P McVicar (1262) S Ferguson (1263) D Page (1264) J Smith (1265)</p>	

<p>Janie Jones (769)  Allan Jones (770)  Natalie Goodlad (771, 1260)  Kerry Outhwaite (772)  Daniel Lovegrove (773)  John Goodlad (774)  Fiona Whiteley (775)  John Whiteley (776)  Ann Whiteley (777)  J Mason (778)  R M Forbes (779)  Ruth Tilden (780)  K Dawson (781)  P Cooper (782)  Fiona Johnston (783)  R Johnston (784)  S McGuigan (785)  M Anderson (786)  G Bruce (787)  Sylvia Hay (788)  Susan Ellis (789)  Douglas Hay (790)  Hilary Brown (791)  Donald MacLean (792)  T Brown (793)  Harrison Brown (794)  H Duckett (795)  Susan Duncan (796, 819)  Gary Gauld (797)  Mary Holtes (798)  H Holtes (799)  N Burns (800)  Alexander Paul (801)  Joy Burns (802)  E Mitchell (803)  S Cassidy (804)  P Main (805)  J Main (806)  M Ledingham (807)  Gisele Demay (808)  Maria Day (809)  A Lorimer (810)  Peter Boyd (811)  Rachel Singer (812)  Jack Heeley (813)  Hayley Marden (814)  Sylvia Cartwright (815, 2901, 2902)  Moira Boyd (816)  James Lorimer (817)  Charlotte Robb (818)  Julie Clench (821)  Gordon Wood (822)  Mr &amp; Mrs R Forbes (823)  P Starling (824)  Margaret Romeling (825)  Lady Philippa Holliday (871)  Alistair Dunbar (873)</p>	<p>J C Hamilton (1267)  Donald Cheape (1270)  John Storey (1271)  Jim Robertson (1272)  Andy Fowler (1273)  Helen Fowler (1274)  Douglas Falconer (1275)  Kenny Pratt (1276)  S O'Klan (1277)  Ian Garthley (1294)  G Gairns (1296)  L Irwin (1300)  A Fraser (1305)  Nigel Shields (1308)  Duncan Lang (1311)  Andy Garnochan (1315)  D &amp; D Ruxton (1325)  Andrew Ballantyne (1332)  Ross McWilliam (1339)  Alison Richardson (1344)  Elizabeth Kerr (1347)  Stephen McGillvray (1353)  Brian McUIn (1363)  P Dobson (1367)  C Mitchell (1370)  B Mitchell (1372)  B Bryan (1374)  K Bryan (1376)  Robert J Hudson (1812)  Euan Cargill (1949)  Kerry Hudson (1965)  Robert Hudson (1966)  Paul &amp; Delia Johnson (2136)  J G &amp; W Duncan (2306, 2323, 2386)  Mark Ogg (2310, 2373)  Terry Brown (2538)  Iain Wilson (2617)  Kirsty McLean (2618)  David Jones (2619)  Mr &amp; Mrs Kenneth Gibb (2763)  Trisha Pirie (2892)  Lorna Hutchison (2911)  Rhonda Cheyne (2912)  Rhona McArthur (2913)  H Lamb (2914)  Kim Elder (2915)  Ellie Crane (2916)  Lara Crane (2917)  Andrea Crane (2918)  Kate Crane (2919)  Stephen Crane (2920)  Kevin Whitecross (2921)  Cameron Drummond (2922)  Michele Russell (2935, 2945)  Abby Russell (2936, 2944)  Isobel Mudie (2937, 2946)  Craig Russell (2938, 2942)</p>
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Shona Dunbar (874)	Sebastian Cavanagh (2939)
Pamela Wilson (875)	Matthew Cavanagh (2940, 2941)
David Stewart (876)	Amanda Cavanagh (2943)
Francis Anderson (877)	Euan Cargill (2947)
Janette Anderson (878)	Irene Taylor (2948)
George McDonald (879)	Rhona Anderson (2949)
Aaron Souttar (880)	Alexander Murray (2950)
Garry McFarlane (881)	Irene Horn (2951)
Bettine Stephen (882)	Mike Hennessy (2952)
Murdoch Anderson (883, 1084)	Anne Hennessy (2953)
Michelle Anderson (884)	Karen Anderson (2954)
Dan Gillies (885)	Elizabeth Carnie on behalf of Powerwasher Services (2955)
Gwen Gillies (886)	Moira Parker (2956)
Isabel Gibb (887)	Charles Wallace (2957)
Susan McWilliam (888)	Jim Parker (2958)
James McWilliam (889)	Steve Gant (2959)
Alan MacDonald (890)	Paul Mainland (2960)
Colin Young (891)	Glyn Goven (2961)
Frederick Holliday (892)	Rita Wilson (2962)
George Merchant (893)	Simon Brown (2963)
Elaine Merchant (894)	Peter Anderson (2964)
Sandy Pittendreich (895)	Alex Thomson (2965)
Jack Soutar (896)	Isobel Thomson (2966)
Heather Soutar (897)	Ian Kidd (2967)
Elaine Pittendreich (898)	Ann Valentine (2968)
Andrew Moir (899)	Mabel Young (2969)
James P Main (934)	Robert Young (2970)
Maitland I Wilson (937)	Lorraine Park (2971)
Walter Tosh (938)	Allan Young (2972)
Jane Main (939)	Kathleen McKinney (2973)
Andrew Le-Tekro (940, 2715)	Helen Ritchie (2974)
Annemaree Le-Tekro (941)	Adrian Robinson (2975)
Paul Johnson (942)	Gavin Duncan (2976)
Delia Johnson (943)	Lorna Simpson (2977)
Mearns Community Council (994)	Janet Fowlie (2978)
Morag Innes (1001)	Susan Rushforth (2979)
Stanley Innes (1002)	Alexa Hewit (2980)
Bill Parr (1015)	Brenda Cameron (2981)
P Barnett (1052)	Neil Cameron (2982)
A Bridges (1058)	Clare Sevenoaks (2983)
J Ane (1064)	M J Sevenoaks (2984)
Mr & Mrs Scott Grozier (1068)	Brian Paton (2985)
G McDade (1071)	D Valentine (2986)
S Story (1073)	W Duncan (2987)
B Elliott (1074)	Keith Christie (2988)
H Kennedy (1076)	Cindy Christie (2989)
G Motion (1078)	Nina Raethorn (2990)
A Motion (1080)	Alison Hope (2991)
Michelle Anderson (1082)	Barbara Pittendreigh (2992)
Mike Smith (1085)	J Pittendreigh (2993)
J Bird (1091)	C Boyle (2995)
Sheila McGuigan (1093)	John Sevenoaks (2996)
Hazel Anderson (1094)	Simon Beglin (2997)
A Taylor (1098)	Sandy Mathers (2998)
The Charlton Smith Partnership on behalf of Mr & Mrs J McWilliam (1124)	Jane Leslie (2999)
A L (1128)	F Milne (3000)

<p>R Clark (1133)  A Reid (1135)  K Rennie (1137)  J Crawford (1139)  Dougie Thomson (1143)  S Crawford (1153)  G Watson (1156)  M Watson (1158)  A Muir (1162)  K McShaw (1165)  J Patton (1169)  I Kettles (1171)  R S Snelz (1178)  D Black (1181)  K McMillan (1183)  A Mundie (1186)  D Penni (1189)  I Hay (1192)  Pam Goodall (1193)  Garry Brown (1194)  Shirley Hughes (1195)  Rory Mitchell (1196)  Thomas Thomson (1199)</p>	<p>A Mowatt (3001)  M Rettie (3002)  Iain Taylor (3003)  David Anderson (3004)  Brian Folan (3006)  J McGuigan (3007)  J Mitchell (3008)  B Reith (3009)  B Greig (3010)  Beata Stanek (3011)  A Farquhar (3012)  Mitchell Crichton (3013)  F Sevenoaks (3014)  Peter Messer (3016)  C Messer (3017)  Stephen Noble (3018)  Jennifer Noble (3019)  Iain Wilson (3020)  Albert Gordon (3021)  Jack Whitecross (3022)  J Raithel (3023)  Betty Duncan (3024)  A Spalding (3025)</p>
<p><b>Provision of the development plan to which the issue relates:</b></p>	<p>Land Allocations in and around Luthermuir – M1.</p>
<p><b>Planning authority's summary of the representation(s):</b></p>	
<p><b>Development in Luthermuir</b>  <b>193:</b> The respondent would prefer no building in Luthermuir.   <b>234:</b> Luthermuir does not need any development: there are 800 houses proposed for Laurencekirk.   <b>750:</b> A substantial group of villagers are in favour of no development in the village.   <b>2901, 2902:</b> Luthermuir would become a suburbanised housing estate with an additional 50 houses and industrial development.   <b>2617:</b> Site M1 conflicts with the strategy to support small scale development. It is a medium sized development which does not meet criteria of economic development and is not likely to be in-keeping with the character of the village.   <b>2310:</b> Due to the good access to the dual carriageway, the development of 50 houses in Luthermuir is supported.   <b>Site M1</b>  <b>2323, 2386:</b> The respondent requests the removal of site M1.   <u>Support for site M1</u>  <b>724, 871, 873-899, 934, 937-943, 1001, 1002, 1325, 1332, 1339, 1344, 1347, 1353, 2136:</b> A number of respondents support the site for housing. There are various reasons provided including: the site will bring enormous benefits including school roll, recycling facilities, affordable housing, shops, flood prevention. It is also suggested that the site would centralise the village around the school football field, park and village hall.</p>	

**724, 1812, 1965, 1966, 2310, 2373:** There is support for site M1 and the proposed gift of the woodland to the community.

**1015, 1082, 1084, 1094:** These respondents highlight their support for site M1.

**1082:** The respondent would like to see the playpark upgraded.

**1124:** There is a willingness to develop M1 with green credentials to enhance access and parking for the park. The masterplan and information on a recent public meeting are enclosed.

Impact on Wildlife

**194, 234, 1001, 2306, 2619:** Site M1 is unsuitable. There is no chance for local wildlife to thrive except in the woodland and the site supports a variety of wildlife.

**195, 532, 696, 725-749, 751-819, 821-825, 1052, 1058, 1064, 1068, 1071, 1073, 1074, 1076, 1078, 1080, 1085, 1091, 1093, 1098, 1128, 1133, 1135, 1137, 1139, 1143, 1153, 1156, 1158, 1162, 1165, 1169, 1171, 1178, 1181, 1183, 1186, 1189, 1192-1196, 1199, 1200, 1203, 1204, 1206, 1208, 1218, 1220, 1222-1232, 1235-1246, 1259-1265, 1267, 1270-1277, 1294, 1296, 1300, 1305, 1308, 1311, 1315, 1363, 1367, 1370, 1372, 1374, 1376, 1949, 2618, 2715, 2763, 2892, 2901, 2902, 2911-2922, 2939-3004, 3006-3014, 3016-3025:** Site M1 is in an area of mixed woodland, and there is nowhere for local wildlife to thrive except in this wooded area. The wood supports a diverse concentration of wildlife (listed in response) including red squirrel and bats.

**532:** The site provides connectivity for wildlife. Scottish Wildlife Trust strongly recommends the wooded area is left undisturbed.

**700:** The development of M1 would contravene several planning policies including ‘protecting biodiversity and geodiversity’ as the site is habitat for a range of wildlife including red squirrels.

**725-744, 747-749, 751-818, 821-825, 2911-2922, 2939-3004, 3006-3014, 3016-3025:** The proposed development would destroy Caldhame Plantation and threaten the wildlife therein. The Council would be in jeopardy of breaching the Nature Conservation (Scotland) Act 2004 should site M1 be developed.

**725 -744, 747-749, 751-818, 821-825, 2901, 2902, 2911-2922, 2939-3004, 3006-3014, 3016-3025:** Development of site M1 would be in breach of Policy 11, and its associated SG Natural Environment 2.

Impact on Woodland

**532, 2618, 2091, 2902:** Site M1 at Caldhame plantation is ancient woodland (long established of plantation origin).

**700, 2619:** Development of M1 would contravene several planning policies including protecting trees and woodland as the area is an established area of woodland.

**725-744, 747-749, 751-818, 821-825, 2911-2922, 2939-3004, 3006-3014, 3016-3025:** The woodland is an area of mixed woodland in a wholly agricultural landscape. The woodland is a rich naturally regenerated ex-plantation sustaining biodiversity.

**1124:** The respondent outlines that at present the woodland could be drained, cropped and replanted.

Recreational Impact

**195, 696, 1052, 1058, 1064, 1068, 1071, 1073, 1074, 1076, 1078, 1080, 1085, 1091, 1098, 1128, 1133, 1135, 1137, 1139, 1143, 1153, 1156, 1158, 1162, 1165, 1169, 1171, 1178, 1181, 1183, 1186, 1189, 1192-1196, 1199, 1200, 1203, 1204, 1206, 1208, 1218, 1220, 1222-1232, 1235-1246, 1259-1265, 1267, 1270-1277, 1294, 1296, 1300, 1305, 1308, 1311, 1315, 1363, 1367, 1370, 1372, 1374,**



**1376, 1949, 2618, 2619:** The woodland is used for recreation and leisure activities.

**234:** Site M1 should be left as a natural green area: future generations are going to be left with few areas of 'wildness'. Green spaces are required for health and well-being.

**750:** Cauldhame Woodland (M1) is a lung to the village and would be a major loss to the health and well-being of the village.

**1093:** The wood is a valued asset to the community and is used regularly for recreation and leisure activities.

**2306:** The woodland is the only area of recreational ground in the village.

**2617:** Site M1 is not suitable, there would be removal of woodland amenity.

**1124:** The landowner is offering the remaining woodland (P3) to the community.

#### Drainage Impact

**193, 2538:** If development goes ahead in M1, drainage and flooding would need to be sorted.

**194, 195, 696, 725, 732-737, 739, 741-744, 745, 746, 747, 479, 751-759, 761, 764, 768-782, 786-799, 808, 810, 814, 817, 818, 819, 821-825, 1052, 1058, 1064, 1068, 1071, 1073, 1074, 1076, 1078, 1080, 1085, 1091, 1093, 1098, 1128, 1133, 1135, 1137, 1139, 1143, 1153, 1156, 1158, 1162, 1165, 1169, 1171, 1178, 1181, 1183, 1186, 1189, 1192-1196, 1199, 1200, 1203, 1204, 1206, 1208, 1218, 1220, 1222-1232, 1235-1246, 1259-1265, 1267, 1270-1277, 1294, 1296, 1300, 1305, 1308, 1311, 1315, 1363, 1367, 1370, 1372, 1374, 1376, 2618, 2619, 2715, 2763, 2911-2922, 2939-3004, 3006-3014, 3016-3025:** Site M1 is unsuitable as the site is waterlogged for most of the year.

**195, 696, 750, 819, 1052, 1058, 1064, 1068, 1071, 1073, 1074, 1076, 1078, 1080, 1085, 1091, 1093, 1098, 1128, 1133, 1135, 1137, 1139, 1143, 1153, 1156, 1158, 1162, 1165, 1169, 1171, 1178, 1181, 1183, 1186, 1189, 1192-1196, 1199, 1200, 1203, 1204, 1206, 1208, 1218, 1220, 1222-1232, 1235-1246, 1259-1267, 1270-1277, 1294, 1296, 1300, 1305, 1308, 1311, 1315, 1363, 1367, 1370, 1372, 1374, 1376, 2618, 2619 2715, 2763:** There are concerns of flooding into neighbouring gardens.

**700:** Development of M1 would contravene several planning policies including 'flooding and erosion', as the site is waterlogged most of the year and development would create problems with dispersal of rainwater and could cause flood risk in the area.

**2935, 2936, 2937, 2938:** There was severe flooding previously when the site was deforested. There is heavy clay soil in the area. Since indigenous trees have returned to the site, there have been no real flooding issues.

#### Access

**195:** The Park Committee were advised that access off School Road is not suitable for regular traffic.

**195, 696, 819, 1052, 1058, 1064, 1068, 1071, 1073, 1074, 1076, 1078, 1080, 1085, 1091, 1093, 1098, 1128, 1133, 1135, 1137, 1139, 1143, 1153, 1156, 1158, 1162, 1165, 1169, 1171, 1178, 1181, 1183, 1186, 1189, 1192-1196, 1199, 1200, 1203, 1204, 1206, 1208, 1218, 1220, 1222-1232, 1235-1246, 1259-1265, 1267, 1270-1277, 1294, 1296, 1300, 1305, 1308, 1311, 1315, 1363, 1367, 1370, 1372, 1374, 1376, 2619, 2715, 2763:** If the access adjacent to the primary school is used, there are concerns about the danger posed to children.

**750:** There are concerns that increasing the size of the village too quickly could result in growth of traffic at access points and junctions around the village.

**994, 2538:** There is concern about access issues along School Road: it is narrow and there will be increased traffic movements. There is a lack of alternative access points to M1.

**1949:** There is concern about the access located next to the primary school as this will create a bottleneck of traffic. The turning onto the B974 is virtually blind.

**2306:** The access to M1 has difficulty with site lines, which is likely to delay the site.

**2617:** Site M1 is not suitable: there are access issues.

#### Protected Land

**195, 696, 819, 1052, 1058, 1064, 1068, 1071, 1073, 1074, 1076, 1078, 1080, 1085, 1091, 1093, 1098, 1128, 1133, 1135, 1137, 1139, 1143, 1153, 1156, 1158, 1162, 1165, 1169, 1171, 1178, 1181, 1183, 1186, 1189, 1192-1196, 1199, 1200, 1203, 1204, 1206, 1208, 1218, 1220, 1222-1232, 1235-1246, 1259-1265, 1267, 1270-1277, 1294, 1296, 1300, 1305, 1308, 1311, 1315, 1363, 1367, 1370, 1372, 1374, 1376, 2619, 2715, 2763:** It is unclear why P1 is protected and M1 is not. P1 is a void field with no access.

**725 -744, 747-749, 751-818, 821- 825, 2911-2922, 2939-3004, 3006-3014, 3016-3025:** The site should not be developed, but protected.

**1949:** The respondent queries why only half the woodland is protected, as the woodland is not very big: so why is only half worthy of protection.

**2618:** Concern that P3 will suffer the same fate as M1 and be proposed for development.

#### Alternatives

**195, 696, 891, 1052, 1058, 1064, 1068, 1071, 1073, 1074, 1076, 1078, 1080, 1085, 1091, 1093, 1098, 1128, 1133, 1135, 1137, 1139, 1143, 1153, 1156, 1158, 1162, 1165, 1169, 1171, 1178, 1181, 1183, 1186, 1189, 1192-1196, 1199, 1200, 1203, 1204, 1206, 1208, 1218, 1220, 1222-1232, 1235-1246, 1259-, 1265, 1267, 1270-1277, 1294, 1296, 1300, 1305, 1308, 1311, 1315, 1363, 1367, 1370, 1372, 1374, 1376, 1949, 2715, 2763:** There are many alternative sites to M1 on open farmland.

**532, 2619:** An alternative site to M1 should be found.

#### Other Issues

**994:** The supporting infrastructure of roads, water and sewage will require significant upgrading for site M1.

**1949:** The plans should be reviewed independently as there is a relative of the landowner on the planning committee.

**2901, 2902:** A member of the community council is a close relative of one of the developers and it is queried whether this interest was declared.

**2618, 2619:** There is concern about the lack of consultation on site M1: it was previously identified as a protected site.

**2910:** The respondent has canvassed the views on the community, 80% of the community are against development on Cauldhame Plantation.

#### **Alternative Sites**

##### K31 and K33

**194, 696, 700, 725-818, 821-825, 2306, 2323, 2386, 2617, 2911-2922, 2939-3004, 3006-3014, 3016-3025:** Many respondents highlight that sites K31 and K33 are more suited to development and should be included in the plan. Some responses provide justification such as that there are roads

which pass each side of the site, and that the site has no insurmountable problems as at M1.

**234, 2136:** Sites K31 and K33 should be retained for agricultural use. Development on sites K31 and K33 would result in the loss of cultivated ground.

**2306:** The respondent would wish to offer the land at K31 and K33 as an alternative to M1.

**Modifications sought by those submitting representations:**

**193:** Request that no building takes place in Luthermuir.

**194, 234, 532, 700, 751, 1093, 2323, 2386, 2617, 2892, 2935, 2936, 2937, 2938:** Site M1 is unsuitable for development.

**195, 696, 819, 1052, 1058, 1064, 1068, 1071, 1073, 1074, 1076, 1078, 1080, 1085, 1091, 1093, 1098, 1128, 1133, 1135, 1137, 1139, 1143, 1153, 1156, 1158, 1162, 1165, 1169, 1171, 1178, 1181, 1183, 1186, 1189, 1192-1196, 1199, 1200, 1203, 1204, 1206, 1208, 1218, 1220, 1222-1232, 1235-1246, 1259-1265, 1267, 1270-1277, 1294, 1296, 1300, 1305, 1308, 1311, 1315, 1363, 1367, 1370, 1372, 1374, 1376, 1949, 2619, 2715, 2763:** The respondents outline a number of concerns about site M1 (object to M1).

**724, 871, 873-899, 934, 937-943, 1001, 1002, 1015, 1082, 1084, 1094, 1325, 1332, 1339, 1334, 1347, 1353, 1812, 1964, 1965, 1966, 2136, 2310, 2373:** Support for site M1.

**725-744, 747-749, 751-818, 821-825, 2618, 2911-2922, 2939-3004, 3006-3014, 3016-3025:** Object to site M1 and suggest sites K31 and K33 should be allocated.

**194, 700, 725-818, 821-825, 2306, 2323, 2617:** Request that the development is reallocated to K31 and K33 (the respondents raise concerns with M1).

**Summary of responses (including reasons) by planning authority:**

**Overview**

Luthermuir is located in the Local Growth and Diversification Area, and is within the Rural Housing Market Area. Development in Luthermuir contributes to meeting the key planning objectives for the settlement: sustaining services and meeting local need for housing. The primary school is forecast to be operating at only 49% capacity in 2016.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the sites is contained in the 'Issues and Actions Volume 6 May 2010' (page 86) which was informed by the Main Issues Report consultation, and was produced to inform the choice of allocations in the Proposed Plan.

A number of petitions have been submitted in relation to Luthermuir.

**Development in Luthermuir**

Development is required in the settlement primarily to sustain the primary school, but also to meet local need for housing. The settlement has about 145 houses at present, and so the development represents an approximate 34% increase in the number of households. However, this development is to be delivered over a long period, 12 years, and possibly beyond if the allocations are not taken up. By allocating a mixed use site within the settlement there is an opportunity to facilitate some retail and/or employment uses. The development will not suburbanise the settlement: the masterplanning process will ensure design is in keeping with the character of the settlement.

Laurencekirk is within a strategic growth area and so cannot substitute for allocations required to be made in smaller villages, outwith these areas.

**Site M1**

Site M1 was identified as a constrained site in the Main Issues Report due to the site being identified on the Ancient Woodland Inventory. However, the Council took a view which placed greater weight on the perceived community benefit of making the allocation.

Support for site M1

Support for the site is noted. Development on M1 will result in the village centralised around the park and the village hall. A site for recycling facilities will be made available through the development.

Impact on Wildlife

It is noted that the woodland supports a wide range of wildlife. There have been no specific surveys undertaken to date to prove any of the suggested wildlife is present on the site. Prior to development, wildlife surveys would need to be carried out. If there are protected species present on the site, development could contravene the Wildlife and Countryside Act 1981 and Nature Conservation (Scotland) Act 2004. There would be stringent conditions placed on development resulting from the presence of protected species, this would severely restrict where development could take place. Regarding the loss of connectivity, about half of the woodland is protected and will be retained which will ensure that connectivity remains.

Impact on Woodland

The site is identified in the Ancient Woodland Inventory as ‘2b Long-Established woodland of plantation origin’. There is a strong presumption in favour of retaining ancient woodland in the ‘Scottish Government’s policy on Control of Woodland Removal’. There would need to be a significant public benefit and compensatory planting in order for the woodland removal to meet government policy. The Council are of the view that the public benefit which would result from the development is greater than the value of the woodland. The development would need to meet ‘SG Safeguarding 3: protection and conservation of trees and woodlands’ and would be considered against this supplementary guidance should a planning application be submitted. The supplementary guidance allows for mitigation measures to be applied and compensatory planting provided.

It is noted that the woodland could be cropped, but a felling licence is likely to be required if the entire woodland were to be felled. However, a felling licence is not required where there is planning consent on the site.

Recreational Impact

It is recognised that the Cauldhame Woodland provides an area for recreation for the community, which is why approximately half of the woodland is to be protected for recreation (site P3). It is likely that compensatory planting would be required in any case.

Drainage Impact

A number of responses highlighted flooding and drainage as an issue for the site but the Scottish Environment Protection Agency have not identified any such risk. The requirement for a sustainable urban drainage system would deal with issues relating to surface water.

Access

The Roads Authority has acknowledged that there are difficulties with access from School Road as additional land would be required to meet visibility splays. There are alternative points of access adjacent to the primary school or onto the B974. Access issues can be dealt with at the masterplanning stage.

The Roads Authority has raised no issue with the scale of development proposed and the impact on local roads. Pedestrian and cycle links will need to be improved.

Protected Land

Cauldhame Woodland is not “protected” in the current Aberdeenshire Local Plan. The weight of public opinion has influenced the decision to protect the remainder of the woodland (site P3) to

provide for amenity and recreation and the setting of the settlement. Site P1 is protected to provide a focal point for the village, and protect the setting of the village. The southern part of the woodland (M1) is set behind a row of modern houses and has less impact on the setting of the settlement.

Alternatives

The availability of alternative sites on open land is acknowledged. Alternative sites (K31 and K33) were considered at the Main Issues Report and were dismissed in favour of site M1 which is closer to the school and consolidates the settlement.

Other Issues

It is acknowledged that the waste water treatment plant will need to be upgraded. Scottish Water has advised that there is sufficient capacity in the reservoir. There is no need identified to upgrade local roads, but improved pedestrian and cycle links would be required.

Regarding the suggestion that an independent review would be required due to relatives on the Planning Committee: the interest was declared at the time. Community Councillors are not part of the decision making process and any question of relationship between members is a local issue.

The Main Issues Report included site K26 (M1) as an alternative, albeit as an undesirable site. There was no significant consultation undertaken on this site in the Proposed Plan, as this represents the set view of the Council. Neighbour notification was carried out to alert direct neighbours to the proposal.

There has been a significant response to proposed development in Luthermuir, and it is noted that the majority of the community have engaged in the debate.

**Alternative Sites**

Sites K31 and K33

These sites were fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement the Council's consideration was to exclude them.

There are no constraints to the development of K31 and K33, and is acknowledged that they are capable of development. Sites K31 and K33 were originally preferred for development in the Main Issues Report but the Area Committee had concerns about these sites due to the distance from the primary school. Site M1 is considered more appropriate as it will consolidate the village.

Development would result in the loss of prime agricultural land, but most land in the area is classified as prime, and prime land can be released where part of the settlement strategy (Scottish Planning Policy paragraph 97).

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Luthermuir are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. Bearing in mind Luthermuir's position in the local growth and diversification area, a measure of development is justified to sustain local services and meet the local need for housing. The school is expected to be only half full in 5 years time, and though there is a church, village hall and pub in Luthermuir, the village has no shops. There is therefore a strong argument in favour of the relatively high level of development (50 houses) proposed in the plan, even though that would increase the number of households in the village by one third over the plan period.

2. There has been an unusually high level of public engagement in Luthermuir, with well over 300 representations received. The vast majority of representations query the choice of site, and not the principle of development in the village.

3. Any development of the scale proposed would have to be located and designed in a way which respects the rural character of the settlement, and would have to make appropriate contributions to the upgrading of associated infrastructure in Laurencekirk, including the replacement of Mearns Academy, the expansion of the health centre and the extension or replacement of the household waste and recycling centre.

**Site M1**

4. The proposal to develop the M1 site at Caldhame Plantation, in preference to MIR sites K31 and K33, is controversial. The site is shown as 'long established woodland of plantation origin' on the Ancient Woodland Inventory. In Scotland, ancient woodland is defined as land that is currently wooded and has been continually wooded, at least since 1750. SNH's 'guide to understanding the Scottish Ancient Woodland Inventory (AWI)' advises that ancient woods are important, amongst other reasons, because: they usually have much richer wildlife than more recent woods; they preserve the integrity of soil, ecological processes and associated biodiversity; and once destroyed, they cannot be recreated.

5. Although there is no legislation specifically protecting ancient woodland, Scottish Planning Policy identifies ancient and semi-natural woodland as "an important and irreplaceable national resource that should be protected and enhanced" (paragraph 146). The Scottish Government's policy on control of woodland removal states that there is a strong presumption against removing ancient semi-natural woodland, and areas supporting priority habitats and species listed in the UK Biodiversity Action Plan.

6. The Scottish Wildlife Trust advises that the plantation supports a very diverse wildlife community which includes red squirrel (a UK priority species) and bat species including pipistrelle (a European protected species), and provides connectivity for wildlife to other scattered havens for wildlife. The Trust's evidence on the importance of the wood as a wildlife habitat, which is supported by local residents, is essentially unchallenged. It is also clear that the woodland is valued by the local community as an amenity and recreational resource.

7. The proposal to develop the southern half of the plantation for housing is contrary to Scottish Government policy to protect and enhance ancient and semi-natural woodland, and could also conflict with national policies to avoid development likely to have an adverse effect on protected species.

8. It is proposed to protect the northern half of the woodland, which would be maintained for amenity and recreation purposes, and to protect the setting of the village. It is also intended to retain the Scots pines at the western end, and two rows of beech trees within the wood. However, that does not justify the irreversible loss of over 6 hectares of inventory woodland adjoining the settlement. The remaining trees on the site are naturally regenerated beech, birch, hawthorn, rowan and willows which, though apparently less than 20 years old, create a semi-natural woodland and rich habitat.

9. It is acknowledged that the M1 site is close to the primary school, playing field and village hall, but neither these advantages nor the other benefits of the proposal overcome the fundamental objection to development on designated ancient and semi-natural woodland.

**Alternative sites**

10. The main issues report preferred the development of sites K31 (The Chapel) and K33 (The Glebe) for 50 houses, with opportunities for a retail outlet and recycling facilities.

11. Site K33 comprises two small fields between Church Road and the as yet undeveloped EH1 site which was allocated for 19 houses in the previous local plan. K33 is well contained, and is bounded



on its west side by the lane which links Church Road with School Road. Though on the west side of the village the site is not far from the Main Street, village hall and playing field.

12. Site K31 is an open field on the opposite side of the same lane on the west edge of the village. It is level and featureless, and would be a logical extension of development on completion of EH1 and K33. Housing on sites K31 and K33 close to the village centre would follow the established pattern of development in the settlement more closely than housing on site M1 which would elongate the village to the east.

13. There are no identified constraints on the development of either site, which have no significant flood risk and could be readily accessed. In common with all the farmland surrounding Luthermuir the sites are prime agricultural land. However, the council acknowledges that this does not prevent their allocation for development as part of a settlement strategy.

14. The only significant disadvantage of either site is the distance to the primary school, which is located at the extreme eastern edge of the village. This would involve a walk of around 1 km to the school, but that is no further than children would have to walk from existing houses in the village core in Main Street and Church Road. There is the need, however, to improve the footway to ensure a safe, continuous route to the school for pedestrians.

15. There is concern on the part of neighbours about the impact of the development on village infrastructure, especially roads and sewers, and a fear that it would urbanise the village. It is suggested that Luthermuir has too few amenities to support new development, and that there is insufficient demand for housing in the village.

16. However, an increase in population would help to support, and hopefully enhance, village services, including the local bus service. The council has accepted that the waste water treatment plant will need to be upgraded to take new development. Any planning application for the development would include a sustainable urban drainage scheme to cater for storm water. The roads authority has not raised objection to the development of sites K33 and K31, subject to the upgrade of the access onto Church Road, and the extension of footways. The promoters of the development have indicated that they would contribute to any local road widening that is necessary.

17. I conclude that sites K33 and K31 are the best locations to provide for planned growth to Luthermuir, and avoid the damage to woodland and habitats which would arise if site M1 were developed as proposed in the plan.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

Delete site M1 from the proposals map, and substitute sites K33 and K31 as sites M1 and M2, respectively.

Alter Schedule 1, Table 6: New housing land – Kincardine and Mearns to read:

M1: 25 houses 2007-2016

M2: 25 houses 2017-2023

<b>Issue 134</b>	<b>Marykirk</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p23) Schedule 1, Table 6, (p28) Schedule 2, Table 6, (p32-33) Document 3 Supplementary Guidance, Settlement Statements (p29-30)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Beryl Colville (841) Mearns Community Council (999) Christopher Rushbridge (1104) Halliday Fraser Munro on behalf of Cushnie Farming Company (1568, 1574, 1577) John Stewart (2588) Sheena Kerr (2895) Patrick Brasch (2924, 2925)		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations in and around Marykirk – M1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1</b>  <u>Increase the allocation on M1</u>  <b>1568, 1574, 1577:</b> Site M1 should be increased to 40 houses, and should reflect the bid as originally put forward (K80). As site ch2 was deleted, the allocation on M1 can be increased to 40 units. There is a deficiency in numbers in the Rural housing market area.</p> <p><u>Constraints</u>  <b>2895:</b> Development on site M1 is not acceptable. There is no infrastructure to sustain the development. There are no facilities such as a shop, and public transport is limited. There is no demand for housing in the village, and there are many houses are for sale.</p> <p><b>2895, 2924, 2925:</b> There is inadequate water supply and sewage.</p> <p><b>2895, 2924, 2925:</b> Flooding is a problem within the village.</p> <p><b>2895, 2924, 2925:</b> The access onto the A90 is dangerous, and increased traffic using this junction would add more pressure to this junction. Also, there are significant delays experienced trying to cross this junction (2924, 2925). The access onto the A937 is poor.</p> <p><b>2924, 2925:</b> The school will be at capacity once the current housing development is complete. Mearns Academy is over capacity.</p> <p><b>2924, 2925:</b> There is no employment in the village. However, the respondent adds concerns that employment units would increase traffic.</p> <p><b>Site EH1</b>  <u>Infrastructure</u>  <b>841, 1104:</b> Site EH1 is not suitable for development as the school is unable to handle the increased capacity, and access is dangerous.</p> <p><b>841, 1104, 2588, 2895:</b> There is no capacity in the sewage treatment works for development on EH1.</p>		

<p><b>841, 1104, 999, 2588, 2895:</b> The surface water drainage system is inadequate and would not be able to cope with outfall from EH1 and would add exacerbate the flooding problem.</p> <p><b>999, 2588, 2895:</b> Site EH1 is unsuitable for development, Kirktonhill Road is unable to take any increase in traffic. Pupils travelling to the school would be put at risk by further traffic on Kirktonhill Road. Also, the junction with the main road has limited visibility (2588).</p>
<p><b>Modifications sought by those submitting representations:</b></p>
<p><b>1568, 1574, 1577:</b> Site M1 should be extended to include all of the bid site K80 and the number of units allocated increased to 40.</p> <p><b>2895, 2924, 2925:</b> Site M1 should be removed.</p> <p><b>841, 999, 1104, 2588, 2895:</b> Remove allocation EH1.</p>
<p><b>Summary of responses (including reasons) by planning authority:</b></p>
<p><b>Overview</b></p> <p>Marykirk lies within the Local Growth and Diversification Area, and is in the Rural Housing Market Area. Marykirk has been identified as a settlement which requires growth to support services. Marykirk has the planning objectives of meeting local needs for housing, and sustaining services. The primary school is forecast to be operating at 73% capacity in 2016.</p> <p>The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in 'Issues and Actions Volume 6 May 2010' (page 89).</p> <p><b>Site M1</b></p> <p><u>Increase the allocation on M1</u></p> <p>There is no shortfall in Rural Housing Market Area housing numbers. The Rural Development policy is anticipated to meet the shortfall in the Rural Housing Market Area and additional numbers do not require to be found (see Issue 25 New Housing Land Allocations). Site Ch2 was constrained and is not part of the effective supply: therefore additional units are not required on this site to maintain the effective supply. The developer proposed a site larger than that allocated, and it was reduced in area to reflect an increased housing density so as to promote a sustainable settlement pattern. If a sufficient land supply is not maintained for any reason, early release could be considered under SG Housing 2: Housing Land Allocations.</p> <p><u>Constraints</u></p> <p>It is acknowledged that there are limited facilities in the settlement, but the school does have significant capacity as the school roll indicates it is operating around 68% capacity (rising to 73% in 2016). The site is allocated as a mixed use site with the requirement for employment and local retail uses to be incorporated into the site. It is envisaged that this would reduce travel as people could live and work in the settlement, although it is acknowledged that this is not always the case. Opportunity has been provided for a local shop to meet the needs of the community.</p> <p>It is the role of the Structure Plan to consider the demand for housing, the conclusions from which are now incorporated in the strategy adopted for the rural area (see issue 66).</p> <p>Scottish Water have advised that there is insufficient capacity in the Waste Water Treatment Works. However, a growth project will be initiated once a development meets Scottish Water's 5 point criteria. Scottish Water advise that there is capacity within the Water Treatment works, but that local mains reinforcement may be required.</p>

Regarding flooding, the Scottish Environment Protection Agency have raised no issues related to flooding with this site. Drainage issues would be considered at the detailed planning stage when a planning application is submitted.

In relation to access, the Roads Authority have provided comments and suggest that visibility could be an issue, and they also highlight that connectivity and improved pedestrian links will be required. It is recognised that the A90 junction at Laurencekirk does have safety issues. It would be difficult to demonstrate a direct causal link between development at Marykirk and impact on the A90 junction. However, the Scottish Government in their response in relation to Laurencekirk have requested that this is upgraded to a grade-separated junction (see issue 48).

**Site EH1**

Infrastructure

Site EH1 was identified in the Aberdeenshire Local Plan as site ch1 for 19 houses (housing previously constrained). The site was considered at the Aberdeenshire Local Plan Inquiry (see extract of Report on Objections). The site is the subject of a live planning application for 23 affordable units (APP/2009/0598) and there is no opportunity to remove the site. Issues of access, drainage, and school capacity will be considered in detail in the planning applications. The Scottish Environment Protection Agency in response to the Supplementary Guidance have requested that wording is added to highlight the need for a flood risk assessment. However, they do not object to the site. Issues relating to flooding will be considered as part of the planning application.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Marykirk are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended, but the following change has been made to the Supplementary Guidance Settlement Statements to identify the need for a flood risk assessment prior to the development of EH1.

**Reporter’s conclusions:**

1. Marykirk lies in the local growth and diversification area, where provision is made for development to meet local housing need, and to sustain and enhance local services. The village has a primary school, church, hotel and village hall, but lacks a shop.
2. There is sufficient spare capacity in the school to cater for a limited housing development in the village, but the waste water treatment plant would have to be upgraded and the water main might need to be reinforced. The concerns of local residents about constraints on infrastructure are understood, and the junction of the A937 with the A90 is recognised to be substandard. However, the modest level of development proposed at Marykirk would not make a material difference to the operation or safety of this junction.
3. In principle there is good reason to provide for a measure of development in the village to support local services, and to allow for employment and retail uses within the allocated site.
4. There is an undeveloped site for 19 houses on site EH1, which was identified in the adopted local plan. The proposed Plan would provide for an additional 30 houses in two phases on site M1, which would also incorporate employment and local retail uses. Site M1 would be a logical extension of the village on its north west edge, and would relate well to developments to the south and east.
5. The level of development proposed is significant in relation to the size of the village, and there is no need to expand the site to make up for any shortage of housing sites in the wider rural housing market area. The adequacy of housing allocations in the two housing market areas is considered

under Issues 12 and 25 elsewhere in this report.

6. Site EH1, which was allocated in the previous local plan and is shown in the settlement statement for Marykirk in supplementary guidance, is not a proposal in the proposed Local Development Plan, and is therefore not part of this examination.

**Reporter's recommendations:**

No modifications.

<b>Issue 135</b>	<b>Edzell Woods</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p23) Schedule 1, Table 6, (p28) Schedule 2, Table 6, (p32-33) Document 3H Supplementary Guidance, Settlement Statements (p7-9)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Angus Council (176) Halliday Fraser Munro on behalf of Pension Fund (SAP) (1559, 1562, 1567) Archial Planning on behalf of Carnegie Base Services (1645, 1652, 1654)		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at Edzell Woods.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1</b></p> <p><u>General Comments</u>  <b>1645, 1652, 1654:</b> The site is a brownfield opportunity, which has been in use for the past 65 years. Scottish Planning Policy and the Structure Plan provide a clear national policy directing development towards brownfield sites. The whole site should be allocated.</p> <p><b>1559, 1562, 1567:</b> The allocation at M1 may not be appropriate as the site is located on the southern edge of Aberdeenshire, increasing commuting distances. Aberdeenshire may lose out to Angus in employment and expenditure if this site is developed, and an allocation should be made at Fordoun instead, which is on a direct route and is closer to Aberdeen.</p> <p><u>Infrastructure Provision and Deliverability</u>  <b>176:</b> Angus Council raise concern that no timing is identified for the delivery of junction improvements. It is requested that there is firm commitment of junction improvements prior to planning approval.</p> <p><b>1559, 1562, 1567:</b> Substantial infrastructure delivery, including upgrade of the A90 junction and upgrade of Waste water treatment works is required.</p> <p><b>1645, 1654:</b> The site should not be constrained to the current M1 site in housing numbers and phasing. The site has planning consent for a major mixed use development. The allocation of 300 units constrains the extent to which additional facilities can be funded. The current allocation is much smaller than previously identified in Aberdeenshire Local Plan, and is also smaller than the approved consent which has no express limit on the number of dwelling houses which can be constructed. The 300 units and 100 hectares of employment land in the Proposed Plan take no account of the approved permission and legal agreement. The lower allocation places an obstacle to securing necessary infrastructure improvements.</p> <p><b>1645, 1654:</b> Development of the site would bring significant benefit to the residents of Edzell Woods, as it would bring back services and facilities (which were formerly provided by the airbase). The development offers the opportunity to upgrade the Waste Water Treatment Plant. There are no technical constraints to the development of the base.</p>		



**Modifications sought by those submitting representations:**

**1559, 1562, 1567:** Some of the development allocated to site M1 should be reallocated to Fordoun.

**1645, 1652, 1654:** Site M1 should not be confined to the site as proposed, but both the boundary and the housing numbers and phasing should be increased to cover the entire brownfield area and reflect the planning consent. The scale and range of development should be determined through a masterplanning process.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Edzell Woods lies within the Local Growth and Diversification Area, and is in the Rural Housing Market Area. Edzell Woods is a former Royal Air Force Base, which was decommissioned about 15 years ago. Development in Edzell Woods contributes to objectives of meeting local need for housing, re-using a previously developed site, providing strategic employment opportunities and resolving issues with foul drainage. There are very few services and facilities in the settlement. The existing sewage facilities are run by the community and are in need of upgrade to bring them to an adoptable standard.

Edzell Woods was identified as a redevelopment opportunity in the Aberdeenshire Local Plan. A planning application was submitted in 1999 (KM/APP/1999/0005) for a mixed use development, and was granted consent in 2010 following the authorisation of a section 75 legal agreement. This outline consent is for the development of 14.8 hectares of residential land and 149 hectares of employment land on the site.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Many of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the 'Issues and Actions Volume 6 May 2010' (page 42).

**Site M1**

General Comments

It is recognised that the site is a large brownfield opportunity, and Scottish Planning Policy promotes development on previously developed land (paragraph 38). However, it is also noted that much of the site is in agricultural use, and so the actual level of previously developed land is uncertain. The Structure Plan has not identified this site as an area for strategic growth. A significant allocation (over and above the allocation of 350 houses) in this location could prejudice the strategic allocation in the south of Drumlithie to Laurencekirk strategic growth area.

Comments about the location in relation to its proximity to Angus are noted. The boundary between areas is a political boundary only. It is recognised that the settlements in South Mearns do make use of services and facilities in Angus.

Development should not be reallocated to Fordoun, there is no capacity in the primary school (see Issue 47). The allocation of site M1 is appropriate and provides the significant benefit of upgrading the waste water treatment works in Edzell Woods.

Infrastructure Provision and Deliverability

It is identified in the supplementary guidance that an upgrade will be required to the A90 junction with the level of development proposed at Edzell Woods. Sewage upgrade is also identified as infrastructure required for the development. The Scottish Environment Protection Agency will need to consider any first time provision for waste water. Scottish Water will initiate a growth project once the development meets their 5 point criteria.

Issues of junction improvements and sewage works will be dealt with at the detailed planning stage. Consultation with Angus Council will also take place at that stage.

The developer has aspirations for a larger scale development than is allocated (or there is consent for). The site is within the local growth and diversification area, and a strategic allocation is not supported by the structure plan in this location. The deliverability of the allocation at Laurencekirk within the strategic growth area would be prejudiced by a large scale allocation in this location. Laurencekirk is preferable for large scale growth as it would utilise the rail station and the new academy (see issue 46).

Additional facilities can be funded through 300 houses, and the provision of the sewage upgrade can be initiated once the development meets Scottish Water's 5 point growth criteria. However, any first time provision will need to be considered by the Scottish Environment Protection Agency.

The outline consent covers the entire air base site, which is larger than the site allocated in the Proposed Plan. However, the outline consent permits only up to 10% of the site to be developed. The consent will need to be implemented within a limited time frame (3 years), whilst the Plan allows for the development which is realistically likely to come forward before 2023. If the developer has aspirations for future growth then this could be shown indicatively in the masterplan.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Edzell Woods are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

1. There is an established commitment to the redevelopment of land at the former airbase at Edzell Woods for housing and employment purposes. It was identified in the Aberdeenshire Local Plan (which was adopted in 2006) as a redevelopment area suitable for housing and appropriate employment and community uses.
2. More recently planning permission in principle was granted for residential, business, industrial and storage/distribution development together with associated infrastructure, in October 2010.
3. The re-use of the disused airbase for these purposes is consistent with Scottish Planning Policy, and with the structure plan's aim to give priority to brownfield sites. It also represents an opportunity to make a significant contribution to meeting the requirement for housing (including affordable homes) in the local growth and diversification area, and to provide a substantial employment site in the area.
4. The development would be to the benefit of existing residents of Edzell Woods, which is a housing estate of 144 dwellings in the countryside, around 2km from the nearest village (Edzell). Residents were formerly able to use the facilities at the airbase, but since the closure of the base there are now inadequate services to meet the needs of a residential enclave of that size. The proposals would enable the waste water treatment plant to be upgraded, and an improvement to the A90 junction. There is also the potential to attract new facilities and services to cater for the expanded village. For these reasons it would not be appropriate to remove the allocation of land at Edzell Woods for a mixed use development.
5. The proposed Plan designates a smaller area for development than was identified in the Aberdeenshire Local Plan, and allocates site M1 for 300 houses and 100 hectares of employment land. However, the recent planning application related to a larger site (of around 178 hectares) than

site M1. It is not clear why the detailed boundary of site M1 shown in the settlement statement allocates a reduced area; there is no suggestion that the planning permission goes beyond the boundaries of the former airbase.

6. There is a further apparent discrepancy between the terms of the planning application and the section 75 agreement. The planning application sought permission for 50 flats in phase 1, by converting the barrack blocks to residential use. The masterplan identifies an area of 14.8 hectares, including a large pond, for residential and associated leisure activities. The decision notice does not specify the number of houses to be built. However, the associated section 75 agreement (signed by the council) envisages a minimum of 250 houses in Phase 1 alone.

7. I consider that the 1100 house development at Edzell Woods which was suggested at the main issues report stage would be excessive in relation to the scale of the settlement and the limited services available. It would also create a counter attraction that might threaten the success of the housing strategy of the Plan which seeks to concentrate development at nearby Laurencekirk in order to resolve the town's severe infrastructure constraints.

8. The Edzell Woods site may be capable of accommodating more than 300 houses and 100 hectares of employment land allocated in the LDP. However, any additional development would need to be justified in terms of an up to date masterplan which would require to be the subject of extensive dialogue with the council, statutory consultees and local residents. The development of 300 houses would be sufficient to trigger the identification of land for a new primary school. At this stage there is insufficient information to warrant an increase in the housing or employment land allocations.

**Reporter's recommendations:**

No modifications.

<b>Issue 136</b>	<b>St Cyrus</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p23) Schedule 1, Table 6, (p28) Schedule 2, Table 6, (p32-33) Document 3H Supplementary Guidance, Settlement Statements (p45-47)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Ronald Beveridge (948) Frances Whyte (1205) Ryden LLP on behalf of Mary Singleton (1912) WYG Planning & Design on behalf of GL Residential Ltd (1955, 2047) Scottish Environment Protection Agency (1979)		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at St Cyrus.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1</b></p> <p><u>Support for the Allocation</u>  <b>1912:</b> The respondent supports the allocation of M1. However, it is suggested that M1 is extended to include the full area proposed as part of K108. This will allow the opportunity to comprehensively masterplan the western gateway to the settlement. The site is within walking distance to local facilities.</p> <p><u>Infrastructure</u>  <b>948:</b> The school is full and cannot accept such a major development. There is also no footpath to the school.</p> <p><b>1205:</b> Issues such as safe routes to school, traffic management and open space should be considered and addressed now and not at the masterplanning stage.</p> <p><b>1205:</b> Additional business land does not require to be allocated in St Cyrus as there are existing or under utilised sites nearby and on the outskirts of Montrose.</p> <p><u>Flooding</u>  <b>948:</b> The village is liable to flooding which should be addressed in any development.</p> <p><b>1205:</b> The respondent highlights that the Scottish Environment Protection Agency have previously identified the need for a flood risk assessment and this should be done prior to the site being allocated.</p> <p><b>1979:</b> Scottish Environment Protection Agency raises no significant flooding concerns for the site.</p> <p><u>Other Issues</u>  <b>1205:</b> Site K108 is high quality agricultural land and should not be built on: future food generation depends on this land.</p> <p><b>1205:</b> The respondent is concerned about the impact on the value of their property, and the inconvenience, danger and loss of amenity which may affect them. The development will block the</p>		

view towards the church from the south. The respondent does not consider the masterplan process will be sufficient to engage the community.

**1205:** Schedule 4 Affordable Housing Requirements shows that St Cyrus is not a pressurised area and the waiting list is relatively low. It is therefore questioned why the level of housing proposed is required.

**1205:** The site is not a sustainable location as it will require the use of a car to go shopping, to work and to take children to their interests. Development at St Cyrus will have an impact on services in Montrose, as this is only 5 miles away.

**Alternative Site**

**948:** Land to the east of Lochside Road towards Lalathan would be more logical than site M1 as this would join the village together.

**Site EH1**

**1955, 2047:** Site EH1 should be allocated for 30 houses. As part of the pre-application process, the Area planning officer advised that "It may be appropriate to erect a higher number of dwellings than specified in the local plan." It has been suggested that providing the proposal complies with the Councils layout, access, design standards then the number of units should not be an issue. The report of the pre-application enquiry is attached.

**Modifications sought by those submitting representations:**

**948:** Suggest land at Lalathan is allocated instead of site M1.

**1205:** The respondent objects to the allocation of site M1.

**1912:** Support M1 but request the full site as proposed as K108 is included, or identified as future housing land.

**1955, 2047:** The allocation of EH1 should be increased to 30 houses.

**Summary of responses (including reasons) by planning authority:**

**Overview**

St Cyrus is located in the Local Growth and Diversification Area, and is within the Rural Housing Market Area. In St Cyrus development has the objective of meeting local housing need, sustaining services and providing opportunity for new services, and providing opportunity for employment. The primary school is forecast to be operating at only 64% capacity in 2016.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the sites is contained in 'Issues and Actions Volume 6 May 2010' (page 123) which was informed by the Main Issues Report consultation, and was produced to inform the choice of allocations in the Proposed Plan.

**Site M1**

Support for the Allocation

Support for the site is noted. The site boundary reflects the density of housing required. The full area of the proposed site K108 has not been included in order to prevent the extension of the settlement too far from its historic core. If the developer has aspirations for future growth then this could be shown indicatively in the masterplan. A lower density of housing than the 30 houses per hectare promoted throughout the Plan can be developed on the site, on the expectation that additional development of the site will be allocated in the next phase, but there is a risk in this approach for the developer.

**Infrastructure**

St Cyrus Primary School is presently operating at 71% capacity and is forecast to drop to 64% by 2016, with space for 61 pupils.

Issues of safe routes to school and traffic management cannot be considered in detail at this stage. The plan sets the principle for development and only when a planning application is submitted will these issues be considered in detail. The Roads Authority has not raised any substantial issues with the site, only that the pedestrian/cycle link along the A92 would need to be improved. The masterplan will be subject to community consultation.

Regarding business land, the structure plan promotes mixed use developments (paragraph 4.30). There is opportunity for reducing the need to travel by creating employment opportunities adjacent to housing. St Cyrus has very little employment land at present, and it is important to provide the opportunity for employment uses.

**Flooding**

The site is not within an identified flood risk area. The Scottish Environment Protection Agency has advised that there is no flooding issue with the site. There are likely to be technical solutions in dealing with surface water on the site through sustainable urban drainage systems.

**Other Issues**

The Macaulay Land Capability Maps classify the site as capability 3.1, which is prime land. However, the majority of land in the general area is prime land, and there are no alternative sites of poorer quality. Scottish Planning Policy (paragraph 97) states that development on prime land can be permitted where it is an essential component of the settlement strategy.

Impact on views and property values is not considered a material planning consideration. The impact on amenity of neighbouring properties can be considered through the layout siting and design policy. It is accepted that during construction there may be some inconvenience to neighbouring properties but conditions can be imposed to keep this to a minimum. Engagement on the masterplan will provide a further opportunity for engagement in relation to the detail of the site. Important views can be communicated to the developer for inclusion in the masterplan to ensure they are retained.

It is acknowledged that affordable housing requirements are not significant in St Cyrus. The need for affordable housing is not the only basis for making allocations. A need has been identified in St Cyrus for housing to sustain services and meet local need. A mix of house types will still be required on the site to ensure a sustainable, mixed community.

It is proposed that the site incorporates mixed use development to reduce travelling. It is acknowledged that residents from St Cyrus make use of services in Montrose but it is not considered that there will be a significant impact on services in Montrose from an additional 125 houses phased over the next 12 years.

**Alternative Site**

The land to the east of Lochside Road towards Lalathan was included in the Main Issues Report as an alternative (site K14). The site was fully debated at the Main Issues Report stage and following widespread community engagement the Council's conclusion was to exclude it. It is recognised that the site can be developed, and would to some extent consolidate the village. However, site M1 is more appropriate as it can easily allow employment uses to be integrated.

**Site EH1**

Site EH1 (fh1 in Aberdeenshire Local Plan) is allocated for 15 units. The site has been delegated for approval by the Area Committee for planning permission in principle for a residential development (APP/2010/0869). The level of housing on the site will be considered through detailed consideration of site conditions. Justification would need to be provided for any increase in housing numbers on the site.



**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in St Cyrus are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**General**

1. St Cyrus lies within the rural housing market area. It is also located within the local growth and diversification area where development is to be concentrated on certain settlements with an identified specific need (e.g. to increase numbers at a primary school with a shrinking roll).
2. The stretch of Kincardineshire coast within the rural housing market area (including St Cyrus) is shown as a regeneration priority area on the structure plan key diagram. Although it is not shown as such on the Local Development Plan proposals map, page 8 of the Plan highlights the need to provide specific support for particular parts of Aberdeenshire, principally the regeneration areas identified by the structure plan. Policy 1 (business development) of the Plan gives particular priority to business development within regeneration areas.
3. The primary school in St Cyrus is already operating well below capacity, and trends indicate that it will be only two-thirds full by 2014. There is a strong argument to bring forward sufficient housing development to safeguard the school, and support existing village services which include a post office, convenience store, hotel and petrol filling station. It is also desirable to find a site which could incorporate business development, as there is little employment in the village at present.

**Allocated site**

4. Site M1 lies on the south west edge of the village, but the development of this land would consolidate the settlement on this side. It is bounded to the north by the A92 with houses opposite; to the east by Mercury Lane with a housing estate beyond; and to the south by Croft Road (with a proposed landscape buffer in between). There is potential to soften the village edge by sympathetic landscaping on the west boundary of the site.
5. The loss of an area of prime agricultural land is regrettable but inevitable in this area of high quality farmland if settlements are to be allowed to expand as envisaged in the structure plan.
6. The proposal to develop up to 125 houses during the Plan period is substantial in relation to the size of the village, but there is sufficient spare capacity in the primary school. There is no significant flood risk, but it would be necessary to upgrade the waste water treatment plant to accommodate flows from the development. A footway could be formed along the frontages to the A92 and Mercury Lane to create a safe pedestrian route to the primary school.
7. Given the location of St Cyrus in a regeneration priority area, the ability to devote 25% of the M1 site to employment uses is a strong argument in favour of this proposed allocation.
8. A development of the scale proposed would give a welcome boost to the village school and shops. However, I do not consider that an expansion of the site would be justified, as it would mean that the village would extend well beyond the current village edge. It would also be a challenge for a village of this size to absorb a larger development within the timeframe of the local development plan.

**Alternative site**

9. The alternative site at Lathalan (K14), whilst technically capable of development, is less

accessible than the M1 site, being approached by country lanes, and would therefore be unsuitable for employment uses. Moreover, it would not provide the scale of development and consequent advantages which are offered by the allocated M1 site.

**EH1 site**

10. This site is not an allocation in the proposed Plan, but is shown as a commitment in the supplementary guidance. The precise number of houses which can be built on this site should be determined through the determination of a detailed planning application – it is not a matter for the examination of the local development plan.

**Reporter’s recommendations:**

No modifications.

<b>Issue 137</b>	<b>Gourdon</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map, (p23) Schedule 1, Table 6, (p28) Schedule 2, Table 6, (p32-33) Volume 3H Supplementary Guidance Settlement Statements (page 16 & 17)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Deryk McNeill (41) Sally Wilkins (235) William Heath (835) Clare Duncan (870) Paul McLaughlin (950) Joni Gellatly (951) Scottish Environment Protection Agency (1979) Gourdon Community Council (2503) Halcrow Group Ltd on behalf of A C Reid (2665, 2669) Keith Jamieson (2717)		
<b>Provision of the development plan to which the issue relates:</b>	Housing and Employment Allocations at Gourdon – H1 & E1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b></p> <p><u>Support for the Site</u> <b>2665, 2669:</b> Support the allocation of H1.</p> <p><u>Flooding Issues</u> <b>41, 950, 951:</b> There is a serious issue with flooding in adjacent properties and any improperly supervised development will exacerbate this. Issues of flooding and flood damage should be investigated thoroughly. Due to the lie of the land a site visit is recommended.</p> <p><b>2503:</b> The soil is heavy clay which causes drainage issues for the village. There has been flooding along the coastal path, which has arisen since the latest houses were built.</p> <p><b>1979:</b> Scottish Environment Protection Agency note that a Flood Risk Assessment will be required for the site, but raises no significant flooding concerns for site H1.</p> <p><u>Access</u> <b>2503:</b> There is only one road in and out of Gourdon, and increase in housing will increase traffic and journey time.</p> <p><b>2717:</b> Request clarification about access to H1. Would object to the use of Brae View as an access as the width of the road is not suitable for through traffic: it is a raised area.</p> <p><u>Infrastructure</u> <b>951:</b> It is queried whether local amenities, the playpark and the coastal road would be upgraded due to the increased number of houses.</p> <p><b>2503</b> Concern about the capacity of the school as the development could cause the roll to exceed 96, which would require a portacabin.</p>		

**2503:** There is a lack of facilities for young people in Gourdon. Also, new houses do not necessarily mean increased business for the local shop.

Other Issues

**41:** With no information about house types the respondent highlights that it is difficult to comment and requests full details.

**951, 2717:** There is a concern about overshadowing. Two respondents who neighbour the proposed development have highlighted that their properties are sunk 5-7 feet below the site. It is requested that only single level houses be permitted on the site due to the potential for the height difference to cause privacy issues and impact on daylight.

**Site E1**

**235:** The A92 has no capacity to cope with greater traffic volume.

**835:** Site E1 at Inverbervie should be removed and reallocated to Gourdon on land to the north of Linton Business Park. This would be relatively out of sight behind Sillyflat Farm.

**870:** Request a more precise and concise map which outlines the plans for the business park.

**Site R1**

**2665, 2669:** The respondent suggests that the cemetery is extended to the east, R1 should be reallocated to the east of the cemetery. It is suggested site R1 is suitable for housing.

**Alternative Site**

Land at Brae Road

**2665, 2669:** Request land at Brae Road, identified in the Main Issues Report as K130 and K42, is allocated as H2 for 120 houses, with 50 houses in phase 1, and 70 houses in phase 2. The cemetery can be incorporated into the site. The site is effective and capable of early delivery. The size of the site makes it marketable.

**Modifications sought by those submitting representations:**

**41, 950, 951, 2503:** Request that flooding should be investigated thoroughly prior to any development in H1.

**951, 2717:** Request that due, to the variance in level between the adjacent housing development and the proposed H1 site, there should be provision for height restrictions or an appropriate baseline level for the development.

**2717:** Object to the use of Brae View as an access for the development of H1.

**835:** Site E1 should be zoned as a buffer zone (P6). An extension to the employment site should be located to the north of the business park.

**2665, 2669:** Request that site R1 is reallocated to the east of the cemetery.

**2665, 2669:** Request that K130 and K42 are allocated as H2 for up to 120 houses, with 50 houses in phase 1 and 70 houses in phase 2.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Gourdon is located in the Local Growth and Diversification Area, and is within the Rural Housing Market Area. The key planning objectives for Gourdon are: meeting local need for housing,

sustaining services and providing opportunity for employment. The primary school is forecast to be operating at 104% by 2016 in the most recent school roll forecast.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the sites is contained in 'Issues and Actions Volume 6 May 2010' (page 61) which was informed by the Main Issues Report consultation, and was produced to inform the choice of allocations in the Proposed Plan.

### **Site H1**

#### Support for the Site

Support for the site is noted.

#### Flooding Issues

The Scottish Environment Protection Agency have not identified any flooding concerns for the site. There are likely to be technical solutions in dealing with surface water on the site through the implementation of a sustainable urban drainage system.

#### Access

The Roads Authority have not raised any concern about the impact from the level of development proposed. It is unlikely that 35 houses would result in a significant increase in traffic in the settlement. The level of development represents an approximate increase in the number of households of 10%. Access would be off Brae Road, and not Brae View.

#### Infrastructure

Regarding the school capacity, the allocations are based on the 2009 School Roll Forecasts, which predicted sufficient capacity in the school. However, there is now forecast to be a significant increase in P1 intakes meaning that the school capacity is forecast to rise steadily until 2016. It should be noted that for smaller schools, it is more difficult to accurately predict the future roll as the departure of one or two families can considerably alter the roll. The school roll will require to be considered at the detailed planning stage.

Upgrade of the playpark and other amenities and facilities could be considered through planning gain if appropriate.

#### Other Issues

There is no information about house types at this time. The Local Development Plan establishes the principle of development on the site. Further design details will be provided through the preparation of a development brief which will be subject to community consultation. The development brief process will take into account issues of overshadowing. Compliance with 'SG LSD 2: Layout Siting and Design of new development' will ensure the development takes account of the site conditions and characteristics.

### **Site E1**

The A92 has capacity for this scale of employment development. There are no detailed plans for the business park at this stage, only the principle of development on the site is established through the plan.

There is sufficient employment land in Gourdon without allocating additional land. Site E1 in Inverbervie is allocated for an office, which meets a different need and is better located in the more prominent position at Inverbervie (see issue 138).

### **Site R1**

Site R1 is not a proposal but a reservation to meet the need for the long term future. The cemetery extension could be located to the east of the site: this would also be a suitable location.

<p><b>Alternative Site</b></p> <p><u>Land at Brae Road</u></p> <p>Site K42 was fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement the Council's conclusion was to exclude it. There is no capacity in the primary school for the level of development proposed. Gourdon Primary School cannot be extended as the site is constrained. Development on this site would impact on the coastal setting and character of the village.</p> <p><b>Conclusion</b></p> <p>None of the modifications sought are supported. The development strategy and land allocations in Gourdon are appropriate and sufficient to meet the needs of the settlement strategy.</p>
<p><b>Any further plan changes commended by the planning authority:</b></p> <p>No changes are commended.</p>
<p><b>Reporter's conclusions:</b></p> <p><b>General</b></p> <p>1. Gourdon is in the rural housing market area, and within the local growth and diversification area where development is concentrated on certain settlements to meet a specific identified need. It is also within a regeneration priority area indicated on the structure plan key diagram. In such areas the proposed Local Development Plan gives particular priority to business development.</p> <p>2. There is justification for a degree of housing development in the village to meet local needs, and to support local services. However, there is currently little spare capacity at the primary school, and latest forecasts suggest that it may reach capacity as early as 2014. Even taking account of the volatility of school roll forecasts, the limited ability of the primary school to accommodate additional pupils restricts the scale of development which would be appropriate during the Plan period.</p> <p>3. Any expansion to Gourdon must guard against the risk of coalescence with the nearby village of Inverbervie to the north. The two villages have distinct, separate identities, which require to be retained and respected.</p> <p><b>Site H1</b></p> <p>4. This site, which is allocated for up to 35 houses, lies at the north end of the village but is contained by the A92 to the west, existing housing to the south, and the road which enters the village (Brae Road) to the north and east. Linton Business Park is to the north east. Site H1 represents a logical rounding off of the settlement, and could be developed without intruding into the remaining open land between the village and the sea. The scale of development proposed would help to support local facilities without placing an undue strain on the school or the playpark.</p> <p>5. The roads authority is satisfied that this level of development could be accommodated on the road network, taking access from Brae Road. The Scottish Environment Protection Agency does not raise objection on flooding grounds, but the development would need to resolve any surface water drainage issues, perhaps by means of a sustainable urban drainage scheme. The layout and design of the development would require to take account of level differences between H1 and the existing development at Brae View, to minimise overlooking.</p> <p><b>Site E1</b></p> <p>6. It is proposed to allocate 3 hectares of land to allow for the eastward expansion of the Linton Business Park (to the north of Gourdon). This allocation is consistent with the objectives of the structure plan and the proposed Plan to create employment opportunities in the local growth and diversification area and regeneration priority areas. By extending to the east, rather than to the north as one respondent would prefer, the development would not erode the gap between Gourdon</p>



and Inverbervie. The proposed landscape buffer around the north, east and south boundaries of the extended business park would reduce its landscape and visual impact.

**Alternative housing site (K42)**

7. This extensive field, to the east of Brae Road, forms part of the attractive landscape setting of Gourdon, and affords open views to the North Sea. Its development would therefore be undesirable, and unnecessary given the proposed allocation at site H1. Moreover, the scale of development sought at K42 – 120 houses in 2 phases – would be excessive in relation to the size of the settlement, and could not be accommodated by the existing primary school.

**Site R1**

8. Site R1 forms part of the same field discussed in paragraph 7 above. There is no technical objection to the proposed reservation for an extension to the existing cemetery. The representation seeks to allocate the site for housing, which is inappropriate for the reasons given above.

**Reporter's recommendations:**

No modifications.

<b>Issue 138</b>	<b>Inverbervie</b>	
<b>Development plan reference:</b>	Section 6 The Proposals Map, (p23) Schedule 1, Table 6, (p28) Schedule 2, Table 6, (p32-33) Volume 3H Supplementary Guidance, Settlement Statements (p18 & 19)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>William Heath (835)            Knight Frank LLP on behalf of G Colquhoun (1004, 1005, 1006, 1008)            Gourdon Community Council (2501)            Halcrow Group Ltd on behalf of Fotheringham Property Development (2663, 2666)            Halcrow Group Ltd on behalf of A C Reid (2664, 2669, 2671)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at H1, H2 & E1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b>  <b>1005, 1008:</b> Object to the allocation H1. The site is not required to deliver the relief road. Site H1 is a considerable distance from the primary school and the village centre. Sustainable modes of transport (walking and cycling) would not be encouraged. Development on H1 would lead to coalescence with Gourdon, and would have an adverse impact on the landscape setting of Inverbervie.</p> <p><b>2663, 2666:</b> Site H1 is not capable of accommodating 45 houses without requiring a built form entirely out of place to the surrounding residential area. Site H1 is a natural extension and further phase of Castleview which was designed with sufficient infrastructure capacity to accommodate 30 houses. The reduced capacity of 30 houses would enable the site to be delivered in phase 1. The site is effective and capable of early delivery.</p> <p><b>Site H2</b>  <b>835:</b> Inverbervie and Gourdon should be kept as separate and distinct. The landward side of Inverbervie is open to very intrusive major development which could result in coalescence between the two communities, and loss of amenity and open space. Houses proposed at H2 should be reallocated to the west of Townhead.</p> <p><b>2664:</b> Site H2 is visually intrusive, particularly on the approach from the south and is an inappropriate gateway to Inverbervie. The site is required to provide the first section of a distributor road which may impact on the viability and deliverability of the site.</p> <p><b>2664, 2669:</b> The extension of site H2 westwards is on a steep upward slope. The topography of the site makes the site difficult to develop at the western end, particularly with regard to drainage, ground conditions and infrastructure provision.</p> <p><b>2501:</b> Increased traffic from H2 will cause difficulties on the A92.</p> <p><b>1005, 1008:</b> Support H2 on the basis that the site can deliver the first section of a new relief road. The area to the north-west of the settlement must be properly masterplanned. However, it is argued once the site has been properly masterplanned that the site will be unlikely to be able to accommodate 200 units.</p>		

**Site E1**

**835:** E1 should be included within the buffer P6. If an employment site is required this should be located at Linton Business Park at Gourdon, since this would help greatly with the problem of traffic issues as there are too many junctions at the entrance to Inverbervie (see issue 137 Gourdon).

**2664, 2669:** There is no evidence to demonstrate that there is demand for office related space within Inverbervie: there is actually a surplus of office space. The site should be allocated for housing.

**2671:** Propose replacement of E1 with a larger tourism related development, which would build on the demand for tourism related activities in the area.

**Alternative Sites**

Land to the north-west of Inverbervie (K60)

**835:** Houses allocated at H2 should be reallocated to Townhead to the north-west of the settlement. The future development of Inverbervie could be virtually unlimited in this area without impinging on the village or threatening the coalescence of Gourdon.

**1005, 1008:** The whole area to the north-west of Inverbervie should be masterplanned, to provide landowners with the long term comfort of allocated land and provide certainty for up-front funding. Therefore land to the north-west of Inverbervie should be allocated for development, such as Strategic Reserve Land to ensure the deliverability of the relief road. A transport assessment has shown that 100 houses can be accommodated on the existing road network, and following this the land is required to facilitate the relief road.

**1005, 1008:** Land to the north-west of Inverbervie is within walking distance of local amenities and would reduce dependence on the car. The visual impact of development to the north-west of Inverbervie would be addressed through strategic landscaping.

Land at Newbigging Steading

**1004, 1006:** Land should be identified to the north-west of Inverbervie within the settlement boundary and identified for up to 30 houses. The parcel of land has housing developments on two sides and Scottish Planning Policy requires settlement boundaries to be defensible and to use easily identifiable features on the ground: therefore the boundary should follow the field boundary and incorporate the land south of Newbigging steading. The site is also within walking distance of amenities.

Sites E1 and P6

**2664, 2669:** The site at E1 and P6 should be allocated for up to 120 houses, with 50 houses in phase 1 and 70 houses in phase 2. The area is characterised by residential development. Housing on the site would be less visually intrusive than development to the west of the A92. The existing business park at Linton is considered by Council Officials as ensuring the separation between Inverbervie and Gourdon, and therefore the extent of P6 is excessive. The site has direct access to the A92, has no constraints and is effective.

**Modifications sought by those submitting representations:**

**Site H1**

**1005, 1008:** Remove site H1.

**2663, 2666:** The allocation in site H1 should be reduced to 30 houses.

**Site H2**

**835:** Houses allocated at H2 should be relocated to Townhead.

**2664:** The site should be allocated for 100 houses, with 50 houses in the first phase and 50 houses in the second phase.

**2669:** Delete part of H2 to the west and north of Hallgreen.

**Site E1**

**835:** Site E1 should be included within P6.

**2664, 2669:** Delete allocation E1 and replace with housing.

**2671:** Delete allocation E1 and replace with a larger allocation for a tourism related development.

**Alternative Site**

**835:** Reallocate H2 to Townhead.

**1004, 1006:** Land should be identified to the south of Newbigging steading (following the field boundary) within the settlement boundary and should be identified for up to 30 houses.

**1005, 1008:** Land to the north-west of Inverbervie should be allocated for development, such as Strategic Reserve Land to ensure the deliverability of the relief road.

**2664, 2669:** The site at E1 and P6 should be allocated for up to 120 houses, with 50 houses in phase 1 and 70 houses in phase 2.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Inverbervie is located in the Local Growth and Diversification Area, and is within the Rural Housing Market Area. Development in Inverbervie also contributes to objectives of meeting local housing need, sustaining services and providing opportunity for new services, and providing opportunity for employment. The primary school is forecast to be operating at only 60% capacity in 2016.

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the sites is contained in 'Issues and Actions Volume 6 May 2010' (page 66), which was informed by the Main Issues Report consultation, and was produced to inform the choice of allocations in the Proposed Plan.

**Site H1**

The site is to the south of the town which it is accepted is further from the services and facilities which are largely concentrated at the north of the town. However, there is a footpath, and the distance is walkable (approximately 1km by road). There is a large area of protected land to the south of the site (P6) to prevent coalescence with Gourdon. The site is well connected to the existing settlement and there is a line of trees providing a defensible boundary to the south. The site utilises the access road which was built to serve development at Brighead Place.

The site is allocated for 45 houses. It is acknowledged that a density of 30 houses to the hectare may not be appropriate in this location as neighbouring developments are of a much lower density. However, in order to meet the objective of the structure plan we should be striving to meet higher densities. 'SG Housing 1: Housing land allocations' does not prevent a lower density being developed on the site, but the density should be justified through the development brief.

**Site H2**

There is a landscape buffer to the south of the site, and the site is on the opposite side of the road to Gourdon. Therefore, coalescence with Gourdon is not an issue. The site requires a masterplan which will be subject to community engagement, and the detail of layout and design will be considered through this process.

The Roads Authority have not raised any concerns about the impact on the A92. Development of this site is required to contribute to a new distributor road, which will open up land to the east and north of the town for future phases of development, and assist in relieving congestion at Townhead.

This will not impact on the deliverability of the site, as access would need to be provided for the site in any case.

The masterplanning process will identify the exact number of units, and it may preclude 200 houses on the site. However, a relatively high density of development should be sought. Steeper areas can be utilised as open space, as the requirement for 40% of the site to be open space applies to the site. Further development can be considered when the plan is reviewed in 5 years if required.

**Site E1**

Gourdon has sufficient employment land. An employment allocation has been made at Inverbervie in light of the level of housing proposed. The employment uses at Linton are generally more industrial and an opportunity for an office type development is proposed on site E1. There are no other opportunities for business space of this scale in the settlement or surrounding area.

The site is not proposed for tourism: the proposer of the site had not previously suggested a tourist use, but tourism proposals can come forward where they meet the relevant policies.

The site was considered for housing during the debate on the Proposed Plan, but it is a more appropriate location for an iconic business centre.

**Alternative Sites**

Land to the north-west of Inverbervie (K60)

Land to the north-west of Inverbervie (K60) was considered in the Main Issues Report. However, following widespread community engagement and debate at the Proposed Plan stage the Council's conclusion was to exclude it. It is acknowledged that the site is capable of development, but additional development in Inverbervie would require a second primary school. A transport assessment would be required, and it is unlikely that Townhead Road would be able to accommodate significant development. It is acknowledged that development in this location will not result in coalescence, but consideration would need to be given to the visual impact from the north of the settlement.

Land at Newbigging Steading

The strip of land to the east of Newbigging Steading was considered in the Main Issues Report as part of bid number K60. The ability of Townhead Road to accommodate further development is uncertain. The allocation of site H2 in Inverbervie will begin a link road which will open up development to the west of the settlement. The road must take access from the A92 and therefore it is logical for the link road to begin at site H2. It is proposed that development at Townhead and Newbigging Steading is not released at this stage, but can be considered in a future review of the plan when sufficient infrastructure is in place to serve the development.

Sites E1 and P6

Land to the south of Inverbervie (K40) was considered in the Main Issues Report. However following widespread community engagement and debate at the Proposed Plan stage the Council's conclusion was to exclude it. The Council took a view which placed greater weight on the perceived community benefit, as coalescence with Gourdon is cause of great concern in the community. With the level of development proposed there, an extension is already required to the primary school and so there is not capacity in the primary school for an additional 120 houses. The preferred strategy for the future development of the settlement is for western expansion.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Inverbervie are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**General**

1. Inverbervie is a large village in the rural housing market area. It lies within the local growth and diversification area where the spatial strategy concentrates development in certain settlements, on a scale that allows the provision of important infrastructure and is appropriate to the size of the community. It is also within a regeneration priority area indicated on the structure plan key diagram. In such areas the proposed Local Development Plan gives particular priority to business development.

2. There is a strong argument for promoting a substantial housing development in Inverbervie to meet the local demand for houses, assist in the regeneration of the village, support the primary school (where there is significant spare capacity), and sustain other local services. Any village expansion will need to avoid the risk of coalescence of Inverbervie with the nearby village of Gourdon to the south.

**Site H1**

3. Site H1 is an obvious rounding off of development in the south eastern corner of the village, with a new development to the west and a proposed landscaped buffer to the east and south. It would not erode the key gap between Inverbervie and Gourdon on the east side of the A92. Site H1 is located at the opposite end of the village to the primary school on Church Street, but it is still within walking distance (around 1km).

4. However, the developer of the neighbouring housing estate points out that the proposed construction of 45 units on site H1 would represent a substantially higher density than other developments in the vicinity. The council acknowledges that 30 houses per hectare may not be appropriate here. I conclude that the allocation should reflect the number of houses likely to be realised on the site – i.e. 30 houses.

**Site H2**

5. Although this site is on the south west edge of the village, it would be contained to the west of the A92, and would therefore not contribute to coalescence with Gourdon, which lies to the east of the A92. On the other hand, it is a prominent site on the approach to Inverbervie from the south, and development on the elevated western part of the site would be particularly conspicuous.

6. Development on site H2 would enable the construction of the first section of a new distributor road between the A92 and Townhead, which would ultimately help to ease congestion in the village. To provide that link to the west of the village would entail developing the full extent of site H2, including the rising westerly portion. There is no objection to the proposal from the roads authority, and any other alternative large site is likely to create traffic problems in advance of the distributor.

7. Despite the unfavourable topography, it is an extensive site measuring almost 500m east to west, and around 300m north to south, so at this stage I see no reason to reduce the proposed allocation of 200 houses over the plan period.

**Site E1**

8. The allocation of 1.5 hectares of land to the east of the A92 for employment use would encroach into the important gap between Inverbervie and Gourdon. The development would leave only a narrow gap before Sillyflatt Farm, and another before Linton Business Park. The clear separation between the settlements, which is important to both communities, would be seriously eroded.

9. The value of attracting an 'iconic business centre' to the village is understood, but there is already a business park on the edge of Gourdon only a few hundred metres away. The proposed 3 hectares extension to Linton Business Park is an attractive location which could readily accommodate the type of office development that the council wishes to bring to the area. There is therefore little justification in releasing land for development in this important buffer.



**Alternative sites**

10. The proposed sites north west of Inverbervie at K60 and at Newbigging Steading are currently constrained by poor access via Townhead Road, Aberdour Road and Victoria Terrace. The transportation review on behalf of the promoters acknowledges the shortcomings of the approach roads, where the narrow carriageway is reduced by on-street car parking. Many of the junctions in this section of the A92 have poor visibility.

11. I agree with the council that a distributor road would be necessary to relieve the existing road network, if substantial development was to be directed to the Townhead area. At this stage it is rational to start building the distributor from its south end (H2), to avoid exacerbating the problems described above. It is therefore premature to promote major development to the north-west of Inverbervie at this stage.

12. The proposal to develop 120 houses on sites E1 and P6 would remove much of the remaining gap which separates Inverbervie from Gourdon, leaving only a narrow band of unbuilt land between Sillyflatt Farm and Linton Business Park on the north edge of Gourdon. That would not be sufficient to maintain their distinct separate identities.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

Alter Schedule 1, Table 6 New housing land – Kincardine and Mearns to read:  
Inverbervie H1: 2007-2016 – 30; 2017-2023 – 0

Alter Schedule 2, Table 6 Employment land allocations – Kincardine and Mearns to delete  
Inverbervie E1 (1.5 hectares)

<b>Issue 139</b>	<b>Roadside of Kinneff</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p23) Schedule 1, Table 6 (p28) Schedule 2, Table 6, (p32-33) Volume 3H Supplementary Guidance, Settlement Statements (p43-44)	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Ryden LLP on behalf of Alexander Adamson Ltd (180, 182, 2253, 2651)                  Jan Wiggelman (382)                  Halliday Fraser Munro on behalf of J Forbes (1626, 1628, 1629, 1630)                  Gordon Duncan (2313, 2376)                  Catterline, Kinneff &amp; Dunnottar Community Council (2320)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at Roadside of Kinneff.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1</b>  <u>Support for site M1</u>  <b>1626, 1629, 1630:</b> The respondent supports the allocation of site M1. The site offers the opportunity to improve the linkages between the residential area to the west and the school to the east. Currently children are bussed to the school from the village. Development to the east of the A92 adds weight to the case for a reduction in speed to 30mph.</p> <p><b>1628:</b> Support the allocation of M1.</p> <p><u>Infrastructure</u>  <b>180, 182, 2253, 2320, 2651:</b> A number of respondents have raised concern about road safety issues resulting from the development at M1. The single track road to the primary school is not suitable for pedestrian use and is not capable of supporting the development. The junction with the A92 has road safety issues. Considerable road improvements would be required for the development of this site. There is limited public transport provision. The site is significantly constrained by road and access issues (180, 182, 2253, 2651).</p> <p><b>2320:</b> There are infrastructure issues with M1, including with waste water provision. There is flooding at the site. Significant affordable housing should be provided.</p> <p><u>Landscape Impact</u>  <b>180, 182, 2253, 2651:</b> M1 is located on undeveloped coast and this area is not justified when assessed against local policy. The settlement has historically developed along the west of the A92 and an allocation to the east of the A92 will result in an isolated development, setting precedent for large scale development on the opposite side of the main road. The site will have significant visual impact and be of detriment to the character and identity of the settlement.</p> <p><u>General Objection</u>  <b>180, 182, 382, 2253, 2313, 2320, 2376, 2651:</b> These respondents object to the allocation of site M1.</p> <p><b>2313, 2376:</b> The site is adjacent to an electricity substation and the respondent has concerns about the viability of housing next to a substation. There are health risks from exposure to electro-magnetic radiation which would make the site unattractive to young families who are required to regenerate the area.</p>		

**Alternative Site**

Land to the west of Martin Terrace (K116)

**180, 182, 2253, 2651:** Object to the failure to identify land west of Martin Terrace (site K116 in the Main Issues Report) in the plan. Site K116 lies adjacent to the settlement boundary. Site K116 will be screened by woodland to the north, while its position to the east of the A92 provides direct access to local services and bus links. The site can be easily accessed from the adjacent road. Development would sustain Kinneff Primary School.

**382:** Site K116 should be allocated: there were positive comments in relation to the site yet K84 was allocated.

**Modifications sought by those submitting representations:**

**180, 182, 2253, 2651:** Site M1 should be removed from the plan and replaced with site K116.

**382:** Site K116 should be allocated.

**2320:** Site M1 should be removed from the plan.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Roadside of Kinneff is located in the Local Growth and Diversification Area, and is within the Rural Housing Market Area. Development in Roadside of Kinneff contributes to the objective of meeting local housing need, sustaining services and providing opportunity for new services, and providing opportunity for employment. The primary school is forecast to be operating at only 45% capacity in 2016.

The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. Further information on the sites is contained in 'Issues and Actions Volume 6 May 2010' (page 119) which was informed by the Main Issues Report consultation, and was produced to inform the choice of allocations in the Proposed Plan.

**M1**

Support for site M1

Support for the site is noted. The site is allocated partly to help sustain the school, which includes improving linkages between the settlement and the school. The A92 which goes through the village has already had the speed limit reduced to 40mph. The allocation of the site to the west of the A92 is likely to result in further traffic calming measures, and potentially the provision of a pedestrian crossing.

Infrastructure

Pedestrian access to the school will need to be provided. The junction onto the A92 will require upgrading, this will have a positive benefit on access to the primary school. By increasing the critical mass in the settlement, there is greater opportunity to improve public transport services.

In their response to the supplementary guidance, the Scottish Environment Protection Agency have advised that a flood risk assessment will be required, but do not object to the site. It is likely that there will be a technical solution in providing drainage. It is recognised that the waste water treatment works is nearing capacity but a growth project will be initiated once a development meets Scottish Water's 5 point criteria.

The site requires a contribution of 25% affordable housing. A mix of house types is required in conformity with 'SG LSD2: Layout siting and design of new development' which will allow some house types to be affordable through design.

**Landscape Impact**

It is true that the site is identified as Undeveloped Coast in the Aberdeenshire Local Plan. Scottish Planning Policy (paragraph 100) requires the development plan to identify coastal locations suitable for development and those unsuitable for development. The allocation of land through the settlement strategy allows coastal areas to be reviewed. In this case, the site is not deemed to add significant value to the coastal area, and on balance is the best location for the extension of the settlement.

It is acknowledged that the site will be visible, but through a well designed development the site will not impact on the character and identity of the settlement. The site has the advantages of improving linkages to the primary school, and will require the improvement of the junction onto the A92.

**General Objection**

The substation is located adjacent to the hall, some distance away, and so is highly unlikely to impact on this site. There is a sewage treatment works approximately 100m to the north but this is sufficient distance to ensure no impact. A development brief will be required for the site therefore there will be a further opportunity for engagement in relation to the layout, siting and design of the site.

**Alternative Site**

**Land to the west of Martin Terrace (K116)**

The site was fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement the Council’s consideration was to exclude it. It is acknowledged that the site would have less visual impact from the A92 than site M1. However, site M1 has advantages as outlined above. The Roads Authority have highlighted that there could be issues with the junction onto the A92 from this site. Site M1 has been allocated to sustain the primary school, and over-development would result if this site was allocated in addition to site M1.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocation in Roadside of Kinneff are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**General**

1. Roadside of Kinneff is a small settlement on the west side of the A92, between Inverbervie and Stonehaven. It is located in the rural housing market area, and within the local growth and diversification area where land allocations are made in settlements with a specific need for development (e.g. to increase the numbers going to a primary school with a declining roll). Roadside of Kinneff is also contained in a regeneration priority area shown on the structure plan key diagram, where the Local Development Plan gives particular priority to business development.
2. There is justification for allocating land for housing development in the settlement, to enable modest growth to sustain the primary school where the roll is forecast to decline to less than half its capacity in the next few years. Additional houses would also help to sustain and improve local services, including a public hall, church, and regular bus services to Stonehaven and Montrose.

**Allocated site**

3. The proposed Plan allocates site M1 for a mixed use development of up to 30 houses (15 in each phase), and at least 0.5 hectares of employment land. This scale of housing development could be

readily accommodated by the primary school, though it would require additional capacity to be created at the waste water treatment works.

4. However, the site is poorly related to the existing settlement. Site M1 is on the opposite side of the A92 from the rest of the village, apart from the primary school which is sited 0.8 km outside the settlement and is accessed by a winding single track road. There is also a detached cluster of development to the east of site M1 sharing the same unsatisfactory approach road. Even if the road was widened for the extent of M1, and the junction with the A92 was improved, it would still be undesirable to add traffic (especially commercial vehicles) to this lane which is the means of access to the primary school.

5. The land to the east of the A92 is designated as coastal zone on the proposals map. Policy 4 of the proposed Plan states that the council will protect the special character of the coastal zone, and that there will be a presumption against development which would erode the special character of the zone. Site M1 comprises a section of an attractive open field forming an integral part of an extensive area of undeveloped countryside between the A92 and the coast. The development of houses and employment uses on this site would be an unwelcome incursion into a protected area of countryside, and would have an adverse impact on the landscape setting of Roadside of Kinneff.

6. I conclude that site M1 is an inappropriate site for housing and employment. I note that site M1 was unpopular with many who responded to the main issues report, whereas the alternative site K116 was more favourably received.

#### **Alternative site**

7. The alternative site at K116 lies on the north west edge of the village, adjacent to recent development at Martin Terrace. It is well contained in the landscape, is outwith the coastal zone, and would be a logical expansion of the settlement, better related to village services and village form. There is a play area adjoining, and the village hall is within easy reach. The site would be further from the school than M1, but in every other respect it would be a better fit for Roadside of Kinneff.

8. Site K116 has satisfactory access from the A92, though the roads authority may require the junction to be upgraded to increase visibility to the north. The junction with the A92, and the access road to the site which passes through a residential area, would be adequate to serve a limited housing development at K116, but not to cater for commercial traffic visiting an employment development on the site. I conclude that any development on the site should be confined to housing only.

9. The loss of 0.4 hectares of proposed employment land would not be significant in the light of the substantial employment allocations nearby at Gourdon (3 hectares) and Stonehaven (8 hectares). However, any allocation of housing on site K116 should include the potential for the provision of a village shop within the new development. It should therefore be designated as a mixed use development.

10. The promoter of the site has aspirations to develop 40 houses on site K116 between 2007-2016, and seeks a further housing allocation between 2017-2023 including employment uses. For the reasons given above I consider that that scale and mix of development would be inappropriate in relation to the size of the settlement and the access constraints.

11. However, given the size of site K116 (which extends to 4.4 hectares in total), and the minimal landscape and visual impact of development on the site, and the need to increase the population of the village to support the school and local services, I consider that the allocation of 15 houses which was suggested in the recent neighbour consultation would be inefficient and inadequate. Instead, I conclude that the eastern 1.4 hectare section of site K116 adjoining the settlement boundary should be allocated for a mixed use development comprising a total of 30 houses and retail use.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

Delete site M1 from the proposals map, and substitute the eastern 1.4 hectares of site K116 as the replacement site M1.

Delete the reference to Roadside of Kinneff (0.4 hectares) from Schedule 2, Table 6 Employment land allocations – Kincardine and Mearns.



<b>Issue 140</b>	<b>Other Sites in Kincardine and Mearns Rural Housing Market Area</b>	
<b>Development plan reference:</b>	Section 6, The Proposals Map (p23) Schedule 1, Table 6 (p28) Schedule 2, Table 6 (p32-33) Volume 3H, Supplementary Guidance, Settlement Statements Kincardine & Mearns	<b>Reporter:</b> Tim Brian
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Andrew Hayes (662) Catterline Community Working Group (1531, 1533) Craigallan Homes Ltd (2259)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in other settlements in the Rural Housing Market Area part of Kincardine & Mearns.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Alternative Sites</b></p> <p><u>Fasque</u> <b>662:</b> Land at Fasque should be allocated instead of site H1 in Fettercairn. The Fasque estate masterplan offers a more appropriate addition to address housing needs than the allocation at Fettercairn. The development will help secure Fasque House, a piece of architectural and historical heritage which should be preserved. The Fasque proposal will encourage facilities and tourism to the benefit of Fettercairn.</p> <p><u>Catterline</u> <b>1531, 1533:</b> The respondent (duplicate response) requests that no development be permitted in Catterline. Particular points of objection are made against the Main Issues Report sites K91, K92 and K147.</p> <p><u>West Cairnbeg</u> <b>2259:</b> The respondent objects to the failure to allocate land at West Cairnbeg (site K95 in the Main Issues Report). The site could accommodate housing without putting pressure on local infrastructure. The site would result in additional housing being provided in a choice of locations. Development of the site would provide a sustainable solution to a private sewage treatment works.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>662:</b> Land at Fasque should be allocated, in line with the proposed masterplan.</p> <p><b>2259:</b> Land at West Cairnbeg (K95) should be allocated.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b></p> <p>The allocations within the local growth and diversification area are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan (see issue 66). There is no need to consider any alternative sites.</p> <p>Most of the issues raised in relation to Catterline and West Cairnbeg were raised in response to the consultation on the Main Issues Report, and were considered in 'Issues and Actions Volume 6 May 2010' (Pages 21 and 147).</p>		

**Alternative Sites**

Fasque

The site was not proposed at any previous stage so there has been no site assessment or public debate on the site. Land at Fasque is best dealt with by the relevant policies, in particular Development in the Countryside and Enabling Development. SG Enabling development 1 generally permits development to support the retention of a listed building where it is at risk. The Fasque proposal is currently going through the pre-application process, and a Proposal of Application Notice has been submitted. The allocation at Fettercairn is appropriate and sufficient, and should not be removed.

Catterline

Sites in Catterline (K91, K92 and K147) were fully debated at both the Main Issues Report and Proposed Plan stages, and following widespread community engagement the Council’s consideration was to exclude them. Therefore, no allocations are promoted in Catterline. Some small scale development may be permitted through relevant policies, such as the Development in the Countryside policy, which promotes development on brownfield land and economic development proposals. Representations have been made by the Catterline Community Working Group to this policy regarding the use of the Aberdeen Housing Market Area Boundary (see issue 8).

West Cairnbeg

The site was fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement the Council’s conclusion was to exclude it. West Cairnbeg was identified as a ‘rural service centre’ in the Aberdeenshire Local Plan, and has recently been subject to extensive growth compared to its size. There are no services in the hamlet and it is not proposed to identify West Cairnbeg as a settlement. Regarding the potential to resolve sewage issues, no indication of the level of growth required to resolve these issues is given. In a letter from the Scottish Environment Protection Agency submitted as part of the bid (see supporting information), it is suggested that the developer would wish to see the settlement consist of 85 houses, meaning that approximately 50 houses are proposed. This scale of growth is not appropriate in this location.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in the rural housing market area are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Fasque**

1. The respondent’s proposal to remove site H1 in Fettercairn in favour of a development at Fasque is considered under Issue 131, where I concluded that a development some 2km outside the village is not a feasible alternative to the proposed allocation on the edge of Fettercairn. It is not appropriate to allocate land at the Fasque Estate as part of the proposed Plan.

2. Instead, the merits of an enabling development to secure the future of the listed Fasque House should be considered under the provisions of Policy 10: Enabling development of the proposed Plan, and the associated supplementary guidance. Policy 10 supports such development in appropriate circumstances where it is the only way of retaining a listed building.

**Catterline**

3. The respondent opposes any housing allocations in Catterline, and thereby supports the council’s decision not to allocate any sites for development in the village. This examination is concerned with unresolved representations to the proposed Plan. The merits of sites which were considered in the

main issues report, but which are not proposed for development in the proposed Plan or in representations to the proposed Plan, are not matters for the examination.

**West Cairnbeg**

4. West Cairnbeg is based on a loose grouping of traditional houses and steadings, in a relatively remote location. In recent years it has been subject to new housing development, which has expanded the hamlet substantially, but it lacks a shop, post office or other facilities. Site K95 is an extensive open field between West Cairnbeg and the B966. A development of the scale proposed would tend to suburbanise this rural location, and spoil the setting of West Cairnbeg, without necessarily resolving the sewage treatment constraint or improving service provision for residents.

5. I therefore support the council’s decision not to identify West Cairnbeg as a settlement in the proposed Plan, and not to allocate site K95 for housing development.

**Reporter’s recommendations:**

No modifications.

<b>Issue 141</b>	<b>Cairnie</b>	
<b>Development plan reference:</b>	Section 6 Proposals Maps Marr (p24) Schedule 2 Tables 7 (p29) Volume 3I Supplementary Guidance, Settlement Statements p15-16	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Colin Thompson Chartered Architect on behalf of David Irvine (709, 710) Halliday Fraser Munro on behalf of Strathdee Properties Ltd (1424, 1426) Scottish Environment Protection Agency (1979)		
<b>Provision of the development plan to which the issue relates:</b>	Housing allocation in Cairnie.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>H1 Cairnie</b>  <b>1424, 1426:</b> These representations support the allocation as a logical opportunity for future development and confirm there are no constraints to delivery.</p> <p><b>709, 710:</b> Object to H1 on the basis that an alternative to the north of the school is preferable as it does not build in front of the village hall and is less prominent from the A96.</p> <p><b>1979:</b> Scottish Environment Protection Agency raises no significant flooding concerns for the site.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>709, 710:</b> Substitute H1 with site to north of school.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Cairnie lies to the north west of Huntly within the Rural Housing Market Area and in the “local growth and diversification area” identified within the Structure Plan. School roll forecasts show that Cairney Primary School has a falling roll and shows the school operating at 38% capacity in 2016. It is appropriate to direct development to Cairney to support the school and meet local housing needs. The scale of the allocation proposed reflects local needs and the scale of the settlement. The allocation ensures that sufficient land is provided to meet the housing land requirement in Figure 8 of the Structure Plan (page 17).</p> <p><b>Site H1</b>  The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. Further information on the sites is contained in the Issues and Actions paper (May 2010) (Volume 7 page 37 Cairnie), which was prepared following the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.</p> <p>The site to the north of the school was not proposed at any previous stage so there has been no site assessment or public debate on the merits of the site. Site H1 responds to the linear form of existing development and whilst visible from the A96 will be no more prominent than existing adjacent development.</p>		

**Conclusion**

The modification sought is not supported. The development strategy and land allocation in Cairnie is already appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site H1**

1. Whilst proposed site H1 is visible from the A98, a housing development on this site, appropriately designed and laid out, would not be unduly prominent, being back-dropped by the existing Hall and Hall Cottages. The suggested alternative site to the north of the school forms part of a field without any definable boundaries on the ground. Any development in this location would be in an elevated position and would bear no relationship with the present form of the village.

**Reporter's recommendations:**

No modifications.

<b>Issue 142</b>	<b>Forgue</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, Marr, (p 24) Schedule 2, Table 7 (p 29) Volume 3I Supplementary Guidance, Settlement Statements p30 - 31	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
David Fasken (703) Strutt & Parker LLP on behalf of BMF Group (2104, 2111)		
<b>Provision of the development plan to which the issue relates:</b>	Housing allocation in Forgue for up to 5 houses.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b>  <b>703:</b> Respondent states development on H1 is not in keeping with the rural area and development should not be allowed so close to the church and graveyard. There are concerns in regard to the electricity supply, refuse collection and the access road. Apart from the school there are no significant services to be sustained and it is considered unsustainable to develop so far from employment centres. Allocation of housing is not justified.</p> <p><b>2104 &amp; 2111:</b> Representation supports the allocation of H1 for 5 houses and clarifies that access will be taken off School Road.</p> <p><b>Alternative Site Forgue</b>  <b>703:</b> Respondent proposes an alternative location to replace H1 to the north of Scott's Hall. Respondent considers that the site would integrate more easily with the main village, could link to a footpath to School Road, is closer to public transport than H1, could be accessed more safely and would mean the setting of the church and graveyard is protected.</p>		
<b>Modifications sought by those submitting representations:</b>		
703 Delete H1 and replace at new location to north of Scott's Hall.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Forgue lies to the east of Huntly within the Rural Housing Market Area and in the "local growth and diversification area" identified within the Structure Plan. School roll forecasts show that Forgue Primary School has a falling roll and it is appropriate to direct development to the village to support the school, sustain local services and meet local housing needs. The allocations proposed reflect local needs, the scale of the settlement and development allocations yet to be built out. The allocation also contributes to the sufficiency of land to meet the housing land requirement Figure 8 of the Structure Plan (page 17).</p> <p>The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the sites is contained in the Issues and Actions paper (May 2010) (Volume 7 page 49 Forgue) which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.</p>		



**Site H1**

The small allocation on site H1 is in keeping with the rural area, and the location adjacent to the school concentrates development around services.

The church is not listed and has a sufficient curtilage to limit impacts on its setting.

Paragraph 94 of Scottish Planning Policy states that development plans should support more opportunities for small scale housing development in rural areas including extensions to existing clusters and groups. Therefore, the allocation of 5 houses at Forgue is consistent with Scottish Planning Policy. Whilst the immediate hamlet of Forgue is not dependent on growth and lacks services the allocation will benefit the wider rural area. Paragraph 96 of Scottish Planning Policy states that planning authorities should be realistic about the availability of alternatives to access by car, as not all location can be served by public transport. The rural location of Forgue means public transport options are limited however the need to sustain other services in the area are over-riding considerations

The reliability of refuse collection in winter is not an issue for the plan. As the site is to be accessed off the same road as the School it would be expected this would be a priority for gritting.

Deliverability of the site has been confirmed and the electricity supply is not identified as a constraint.

The Roads Authority commented that access was possible onto School Road but have noted that improvement to visibility may be required at the School Road junction and some traffic calming may be required.

**Alternative Site**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

The site was not proposed at any previous stage so there has been no site assessment or public debate on the site. Site H1 is deliverable, in scale with the settlement and is well related to the school.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Forgue are appropriate and sufficient to meet the needs of the settlement strategy

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Site H1**

1. Site H1 would consolidate the present cluster of buildings around the primary school. Concerns have been raised regarding the deliverability of the site. However, the deliverability of the site has been confirmed by the developer. Access is possible from School Road, subject to improvements to visibility at the School Road junction and traffic calming measures. As regards the impact of any proposed development on the setting of the adjacent church and rectory, both properties are surrounded by mature trees and shrubs. The low density envisaged for site H1 should ensure the protection of the amenities of neighbouring properties.

**Alternative site**

2. The suggested alternative site occupies a prominent position on rising ground above the B9001 and its development would have a significant visual impact on the surrounding area. Although

closer than site H1 to the main part of the village, any housing development on this site would not be well related to the present form of the village. The advantages of developing this site in terms of access and accessibility to the public transport service are outweighed by the site's visual prominence.

**Reporter's recommendations:**

No modifications.

<b>Issue 143</b>	<b>Largue</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, Marr, (p 24) Schedule 1, Table 7 (p 29) Volume 3i, Supplementary Guidance, Settlement Statements, (p 52 & 53)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
James Fraser (385) David & Andrea Rogalski (386) Charles Cameron (387) William Twaddle (388) Margaret J Anderson (2355, 2418)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Allocations in Largue for up to 5 houses.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Largue</b> <b>385, 387:</b> Object to H1</p> <p><b>386, 388:</b> Object to site H1 as it conflicts with strategic landscaping requirement of an existing planning consent and it promotes development in a form that is contrary to the settlement pattern and detrimental to amenity. In addition there is no health care, school or foul drainage capacity and it is adjacent to an odorous farm operation. H1 conflicts with Policy 12 Landscape Conservation, SG Safeguarding 3, SG LSD 2, 4 and 9.</p> <p><b>386, 388, 2355 and 2418:</b> Representations express concern in respect of the access.</p> <p><b>386, 388, 2355 and 2418:</b> Object to H1 as there is no demand for housing.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>385, 386, 387, and 388</b> Delete site H1.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b></p> <p>Largue lies to the east of Huntly within the Rural Housing Market Area and in the “local growth and diversification area” identified within the Structure Plan. School roll forecasts show that Largue Primary School has a falling roll and the school operating at 41% capacity in 2016. It is appropriate to direct development to Largue to support the school, sustain local services and meet local housing needs. The allocations proposed reflect local needs and the scale of the settlement. The allocation also ensures that sufficient land is provided to meet the housing land requirement Figure 8 of the Structure Plan (page 17).</p> <p>Paragraph 94 of Scottish Planning Policy states that development plans should support more opportunities for small scale housing development in rural areas including extensions to existing clusters and groups. Therefore, the allocation of 5 houses at Largue is consistent with Scottish Planning Policy. Whilst the immediate hamlet of Largue is not dependent on growth and lacks services, the allocation will benefit the wider rural area.</p>		

**Site H1**

Site H1 is a compact site with limited impact on landscape due to its position between existing developments. There is little scope to replicate the linear form of development due to the alignment of the road.

The landscape condition of planning consent S000611PF is relevant. This area should form part of the open space requirements of the site, appropriate text has been added to the relevant supplementary guidance, no change to the Local Development Plan itself is required.

The Supplementary Guidance states contributions will be required towards extension of Huntly health centre and to education provision. The Supplementary Guidance also notes that the Aucharnie Housing septic tank has insufficient capacity. Scottish Water have advised that for this reason a growth project will be initiated once development meets Scottish Water’s 5 point criteria (see page 176 of the Proposed Action Programme). There is sufficient capacity at Largue Primary School as demonstrated in the school roll forecasts, which show the school operating at 41% capacity in 2016. The Roads Authority have advised that access from the site could be from the existing private road onto the B9001, but visibility will require to be improved.

Largue is situated in a countryside location and therefore farm odours are to be expected and are not a constraint to development.

The site will still require to comply with the policies of the plan and its associated supplementary guidance. Therefore, any planning application will require to comply with Policy 12 Landscape Conservation, SG Safeguarding 3 Protection and conservation of trees and woodland, SG LSD2 Layout, siting, and design of new development, and SG LSD9 Hazardous development. The site would not be considered against the infill policy as it is an allocation.

**Conclusion**

The modification sought is not supported. The development strategy and land allocations in Largue are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Site H1**

1. Site H1 forms part of a field to the rear of a number of houses recently constructed along the road frontage at Largue. The site adjoins Largue Farm and access would be taken from the existing farm road. A housing development on this site would not be well related to the existing form of this linear settlement. Furthermore, conflicts could arise from the use of the shared access and as a result of the close proximity of Largue farm. Although odours resulting from agricultural activity are to be expected in the countryside, the development of site H1 would bring housing very close to a range of farm activities which would have the potential to significantly affect residential amenity through noise and disturbance as well as smell. In this case, there is no over-riding reason for developing housing in such close proximity to the farm.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

Delete site H1 from Proposals Map-Marr (p. 24) and remove entry for Largue from Schedule 1, Table 7 (p. 29).

<b>Issue 144</b>	<b>Gartly</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, Marr, (p 24) Schedule 1, Table 7 (p 29) Volume 3i, Supplementary Guidance, Settlement Statements (p 32 & 33)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
James Robson (21) Diane Hampton (29) Ronald Hampton (30) Scottish Environment Protection Agency (1979) Strutt & Parker LLP on behalf of B Cowie (2057, 2105) James Grant (2727)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Allocations in Gartly.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Gartly</b>  <b>2057, 2105:</b> Representations support the identification of H1 for 5 houses but object to requirement for a flood risk assessment (despite this not being annotated in the plan).</p> <p><b>1979:</b> Scottish Environment Protection Agency advise that site H1 lies adjacent to the 1 in 200 flood may boundary and the following text should be added to the allocation and highlighted in a development brief "Part of this site lies adjacent to SEPA's 1 in 200 year flood risk area. If a detailed flood risk assessment has not been carried out to determine the boundary, one may be required to accompany any future development proposal for this site."</p> <p><b>Site EH1 Gartly</b>  <b>21, 29, 30:</b> Site EH1 should be removed, as it has subsidence and flooding issues.</p> <p><b>21:</b> Neighbouring properties septic tanks are located within EH1.</p> <p><b>Alternative Site Gartly</b>  <b>2727:</b> Respondent proposes an alternative site at Kirkney, Gartly. Kirkney was identified in previous plans and should be reinstated due to the flooding constraints at Gartly Station. Part of the site is a gap site. Access to the adopted road is available and services are nearby.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>2057, 2105:</b> Remove any requirement for a flood risk assessment to be undertaken for site H1.</p> <p><b>1979:</b> Add text to allocation H1 "Part of this site lies adjacent to SEPA's 1 in 200 year flood risk area. If a detailed flood risk assessment has not been carried out to determine the boundary, one may be required to accompany any future development proposal for this site."</p> <p><b>21, 29, 30:</b> Remove EH1 from the plan.</p> <p><b>2727:</b> Allocate site at Kirkney, Gartly.</p>		

<b>Summary of responses (including reasons) by planning authority:</b>
<p><b>Overview</b></p> <p>Gartly lies to the south of Huntly within the Rural Housing Market Area and in the “local growth and diversification area” identified within the Structure Plan. School roll forecasts show that Gartly Primary School has a falling roll and shows the school operating at 73% capacity in 2016. It is appropriate to direct development to Gartly to support the school, sustain local services and meet local housing needs. The allocations proposed reflect local needs, the scale of the settlement and development allocations yet to be built out. The allocation also ensures sufficient land is provided to meet the housing land requirement Figure 8 of the Structure Plan (page 17).</p> <p>The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the sites is contained in the Issues and Actions paper (Volume 7 page 50 Gartly) which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.</p> <p><b>Site H1</b></p> <p>Scottish Environment Protection Agency have objected to the Supplementary Guidance Settlement Statements Marr, as site H1 lies adjacent to the 1:200 year area of flood risk and have requested that wording is added to the SG “Part of this site lies adjacent to Scottish Environment Protection Agency’s indicative 1 in 200 year flood risk area. If a detailed flood risk assessment has not been carried out to determine this boundary, one may be required to accompany any future development proposals for this site.” A comment to that affect has been added to the supplementary guidance.</p> <p><b>Site EH1</b></p> <p>There is an application pending for planning permission in principle for three houses on this site, APP/2008/0275. The issues raised in respect of subsidence, flooding and the location of septic tanks will be considered through the planning application. Scottish Environment Protection Agency has advised the site is within Flood Risk Category D and that the site is susceptible to flooding due to surface water run-off. Appropriate wording has been added to the supplementary guidance requiring a detailed drainage impact assessment to support any planning application.</p> <p><b>Alternative Site</b></p> <p>As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites. The site at Kirkney, Gartly was not proposed at any previous stage so there has been no site assessment or public debate on its merits. Site H1 meets local needs and is of a scale that reflects the settlement and further allocation is not required. This site is not well related to Gartly and is adjacent to a small group of houses in the countryside. Development at this location should be considered through Policy 3 Development in the Countryside.</p> <p><b>Conclusion</b></p> <p>The development strategy and land allocations in Gartly are appropriate and sufficient to meet the needs of the settlement strategy.</p>
<b>Any further plan changes commended by the planning authority:</b>
<p>No changes are commended, but the supplementary guidance has been changed to show the requirement for a drainage impact assessment for site EH1.</p>
<b>Reporter’s conclusions:</b>
<p><b>Site EH1</b></p> <p>1. Site EH1 has been carried forward from the adopted local plan. It is not shown as a proposal in the proposed Plan and the removal of this site is outwith the scope of this examination. The council has confirmed that the supplementary guidance has been changed to show the requirement for a</p>



drainage impact assessment for site EH1. By this action, the representation from SEPA would be resolved. The issues relating to boundary walls and the impact of any development on the sewage systems of adjacent houses are matters to be resolved through the planning application.

**Site H1**

2. There are no objections to the allocation of site H1. The site lies adjacent to SEPA's 1 in 200 year flood risk area and the council has confirmed that the supplementary guidance has been changed to show the requirement for a flood risk assessment for site H1. By this action, the representation from SEPA would be resolved.

**Alternative site**

3. Kirkney comprises a small group of dwellings situated in the countryside above the A97 approximately 1km to the west of Gartly. The allocation of a site for housing in this location would not be consistent with the principles of sustainable development set out in the vision and aims for the plan and in the spatial strategy. Any proposal for housing at this location should be assessed against the proposed Plan's policy for development in the countryside.

**Reporter's recommendations:**

No modifications.

<b>Issue 145</b>	<b>Rhynie</b>	
<b>Development plan reference:</b>	Proposals Map, Marr, (p 24) Schedule 1, Table 7, (p 29) Schedule 2, Table 7, (p 33) Volume 3i, Supplementary Guidance, Settlement Statements, (p 66 & 67)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mr & Mrs John Rhind (168) Gregor Jolly (343)		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at Rhynie.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>General</b> 343: Objects to development in Rhynie on the grounds there are insufficient basic amenities to support development and the poor road conditions.</p> <p><b>Site M1 Rhynie</b> 168: The north west side of M1 is unsuitable for building as it is low lying and wet.</p> <p><b>Rhynie Alternative Site</b> 168: The allocation on site M1 should be moved to a site at Manse Road.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p>343: Development in Rhynie not to proceed.</p> <p>168: Move site M1 to site at Manse Road.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b> Rhynie lies to the south of Huntly within the Rural Housing Market Area and in the "local growth and diversification area" identified within the Structure Plan. School roll forecasts show that Rhynie Primary School has a falling roll and shows the school operating at 63% capacity in 2016; and it is appropriate to direct development to Rhynie to support the school, sustain local services and meet local housing needs. The allocations proposed reflect local needs and the scale and character of the settlement and ensure that sufficient land is provided to meet the housing land requirement Figure 8 of the Structure Plan (page 17).</p> <p>The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. Further information on the sites is contained in the Issues and Actions paper (Volume 7 page 94 Rhynie), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.</p> <p>Within Rhynie there are sufficient basic amenities to support development, including post office, store, garage and hotel. Rhynie is located on the A97 and the Roads Authority has not raised any</p>		

specific concern in respect of road conditions.

**Site M1**

Scottish Environment Protection Agency has not identified any flood risk on the site. Any drainage issues should be dealt with by SUDS or by incorporating the affected area into the site’s open space requirements.

**Rhynie Alternative Site**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

The site at Manse Road, site M20 in the main issues report, was fully debated following its inclusion in the Main Issues Report and following widespread community engagement the Council’s conclusion was to exclude the site due access problems and the difficulties in providing a link road to the south west of the site. (See Issues and Action Volume 7 page 94 Rhynie for further details).

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Rhynie are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**General**

1. In relation to the representation that there are insufficient basic amenities in Rhynie and poor road conditions to support development, the council points out that there are facilities, including a post office, store, garage and hotel, in the settlement. Rhynie is located on the A97 and the primary school is operating below capacity. Rhynie would therefore appear to be ideally suited to accommodate new housing appropriate to the scale and character of the settlement.

**Site M1**

2. Site M1 is allocated for a mix of 25 houses and employment land. The western part of site M1 is identified as being suitable for employment uses in the adopted local plan (EmpA). The area of ground between site EmpA and Main Street is unallocated in the adopted local plan. In relation to the concerns expressed regarding the low lying and boggy nature of part of the site, any drainage issues should be dealt with by a sustainable urban drainage scheme (SUDS) or by incorporating the affected area into the site’s open space requirements.

**Alternative site**

3. The suggested alternative site at Manse Road suffers from an inadequate access and its allocation for housing is inappropriate for this reason alone.

**Reporter’s recommendations:**

No modifications.

<b>Issue 146</b>	<b>Kennethmont</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p 24) Schedule 1, Table 7, (p 29) Schedule 2, Table 7, (p 33) Volume 3i, Proposed Supplementary Guidance, Settlement Statements, (p 46 & 47)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Alison Hunter (67)  Norman P Lawie Limited on behalf of John Cruickshank (273)  Colin Thompson Architects on behalf of David Grant (522, 523)  James Grant (1125)  Tap O Noth Community Council (2264, 2279, 2280)  David Grant (2285, 2583)  James Duguid (2302)  The National Trust for Scotland (2489)  Colin Shanks (2505)  Stanley Strachan (2507)  Grainne Patton (2550, 2551)  James Grant (2599)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing and Employment Land Allocations in and around Kennethmont at H1 & E1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b>  <b>2489:</b> The National Trust for Scotland advise that site H1 lies within the Conservation Area Agreement area and is therefore protected from development under the terms of the agreement. The trust would require to assess any detailed application to waiver the terms of the agreement.</p> <p><b>522, 523, 2264, 2279, 2280 2505, and 2507:</b> Representations consider H1 to be too small in size and that an allocation of 15 houses is too low as investment in sewage works is required. Regeneration after 2016 should not come to a standstill due to a lack of allocations.</p> <p><b>1125:</b> The site should be extended and allocation increased to make up for the neglect the village has suffered and begin the process of regeneration.</p> <p><b>67:</b> Representation objects on the grounds that H1 is unsuitable due to drainage issues, will ruin views, will reduce agricultural land and will disturb local nature.</p> <p><b>67, 2550:</b> Representations state that too many houses are proposed on H1.</p> <p><b>Site E1</b>  <b>2489:</b> The National Trust for Scotland advises that site E1 lies within the Conservation Area Agreement area and is therefore protected from development under the terms of the agreement. The trust would require to assess any detailed application to waiver the terms of the agreement.</p> <p><b>2264:</b> Representation supports the allocation as small businesses are vital to the survival of rural communities.</p> <p><b>2551:</b> Respondent states that reuse of existing buildings would be more appropriate for employment and questions the need for an employment land allocation in Kennethmont.</p>		

**Site R1**

**2489:** The National Trust for Scotland advise that site R1 lies within the Conservation Area Agreement area and is therefore protected from development under the terms of the agreement. The trust would require to assess any detailed application to waiver the terms of the agreement.

**Alternative Sites**

Site P2

**273:** Representation states that a portion of P2 should be allocated for housing.

**2489:** The National Trust consider protection of P2 is foresighted and in line with the Trust's conservation values. Protection will benefit the village as a whole.

**2599:** Supports protection of P2, as development would have an adverse effect and impact on an open area within the settlement, which would affect Moss of Kirkhill SSSI's overall special character and amenity.

**2550:** Supports protection of P2.

Site M42

**1125:** Representation states that site M42 within the Main Issues Report should be allocated to make up for the neglect the village has suffered and begin the process of regeneration.

**2285, 2583:** Representations state that site M42 within the Main Issues Report should be allocated as the village has suffered a lack of sustained growth and lost amenities. The village should be allowed to evolve beyond 2016.

**2507:** Representation states that site M42 within the Main Issues Report should be allocated as the lack of future housing allocations within Kennethmont may deter investment by housing associations, housing groups and private developers. No objections were received to the site at the Main Issues Report consultation.

Post 2016 allocations

**2302:** Respondent states an allocation should be made for housing beyond 2016 to allow those unable to build or purchase before 2016 to have the opportunity to do so.

**Modifications sought by those submitting representations:**

**2505** Increase allocation of 15 houses for period to 2016 and add 15 houses for period 2016 to 2023. Designate further area for future housing.

**2507** Designate site for further 15 houses for period 2016 to 2023.

**2550** Reduce number of units on H1.

**273:** Amend P2 to allow housing and an area of P2 to be protected. Amend allocation on H1.

**1125** Allocate whole of site M40 and M42 for housing, affordable housing, future housing, small business development, a cemetery extension and cemetery car park.

**2285, 2583** Allocate M42 for future housing.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Kennethmont lies to the south of Huntly within the Rural Housing Market Area and in the “local growth and diversification area” identified within the Structure Plan. School roll forecasts show that Kennethmont is forecast to be operating at 14% capacity in 2016 and it is appropriate to direct development to Kennethmont to support the school, sustain local services and meet local housing needs. The size of allocation made reflects local needs and the scale of the settlement and ensures that sufficient land is provided to meet the housing land requirement Figure 8 of the Structure Plan (page 17).

The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information on the sites is contained in the Issues and Actions paper (Volume 7 page 68 Kennethmont), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

The National Trust for Scotland Conservation Area Agreement will require to be taken into account by developers. Whilst this is a burden to development it is anticipated that in order to gain support to waiver the terms of the agreement design will require to be of the highest design standards and development should enhance the attributes of the Conservation Agreement. No other suitable site in the village is free of this burden.

**Site H1**

Size Site and Level of Allocation

The size of the site reflects the maximum density of 30 houses per hectare promoted within the reasoned justification of SG Housing 1: Housing land allocations 2007-2016. This provides sufficient space for 15 houses and 40% open space. An allocation of 15 houses reflects local needs and the scale of the settlement. A higher allocation would overwhelm the settlement and would not be consistent with historic growth. The allocation has been made in phase one of the plan and there would be an opportunity for allocation of future phases at the next review of the plan.

Waste water

The lack of capacity at Kennethmont WWTW is acknowledged and Scottish Water have advised that a growth project would require to be initiated when development meets their five criteria.

Drainage

Concern has not been raised by Scottish Environment Protection Agency in respect of drainage or flood risk. Local drainage issues will be dealt with through a detailed application and SUDS.

Settlement Pattern

The site boundaries reflect the settlement pattern of development focused around the junction. The westerly section of Kennethmont has developed on both sides of the road and this site would continue this pattern.

Agricultural Land

Site H1 is grade 3.2 agricultural land and therefore Scottish Planning Policy does not presume against development on this grade of land.

**Site E1**

An allocation for employment will help create a well balanced and sustainable community. Specific allocation of land provides more flexibility and opportunity rather than relying on suitable existing buildings to come forward for business use.

**Alternative Sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.



**Site P2**

Site P2 was considered for housing development in the main issues report as site M3/M11. The site was fully debated in the context of the Main Issues Report and following widespread community engagement the Council's conclusion was to exclude the site due to the potential impacts on the Moss of Kirkhill SSSI and the setting of Listed Buildings. The comments in support of the protection of site P2 are well made.

**Site M42**

Site M42 was considered in the main issues report and was noted as being capable of being developed. The site was fully considered following consultation on the Main Issues Report and following widespread community engagement the Council's conclusion was to exclude the site, as it would extend the easterly thrust of development, and the opportunity to consolidate the south eastern edge of Kennethmont on site H1 was preferred.

**Post 2016 allocations**

The comments regarding lack of allocation beyond 2016 are noted. However, the plan will be reviewed by 2016 and, if appropriate, further allocations could be considered during the review.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Kennethmont are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site H1**

1. Site H1, together with site E1/R1, is located on the southern side of the road through Kennethmont. The eastern boundary of the housing clustered around the western junction is delineated by a small tree belt and site H1 extends beyond this onto agricultural land. The eastern section of the settlement essentially comprises a linear one-sided development and the development of proposed site H1 would not reflect this settlement pattern. The agreement of the National Trust for Scotland is required for any development on site H1.

2. It has been suggested that an extension of site H1 eastwards should be considered post 2016. Ultimately, this would result in development stretching from site H1 to site E1, linking the western section of Kennethmont with the school and church to the east. Whilst the development of the whole of site M40 considered in the MIR would be excessive, an appropriately designed and laid out housing development along the road frontage would replicate the existing pattern of development and could create an interesting street-scape. There is support for more housing in the village to sustain local services and there is spare capacity in the local school. Whilst there is a lack of capacity at the Kennethmont waste water treatment works, an upgrade of this facility is required to enable any development to take place and an increased allocation would help to facilitate an upgrade.

**Sites E1/R1**

3. Site E1 is required to provide land for small businesses to help create a well-balanced and sustainable community. Such an approach is more likely to succeed than relying on suitable existing buildings coming forward. The agreement of the National Trust for Scotland is required for any development on sites E1/R1.

**Alternative sites**

**Site M42**

4. Site M42 lies to the north of the road through Kennethmont, between Kennethmont House to the

west and the school playing field to the east. It could be considered as an infill site. Indeed, an appropriately designed development of this site would have less impact on the character of the village than the development of site H1. The development of this site is supported by the local community and the allocation of site M42 for a small-scale development would provide further choice.

Site P2

5. There is strong support for the protection of site P2, the development of which would have an adverse effect on the Moss of Kirkhill SSSI.

Post 2016 allocations

6. The council suggests that any allocation of further land for development post 2016 should await the review of the local plan. However, there is support for further allocations in this plan to indicate where future development would be permitted. Taking account of the desire to encourage further development to support the school and local services in Kennethmont, it is considered appropriate that this plan should make further allocations to encourage continued development beyond 2016. In this respect, it is considered that the identification of the area of land between sites H1 and E1 for housing post 2016 would allow an overall layout and design to be prepared, in accordance with a development brief, which would better reflect the character of the village.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

1. Add Main Issues Report Site 42 to Proposals Map-Marr (p. 24), numbered H2, and amend entry for Kennethmont in Schedule 1, Table 7 (p. 29) by inclusion of Site H2 and figure 5 in the Local Growth (RHMA) 2007-2016 column.
2. Extend site H1 on Proposals Map-Marr (p. 24) to include the area between sites H1 and E1 and amend entry for Kennethmont in Schedule 1, Table 7 (p. 29) by inclusion of figure 15 in the Local Growth (RHMA) 2017-2023 column.

<b>Issue 147</b>	<b>Clatt</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p 24) Schedule 1, Table 7, (p 29) Volume 3i, Supplementary Guidance, Settlement Statements, (p 17 & 18)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Environment Protection Agency (1979)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Allocations in Clatt.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site EH1 Clatt</b></p> <p><b>1979:</b> Scottish Environment Protection Agency state that part of site EH1 is at medium to high risk from flooding. The issue of flood risk should be highlighted in the text as a potential constraint as should the possible need for drainage assessment.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>1979:</b> Add text to Supplementary Guidance for site EH1 stating "Part of this site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood risk assessment will be required to accompany any future development proposals for this site an appropriate buffer strip will be required adjacent to the existing watercourse."</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>The flood risk is noted. The size of the site and relatively small allocation should allow mitigation measures to be accommodated. Specific flood risk issues would be considered by Development Management. Text has been inserted into Supplementary Guidance highlighting the flood risk, but this does not require any change to the Local Development Plan itself.</p>		
<b>Any further plan changes commended by the planning authority:</b>		
<p>No changes are commended.</p> <p>The supplementary guidance has been changed to show the requirement for a flood risk assessment for site EH1.</p>		
<b>Reporter's conclusions:</b>		
<p>1. The council's confirmation that the supplementary guidance has been changed to show the requirement for a flood risk assessment for site EH1 is noted.</p>		
<b>Reporter's recommendations:</b>		
<p>No modifications.</p>		

<b>Issue 149</b>	<b>Montgarrie</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, Marr, (p 24) Schedule 1, Table 7, (p 29) Schedule 2, Table 7, (p 33) Volume 3i, Supplementary Guidance, Settlement Statements, (p 60 & 61)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Fiona Donaldson (70) William Balfour (244) Norman P Lawie Limited on behalf of Mr & Mrs Watson (258) Michael Gilmour Associates on behalf of Carden Studios (1982)		
<b>Provision of the development plan to which the issue relates:</b>	Mixed Use Land Allocations at Montgarrie - M1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1</b>  <b>70:</b> Representation states that site M1 should be for residential use only with no community or commercial uses. There is already a community use close by that could be upgraded.</p> <p><b>244:</b> Objects on grounds that there is no demand for housing in Montgarrie as houses are not selling and there are no amenities, 20 houses will alter the ambience of the village, and there is a lack of sewage capacity. Access to the site is a concern due to the gradient and corner, and 20 houses will have an adverse impact on the local road network.</p> <p><b>258:</b> Allocation of only 20 houses makes the site undeliverable due to costs of road improvement and the requirement to upgrade the sewage work.</p> <p><b>Alternative Site</b>  <b>1982:</b> Allocate site M23 at Montgarrie Mill as the site could accommodate sustainable housing, would utilise a brownfield site, is well screened, fits with existing fabric of the settlement, will have no impact on wildlife, is outwith flood risk area, will have minimal impact on existing services and infrastructure, is free from constraints, will provide choice, and help maintain vibrant community.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>258:</b> Amend housing allocation on M1 to 50 units.</p> <p><b>1982:</b> Allocate site M23 at Montgarrie Mill.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Montgarrie lies to the north of Alford within the Rural Housing Market Area and in the "local growth and diversification area" identified within the Structure Plan. Tullynessle Primary School is forecast to be operating at 73% capacity in 2016, and as Montgarrie falls within the Tullynessle Primary School catchment it is appropriate to direct development there. The level of development and phasing proposed reflects local needs and the scale of the settlement, and ensures that sufficient</p>		

land is provided to meet the housing land requirement Figure 8 of the Structure Plan (page 17).

The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. Most of the issues raised in relation to this settlement were raised in response to the consultation on the Main Issues Report, and were considered in the “Issues and Actions” paper (Volume 7 page 87 Montgarrie).

**Site M1**

Allocation of site M1 reflects the local growth and diversification strategy and will support Tullynessle Primary School. The site requires a development brief and development will require to respect its setting. An increased allocation while possible would be out of scale with the existing settlement and lead to overdevelopment.

Access

Whilst access to site M1 is difficult and likely to be costly the Roads Authority advised that a suitable access could be achieved. The ability to deliver a suitable access was discussed at Committee and the allocation was increased from ten units to twenty to aid delivery. 20 houses are also in line with the number of units proposed within the bid originally submitted by the developer for the site.

Waste Water Treatment

The need to upgrade the Montgarrie septic tank is acknowledged and Scottish Water have advised that a growth project would require to be initiated when development meets their five criteria.

Type of Uses

The original bid proposal submitted was for a mix of uses and this concept has been taken forward. Allocation of employment land within the site will allow for small serviced plots or for live work units. This type of small scale commercial use is appropriate to the location and scale of development proposed. Community uses were proposed within the bid. The exact nature of the community uses is relatively open and would require to reflect the needs of the community. If an existing facility is available there is no need to replace this.

**Alternative Site**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider any alternative sites.

The site at Montgarrie Mill, site M23 in the main issues report, was fully debated at Main Issues Report and Proposed Plan stages and following widespread community engagement the Council’s conclusion was to exclude the site due to its low lying nature, proximity to flood risk area, and impacts on wildlife and the historic environment of the grade A listed Montgarrie Meal Mill.

**Conclusion**

None of the modifications proposed are supported. The development strategy and land allocations in Montgarrie are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Site M1**

1. Site M1 is identified in the adopted local plan as appropriate for future housing. However, the site is in an elevated position above Sunnybank Cottages and any housing on this site would not be well related to the present form of the settlement. Access would be difficult although a suitable access could be achieved at a cost. Although the development would support the local school, the village

septic tank has inadequate capacity for further development. Opposing views on the proposed allocation have been submitted. On the one hand, there are objections to the mixed development proposed. On the other hand, the landowner considers that a development of 20 houses is undeliverable due to road costs and the cost of upgrading the sewage works and that a large allocation should be made. It is suggested that a provision of around 50 houses is required to make the proposal viable.

2. It would appear that site M1 as proposed is not a viable proposition. Therefore, whilst the development of this site would support local services, the allocation of site M1 for a development of 20 houses is unrealistic. An increased allocation would be excessive for the size of the existing settlement. There is no overriding need for this scale of additional housing in Montgarrie and the only reasonable course of action to be taken is to delete site M1 from the plan.

**Alternative site**

3. The suggested site at Montgarrie Mill is low lying being bordered by the Esset Burn to the west and the Mill Lade to the east. The Scottish Environment Protection Agency (SEPA) initially advised that the site is partially within the indicative 1 in 200 year flood risk envelope and may be at medium to high risk of flooding. SEPA subsequently indicated to the prospective developer that most of the site lies outwith the indicative flood risk area but is low-lying and, consequently, ground levels should be studied closely. Whilst part of the site could be considered to be brownfield land, and is within the settlement boundary, the larger proportion of the site comprises an open field. However, it is well screened and a small development (4 houses are shown on the indicative plan) could be integrated into the fabric of the village. Although concerns have been raised regarding protected species on site, a detailed study has found no evidence of such species. Access can be achieved from an existing lane. The issues relating to the proximity of the working mill, a category A listed building, and the protection of trees on the site could be addressed through the preparation of a development brief.

4. SEPA has counselled a precautionary approach to any development of this site and it is noted that SEPA holds no historical information on flooding in this area. Responses from local residents have indicated that the site is subject to flooding on a regular basis. In these circumstances, it is considered that it would not be appropriate to allocate this site for housing in advance of a detailed flood risk assessment of the site. As an identified village in terms of SG Rural Development 1, opportunity exists for additional development to meet local needs. The proposed development of this site could be considered in terms of this policy.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

Delete site M1 from Proposals Map-Marr (p. 24) and remove entry from Montgarrie in Schedule 1, Table 7 (p. 29) and Schedule 2, Table 7 (p.33).



<b>Issue 150</b>	<b>Alford</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map - Marr, (p 24) Schedule 1, Table 7, (p 29) Schedule 2, Table 7, (p 33) Volume 3i, Supplementary Guidance, Settlement Statements, (p 5 to 7)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Yvonne Christie (101) Mark Tennant (379, 661) Donside Community Council (554) Drennan Watson (965) Paull & Williamsons LLP on behalf of Scotia Home Ltd (1713, 1804) Scottish Environment Protection Agency (1979) Knight Frank LLP on behalf of Kirkwood Homes Ltd (2143) William Chalmers (2296, 2548)		
<b>Provision of the development plan to which the issue relates:</b>	General Comments, Mixed Use Land Allocations – M1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>General</b>  <b>1713, 1804, 2143</b> Additional land should be allocated in Alford as there is a shortfall in the effective land supply in the Rural Housing Market Area (see issue 25). The financial environment is now more risk adverse, which will create a shortfall in effective sites, and Alford could help to address this shortfall in the short and medium term (2143). As Alford is a significant settlement, it is appropriate to allocate further deliverable development to provide certainty and choice. As a key settlement and major service centre Alford should be allocated further housing as this is critical to the delivery of employment land and the promotion of sustainable development.</p> <p><b>Site M1 Alford</b>  <b>2296, 2548</b> Object to mixed use proposal as business land has been identified to the west/east of the village and there is no demand for further provision. A mixed use development is not appropriate in such a small community with access difficulties.</p> <p><b>661</b> One respondent wishes there to be no alteration to Alford settlement.</p> <p><b>Site R1 Alford</b>  <b>101</b> Objects on the grounds the new school campus should not be built on park ground that was gifted to Alford.</p> <p><b>661</b> Respondent wishes there to be no alteration to Alford settlement.</p> <p><b>Sites R2 and R3 Alford</b>  <b>661</b> Respondent wishes there to be no alteration to Alford settlement.</p> <p><b>1979:</b> Scottish Environment Protection Agency raises no significant flooding concerns for site R3.</p> <p><b>Site R4 Alford</b>  <b>965</b> Respondent feels that the allocation does not address the social needs of the growing population. There is a lack of play areas and recent development to the east of the village is remote from the existing parks. R4 is surrounded by houses, is secure and has no traffic so would be ideal for a playground and green space/garden. There is no need for additional car parking, as the village</p>		

hall is central allowing people to walk to it, there is an existing car park 2-3 minutes from the hall, and additional parking at the Heritage Centre could be connected to the Hall by a footpath.

**661** Respondent wishes there to be no alteration to Alford settlement.

**Alternative Sites**

Site to the south east of Alford

**1713, 1804** (site M95 in the Main Issues Report) should be allocated for a mixed use development with a range of house types and sizes proposed. The site would consolidate the entrance to the town from the east, would enhance facilities to the east of the village and is close to the town centre.

**379** One respondent welcomes the absence of development to the south and south east of Alford noting previous opposition to recent development at Wellheads farm, the need to maintain separation between Balfluig Castle and Alford and maintaining the open countryside setting on the eastern approach to Alford.

Site at Wellheads

**2143** An allocation should be made to the east of Alford as it is more marketable and would reduce cross town traffic. The allocations in the proposed plan will require traffic to use inadequate roads and cross the town centre. This would offset costs for servicing employment land and address market failure.

**2143** should be allocated for mixed use; this includes changing the BUS site to mixed use. Demand for employment land has historically been low in Alford. The site is accessible to the town centre and community services. The trunk water main would require upgrades but there is waste water capacity.

**554:** Another respondent expresses support for the BUS site being designated for mixed use.

**Modifications sought by those submitting representations:**

**2143** Identify site at Wellheads for mixed use development with 48 houses for the period 2007 to 2016 and 2.4 ha of employment land and another site for 60 houses for the period 2017 to 2023 and 1 hectare of employment land (includes deletion of BUS site and its allocation for mixed use).

**554** Site BUS should be allocated for mixed use development.

**1713, 1804** Allocate site to the south east of Alford (site M95 in the Main Issues Report) for mixed use development.

**2296, 2548** Site M1 should be allocated as residential only. Community uses should be provided in the new school campus.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Alford lies in the rural housing market area and in the “local growth and diversification area” identified within the Structure Plan. Alford has been identified as being able to accommodate modest development, with more significant allocations being directed towards towns in the Regeneration Priority Area and other towns within the Rural Housing Market Area. The new allocation proposed for Alford of 30 houses reflects the size of the town, its accessibility, the scale of allocations yet to be built out, school capacity and brownfield opportunities provided by the need to relocate the school campus. As 283 units are still to be built out from the last plan and due to the lack of capacity in the primary (forecast to be at 204% of design capacity in 2016) and secondary school (forecast to be at 115% of design capacity in 2016) only limited housing is proposed on the brownfield site which would be created by relocation of the Academy. The size of allocation made reflects local needs and

the scale of the settlement and ensures that sufficient land is provided to meet the housing land requirement Figure 8 of the Structure Plan (page 17). The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan. Further information of the sites considered is contained in the Issues and Actions Paper (May 2010) (Volume 7 page 7 Alford), which was informed by responses to the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

**Site M1**

A mixed use site is promoted on site M1 as this reflects the site’s central location and its proximity to the proposed community campus. There is sufficient land yet to be built out to meet local housing needs and additional housing is not required. There is a need to maintain a supply of employment land in Alford and a significant advantage of a mixed use site is that it will provide serviced employment land.

**Site R1**

Site R1 is a reserved site and not an allocation: it simply excludes other developments. The site is reserved for a community campus school and the area includes the existing recreation ground to the north east of the site. Given the size of the R1 allocation, approximately 18.8 ha, it may be possible for the design of the new campus to avoid developing the recreation ground gifted to Alford. Reserving the whole R1 area including the recreation facilities provides flexibility for the siting and design. Proposals being brought forward are being consulted upon with the public. If recreation facilities are retained it will be important for the campus to integrate with and provide links to these facilities. It is therefore appropriate to reserve the recreation area along with the larger R1 area.

**Site R4**

This site is a reserved site and not an allocation: it simply excludes other uses other than development as a car park. There are at present no specific development proposals for this site. The reservation has been carried over from the previous plan and could be removed at the next plan review, if there is no interest in progressing the car park proposals.

**Alternative Sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

Site to the south-east of Alford

Whilst development to the south-east and east of Alford may avoid an increase in cross-town commuter traffic the easterly location may mean development does not integrate as well with the community and being further from the town centre may result in increased local journeys by car. There are significant marketing advantages of east over west.

The site to the south-east of Alford, site M95 in the main issues report, was considered following consultation on the Main Issues Report. Following widespread community engagement the Council’s conclusion was to exclude the site, as further development in Alford during the current plan period would lead to overdevelopment impacting on local character and amenity, and additional housing is not required to meet local needs. See Alford “Issues and Actions Paper” (page 7) for further details.

Site at Wellheads

The site at Wellheads, site M80 in the main issues report was considered following consultation on the Main Issues Report, and following widespread community engagement the Council’s conclusion was not to propose site M80 for housing. It is important to maintain a supply of employment land within Alford and there is sufficient housing land still to be built out. M80 is carried forward in the proposed plan as a BUS allocation safeguarding it for employment uses. See Alford “Issues and Actions Paper” (page 8) for further details.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Alford are already appropriate and sufficient to meet the needs of the settlement strategy.

<b>Any further plan changes commended by the planning authority:</b>
No changes are commended.
<b>Reporter's conclusions:</b>
<p><b>Site M1</b></p> <p>1. Site M1 is allocated for housing, employment land and community uses. Housing is the dominant proposed use of this site, with 30 houses, but a mixed development would not be uncharacteristic of the surrounding area.</p> <p><b>Site R1</b></p> <p>2. Site R1 is reserved for the development of a community school campus. It includes the Recreation Ground, which was gifted to Alford and concerns have been expressed regarding the loss of this facility. It is understood from the council that the retention of all or part of the Recreation Ground is being considered as part of the proposals for the development of the site.</p> <p><b>Sites R2 and R3</b></p> <p>3. Both these reservations are to allow small-scale extensions to, respectively, the cemetery and Donside Community Care. No substantive reasons for removing these reservations from the proposed Plan have been submitted.</p> <p><b>Site R4</b></p> <p>4. Site R4 is reserved as a car park in the adopted local plan. However, there are no specific proposals for this site and there has been no interest in developing the site as a car park. The council suggests that, if there continues to be no interest in progressing the car park proposal, the allocation could be rescinded at the next review. The site is located close to the village hall and to the rear of the Heritage Centre. It is bordered by houses on three sides. There is an existing public car park close by and the Heritage centre has its own parking. The respondent suggests that the use of this site as a car park is inappropriate and that some community use such as a children's playground or other green space would be more appropriate. Since the reservation of the site as a car park excludes the possibility of other uses, and in the light of there being little likelihood of a car park being provided, it is concluded that the reservation should be removed. Other uses for the site could then be considered against the appropriate plan policy.</p> <p><b>Site BUS</b></p> <p>5. Site BUS is identified as being suitable for employment uses in the adopted local plan. During consultation on the Main Issues Report, there were several comments in support of this site (site M80) being allocated for mixed use development rather than solely for employment. This view is supported by the Community Council. The developer of the site requested that the site be allocated for up to 42 houses in the first phase of the plan and some 2.4 hectares of employment land to be developed for a mix of uses including a care home and a replacement household waste recycling centre. Site BUS abuts industrial units to the west and the Wellheads housing development to the east. A mixed use development would provide additional housing to meet housing requirements in the first phase of the local development plan and land for a range of employment opportunities and community facilities. In fact, during the local development plan examination, the council has agreed to grant planning permission for 44 dwellings, serviced employment land and a serviced site for community facilities on site BUS. In relation to concerns regarding access to the development, the Roads Authority has not raised any concerns. In relation to the use of the site for employment purposes, this is the only employment site within Alford until such time as the existing school site (M1) becomes available for redevelopment.</p> <p><b>Alternative sites</b></p> <p><u>Site at Wellheads</u></p> <p>6. In conjunction with the proposals for site BUS, the developer has requested that an area of land to the east of the Wellheads development, forming part of site M79, be allocated for mixed uses, to</p>

include up to 60 houses in the second phase of the plan and 1 hectare of land for small business units. Site M79 extends to the east and south of the existing Wellheads development. That part of the site to the south of the existing housing is on rising ground and a housing development in this location would be unduly prominent in views when approaching Alford from the east. That part of site M79 immediately to the east of the Wellheads access would be less prominent. The boundaries of the site are well defined and a similar approach to landscaping/screening as has been taken with the existing development would ameliorate the visual impact of the development. Access is available direct from the A944 via a new junction and development on the eastern side of Alford, the Aberdeen side, is likely to have less traffic impact on the town centre than further development on the western side of the town. The site is accessible to public transport. Alford is an important local service centre, with proposals for a new school campus to provide both primary and secondary schooling. There is spare capacity at the existing water treatment works to serve the development but it is likely that the trunk main serving Alford will need to be upgraded. There is sufficient capacity at the waste water treatment works to serve the development. The site is deliverable and it is considered that the site is a logical extension to the existing Wellheads development.

7. However, according to the Housing Land Audit 2010, existing sites have a capacity for some 250 units and both the primary school and the secondary school are forecast to be operating well above their design capacity by 2016. The timescale for the development of the proposed community campus school is uncertain and it would be premature to allocate further land for housing until there is more certainty about this proposed development. Further consideration of any extension to the site at Wellheads should await the review of the local development plan.

Site to the south-east of Alford

8. The development of site M95 would extend housing further eastwards along the A944. Whilst there is a ribbon of houses along the north side of the A944 leading out of Alford, the site comprises open fields on the south side of the A944 and any development in this location would have a major impact on the approach to Alford from the east. Without the prior development of that part of site M79 referred to above, development on site M95 would appear detached from the urban area of Alford. It is considered that, with the allocation of the BUS site for a mixed development, including housing, sufficient housing land is available to serve the local needs of Alford. Any decision on the allocation of further land for housing should await a review of the local development plan.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

1. Delete proposal R4 from Proposals Map-Marr (p. 24).
2. Add site M2 (previously site BUS in Supplementary Guidance) to Proposals Map-Marr (p. 24) and include site M2 under Alford in Schedule 1, Table 7 (p. 29) with a figure of 44 in the Local Growth (RHMA) 2007-2016 column. Include site M2 under Alford in Schedule 2, Table 7 (p. 33) with a figure of 1.0 in the Local Growth (RHMA) 2007-2023 column.

<b>Issue 151</b>	<b>Kirkton of Tough</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p 24) Schedule 1, Table 7, page 29 Volume 3i, Proposed Supplementary Guidance, Settlement Statements, (p 50 & 51)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
William Lippe Architects Ltd on behalf of A R Mathers & Sons (460) Michael & Valerie Ward (2909)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Land Allocations.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b>  <b>460:</b> Objects to H1 on the basis that it is disjointed, isolated, has a negative impact on the landscape, does not enhance or sustain the townscape and does not relate well to existing settlement.</p> <p><b>2909:</b> Respondent raises concern in respect of environmental impacts of additional septic tanks draining to the burn and the type of housing proposed. They also raise concern in respect of impacts of development on neighbouring properties, access to House of Lynturk, and woods. Improvements should be made to the Tough to Muir of Fowlis road to include pavements and speed restrictions adjacent to the school and proposed development.</p> <p><b>Alternative Site</b>  <b>460:</b> Allocate M70 as it integrates well with the existing settlement, uses an existing access, and would improve supply of housing in rural areas.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>460:</b> Allocate site M70.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Kirkton of Tough lies to the south of Alford within the rural housing market area and in the "local needs and diversification area identified in the Structure Plan. The objectives for the settlement are to meet the need for a welcoming approach to development in the countryside and sustain local services. The size of allocation made reflects the scale of the settlement and is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan.</p> <p>Paragraph 94 of Scottish Planning Policy states that development plans should support more opportunities for small scale housing development in rural areas including extensions to existing clusters and groups. Therefore, the allocation of 5 houses at Kirkton of Tough is consistent with Scottish Planning Policy. Whilst the immediate hamlet of Kirkton of Tough is not dependent on growth and lacks services, the allocation will benefit the wider rural area.</p>		



**Site H1**

Kirkton of Tough has development on both the north and south of the road with the school also located on the north of the road. The site will provide a counterweight to ribbon development to the north and introduce a streetscape with associated opportunities to introduce traffic speed reductions and pavements. Therefore, the location of the site is not isolated. The site sits at a lower level than land to the south and is well screened such that visual impacts are minimised.

Application of Policy 8 Layout siting and design of new development will require applications to consider design issues including respect for setting, neighbouring features and waste systems. The woods are outwith the site boundary.

**Alternative Site**

As the above site is appropriate and sufficient there is no requirement to consider alternative sites.

Site M70 was fully debated at the Main Issues Report and Proposed Plan stages and following widespread community engagement the Council’s conclusion was to exclude the site as it would unreasonably extend the cul de sac development and could impact on the setting of the church. See Issues and Actions Volume 7 page 78 Kirkton of Tough.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Kirkton of Tough are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Site H1**

1. Differing views were expressed in respect of the settlement pattern for Kirkton of Tough during the consultation on the main issues report (MIR). Site H1 forms part of MIR site M72. It comprises the central part of a field on the north side of the Whiteley to Muir of Fowlis road. It has no definable boundaries on the ground. As such it constitutes an isolated site that does not relate to the form of the existing settlement. Kirkton of Tough is a small hamlet lacking services and there is no identifiable need for the development.

**Alternative site**

2. The suggested alternative site for 5 houses comprises an extension to the existing cul-de-sac development opposite site H1. It occupies part of the protected area P1 shown on the settlement plan in SG and includes land extending further southwards. The council considers that an extension of the existing development southwards could have an impact on the setting of the church. I concur with this view and consider that the proposed extension to the existing housing at this location would not be compatible with the form of the existing settlement.

**Reporter’s recommendations:**

Modify the proposed Plan as follows:

Delete site H1 from Proposals Map-Marr (p. 24). Remove entry in Schedule 1, Table 7 (p.29).

<b>Issue 152</b>	<b>Logie Coldstone</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p 24) Schedule 1, Table 7, (p 29) Volume 3i, Supplementary Guidance, Settlement Statements , (p 54 & 55)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Cromar Community Council (2482)		
<b>Provision of the development plan to which the issue relates:</b>	M1 - Mixed Use Land Allocations.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>M1 Logie Coldstone</b></p> <p><b>2482:</b> Support proposal as it is essential for Logie Coldstone to remain a sustainable community.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>Summary of responses (including reasons) by planning authority:</b>		
There are no outstanding issues to resolve.		
<b>Any further plan changes commended by the planning authority:</b>		
<b>Reporter's conclusions:</b>		
1. There are no outstanding issues to resolve.		
<b>Reporter's recommendations:</b>		
No modifications.		

<b>Issue 153</b>	<b>Tarland</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p 24) Schedule 1, Table 7, (p 29) Schedule 2, Table 7, (p 33) Volume 3i, Supplementary Guidance, Settlement Statements, (p 70 to 72)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>P J Anderson (6) DPP LLP on behalf of Church of Scotland General Treasurer (1168, 1170) Dorothy Reid (1251) Scottish Environment Protection Agency (1979) Strutt &amp; Parker LLP on behalf of The Macrobert Trust (2102, 2110) Cromar Community Council (2482)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Housing and Mixed Use Land Allocations at H1 & M1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b>  <b>2110:</b> Representation considers a greater allocation of 35 to 40 houses is required due to lack of provision for retired people or those with need for greater care. A low allocation means there is a risk this opportunity is not taken up. An ecological survey has not identified any features that would constrain development.  <b>2102:</b> Respondent supports land for immediate development.  <b>2482:</b> Cromar Community Council is content with an allocation of 10 houses on H1, but would not wish this to increase.  <b>1251:</b> Respondent objects as houses are needed for local retired people.</p> <p><b>Site M1</b>  <b>2102:</b> Respondent supports land for immediate development.  <b>6:</b> Object on grounds development will impact on quality of life, privacy and views and that part of the site is subject to flooding.  <b>1251:</b> Respondent states there should be more provision for employment and more affordable rented homes.  <b>2110, 2482:</b> Object to mixed use designation as M1 is an inappropriate location for employment land, due to the potential conflict with residential development in terms of amenity, traffic and marketability. An alternative site for employment land should be allocated. An allocation of 1ha of employment land is excessive when compared to other settlements (2110).  <b>2110:</b> Representation states the site area should extend from Drummie House and follow the edge of Drummie Wood rather than an arbitrary line.  <b>2482:</b> Cromar Community Council agree that the site should run alongside Burnside Road and not encroach on the wood.</p>		

**2110:** Representation states that an allocation of 60 houses would reflect the density advocated in SG Housing 1 and development in the surrounding area. An increased allocation would support the school and other facilities and would meet the shortfall in Schedule 1.

**2482:** Cromar Community Council welcome the limit of housing in Tarland at around 60 houses, but are concerned the EH1 and EH2 allocation will be developed at higher levels, yet M1 would still go ahead at 30 units. They suggest combining site EH2 and M1 for 22 houses.

**2482:** The employment use from M1 should be relocated elsewhere in the village, but not on the approaches to the village, particularly those to the north and south, which should be protected from development.

**Site EH1**

**2110:** Support continuation of EH1 but object to number of units. The extant plan used was indicative stating “around 24” houses but this has now been fixed without justification resulting in a low density. The landowner is in the latter stages of preparing a submission of 38-40 dwellings comparing favourably with density proposed in SG 1 Housing and in line with neighbouring development.

**2482:** Cromar Community Council welcomes the limit of housing in Tarland at around 60 houses but are concerned the EH1 and EH2 allocation will be developed at higher levels.

**Site EH2 (see also under site M1 above)**

**2110:** Support continuation of EH2 but object to numbers applied, previously 5 was indicative and is now fixed without justification resulting in extremely low density. Site should be included within site M1.

**2482:** Cromar Community Council welcomes the limit of housing in Tarland at around 60 houses but are concerned the EH1 and EH2 allocation will be developed at higher levels.

**Site R1**

**1168, 1170:** Support allocation of cemetery extension.

**1979:** Scottish Environment Protection Agency raises no significant flooding or groundwater concerns for the site.

**Alternative Sites**

Field between Parkhouse and Melgum Road

**6:** Representation states the field between Parkhouse and Melgum Road should be allocated for employment instead of M1, as this would have less impact on the village and is closer to the school and playing field.

Site M31, south east Tarland

**1168, 1170:** Representation states that bid site M31 should be allocated in its entirety as it is accessible, well located in terms of amenities, is bounded by existing development, is not visually prominent, will not have an adverse impact on surroundings, is a logical expansion, is viable, effective and deliverable. See Issues and Actions Volume 7 page 103 Tarland.

Site to north of BUS

**2110:** Respondent states the employment use from M1 should be relocated to a site to north of BUS, as this is located on the transport network, would minimise conflict with adjacent uses and maximise potential cross-selling of services between adjacent uses.

Other

**2102:** Object to non-identification of land at Tarland for development in the period to 2017 and 2017 to 2023.

**Modifications sought by those submitting representations:**

**2110:** Increase allocation on H1 to 35 to 40 houses.

**2482:** No increase to allocation of H1.

**2110:** Relocate employment uses from M1 to north of BUS.

**2110:** Increase size of M1 and re-annotate it as residential development in two phases for 60 dwellings.

**2482:** Combine M1 and EH2 for 22 houses.

**2210:** Site EH1 should be identified as “immediate new housing area” for 38 or 40 houses.

**1168, 1170:** Allocate bid site M31 for residential development in phase 1.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Tarland lies to the north of Aboyne within the rural housing market area and the “local growth and diversification area” identified in the Structure Plan. School roll forecasts show that Tarland Primary School is forecast to be operating at 59% capacity in 2016. Allocations have been made to meet the objectives to meet local housing need, sustain local services and provide opportunity for local employment in the settlement. The size of allocation made reflects local needs and the scale of the settlement and ensures that sufficient land is provided to meet the housing land requirement Figure 8 of the Structure Plan (page 17). The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and Structure Plan.

**Site H1**

An allocation for ten houses has been made as part of the Alastrean House Continuing Care Community. A higher allocation is not appropriate due to the potential impacts on the setting of Alastrean House and potential impact on the woodland. No business case has been put forward justifying a greater number of units. The ten unit allocation is made within the first phase of the plan and therefore if the initial phases are found to be successful there would be the opportunity to consider further units at the next review of the Local Development Plan. Allocations have been made within Tarland itself to meet local needs.

**Site M1 and site EH2**

The mixed use site allows for development of live-work units, which would be unlikely to conflict with residential uses. Allocating employment land with residential promotes sustainability by reducing commuting. There is only a relatively small business allocation (1.3 hectares) being carried over from Aberdeenshire Local Plan, and therefore to maintain a sufficient supply of employment land a new allocation has been made which reflects the scale of the new housing allocations made. The requirement for a masterplan and the application of Policy 8, Layout siting and design of new development, should ensure that concern in respect of amenity, privacy, and views can be addressed. The site follows Burnside Road and this reflects the settlement pattern. The site will include provision for affordable housing in line with Policy 6 Affordable housing.

The number of units proposed on site M1 reflects local needs and the scale of the town. The allocation of 30 houses will create a density which is reflective of the character of the settlement, and the size of the site takes into account open space and the requirement for employment land. The levels of development proposed allow integration of the new development and prevent the settlement from being overdeveloped. No higher allocation is appropriate as there are no key infrastructure thresholds that need to be crossed.

Previously under the Aberdeenshire Local Plan there was recognition that there was potential for allocated sites to be developed at a higher number of units than stated in the plan. This has been a concern raised by several communities including Cromar Community Council. To address this issue the Proposed Plan only supports increases in the number of units in exceptional cases, such as where there is an overriding public benefit. However, given the requirement to masterplan sites M1 and EH2 together and the low density on site EH2, it is accepted that it would be appropriate to amalgamate these sites for 35 houses and one hectare of employment land. This has been proposed as a minor modification to the plan.

**Site EH1**

Previously under the Aberdeenshire Local Plan there was recognition that there was potential for allocated sites to be developed at a higher number of units than stated in the plan. This has been a concern raised by several communities including Cromar Community Council. To address this issue the Proposed Plan only supports increases in the number of units in exceptional cases, such as where there is an overriding public benefit. Increases of that sort should therefore no longer occur.

An allocation of 24 units on site EH1 reflects the density of surrounding development reflects the character of the settlement and takes into account open space requirements.

**Site R1**

The comments are noted and no response is required.

**Alternative Sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternatives.

Field between Parkhouse and Melgum Road

The site between Parkhouse and Melgum Road and the site to the north of the BUS allocation were not proposed at any previous stage so there has been no site assessment or public debate on their merits. Sufficient provision is made for employment uses on site BUS and M1.

Site M31, south east Tarland

Site M31 was fully considered following consultation on the Main Issues Report and following widespread community engagement the Council’s consideration was to include only the part of the M31 bid required to accommodate 40 units. The western part of M31 was selected, as development could be more successfully accommodated, visual impacts would be more limited and there would be no impacts on historic features.

Site to north of BUS

The site was not proposed at any previous stage so there has been no site assessment or public debate on the site. Allocation of employment land within site M1 allows for live-work units and promotes sustainability by reducing commuting. There is no need to relocate the employment element within site M1. (See also under site M1 and EH2 above).

Other issues

Land has been identified on sites EH1, H1, and M1 in both phases of the plan. The allocations made reflect local needs and the scale of the settlement and additional allocations are not required.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Tarland are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

It is suggested that the following change is made:

That sites EH2 and M1 be combined for development of up to 35 houses whilst retaining the mix of



uses as currently proposed. This will have consequential changes for the proposals map and Schedule 1.

**Reporter's conclusions:**

**Site H1**

1. Site H1 forms part of the grounds of Alastrean House, which is situated approximately 500m outside Tarland. The site comprises mainly woodland. The allocation has been made as part of the Alastrean House Continuing Care Community. Representations have been made to increase this allocation from 10 houses to between 35 and 40 houses in association with the existing facility. These houses would not be open market houses available to the general public but would only be available to retired people or those with a need for care.

2. The existing allocation is included in the local growth (Rural Housing Market Area) housing allowance. This is the same approach as that taken by the council in relation to Inchmarlo House at Banchory where the council considers that although the houses are targeted at a specific market they nevertheless contribute to general housing figures.

3. Alastrean House is outwith a recognised settlement and, as such, the allocation of a site for 35-40 houses in this location would not be consistent with the principles of sustainable development set out in the vision and aims for the plan and in the spatial strategy. Any additional housing development in association with the care home should be considered against the appropriate policies of the proposed Plan.

**Site EH1**

4. Site EH1 has been carried forward from the adopted local plan. It is not shown as a proposal in the proposed Plan and the re-allocation of this site is outwith the scope of this examination.

**Site EH2/M1**

5. In response to representations, the council commends that these sites be combined for a development of up to 35 houses and 1 hectare of employment land. It has been requested that the employment use be relocated to an area of land on the northern edge of the settlement opposite the existing BUS allocation. A request has also been made to increase the area of this site by including land situated between site EH2 and Drummie Wood to the south to accommodate some 60 dwellings in total.

6. As regards the relocation of employment land from site M1, the suggested site is on the periphery of the village and any development would have an adverse visual impact on the entrance to the village from the north. It is considered that the integration of small live-work units within site M1 would be a more appropriate solution to providing small business units in the community than developing a business park on the edge of this small village.

7. The extension of the combined EH2/M1 area southwards to the edge of Drummie Wood, as requested, would not have a significant impact on the landscape since this area is largely contained by woodland and topography. Development on this part of site M31 could be integrated into the settlement and would not have a significant impact on the southern approach to the village along the B9119. The southern boundary of site EH2 is a somewhat arbitrary line undefined on the ground and Drummie Wood forms a far more defensible boundary for the built-up area. In relation to the concerns regarding flooding along Burnside Road, a flood risk assessment would require to accompany any development proposals.

8. As regards the number of houses proposed for the extended site EH2/M1, the retention of 1 hectare of employment land would reduce the capacity of the site below that requested. A capacity of up to 50 units would reflect the density of housing development in the surrounding area, taking account of the intention to provide a residential development of mixed size, type and tenure, and the need to accommodate flood areas in the form of open space and landscaping.

**Alternative sites**

Field between Parkhouse and Melgum Road

9. This site has been suggested without assessment at any previous stage of the plan process and no public consultation. This site was not the subject of a development bid and no deliverability statement has been submitted. It would not be appropriate to consider its inclusion in the proposed Plan without any such assessment.

Site to east of Tarland

10. This site forms part of site M31. It is situated to the east of Bridge Street and on the north side of the Tarland Burn. It lies immediately to the east of Tarland Manse and cemetery and a small area of land reserved for an extension to the cemetery. When viewed from the south (the B9119), the settlement boundary east of Bridge Street is well defined by a belt of trees along the southern side of the Manse, which forms a defensible boundary to the settlement. Any housing development in the field to the east would obtrude into the landscape and would have a significant visual impact on the southern approach to the village. It is not considered that the site forms a natural and logical expansion of the settlement.

**Reporter's recommendations:**

Modify the proposed Plan by:

Combining sites EH2 and M1 and extending the allocation on the proposals map for Marr (p.24) to include the area marked 'H' shown on page 71 of representation 2110 from Strutt & Parker on behalf of The MacRobert Trust, the revised area being identified as M1. Under Tarland in Schedule 1, Table 7 (p.29), replace the figure '15' in the Local Growth (RHMA) 2007 to 2016 column with the figure '30' and the figure '15' in the Local Growth (RHMA) 2017 to 2023 column with the figure '20'.

<b>Issue 154</b>	<b>Torphins</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p 24) Schedule 1, Table 7, (p 29) Schedule 2, Table 7, (p 33) Volume 3i, Supplementary Guidance, Settlement Statements, (p 73 to 75)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
John Lucas (479) Ryden LLP on behalf of Alba Homes (547, 548) Edna Edmond (1255) Scottish Environment Protection Agency (1979) BLUE Planning & Development on behalf of Station Garage (1983) Joseph Orren (2188) Alison Orren (2191) Torphins Community Council (2325, 2749) Gordon Pirie (2330, 2392) Mark Ogden (2562) Richard Orren (2687, 2688)		
<b>Provision of the development plan to which the issue relates:</b>	M1 Allocation for Mixed Uses in Torphins.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1 Torphins</b>  <b>2325, 2562, 2749:</b> Representations express concern about lack of clarity and detail alongside a lack of joined up thinking of a vision for Torphins. Concern is raised that the cumulative impacts of planning permissions already granted have not been taken into account. No evidence of housing need has been put forward (2562).</p> <p><b>479, 2325, 2330, 2392, 2562, 2687, 2688, 2749:</b> Object on grounds there is insufficient capacity at the primary school and sewage treatment works to support development. They are concerned that a requirement to upgrade the waste water treatment works could drive enlargement of M1 (2687, 2688).</p> <p><b>1255:</b> Object on grounds that the land is good agricultural land and is needed for food production and is too close to the cemetery and that new residents would not respect it.</p> <p><b>2325, 2687, 2688, 2749:</b> These representations consider there is no rationale behind the retail use on the site, given other retail proposals in the pipeline within Torphins. Retail on M1 may put small shops at risk and would conflict with Policy 2 (2687, 2688).</p> <p><b>2325, 2749, 2687, 2688:</b> Object to development of M1, as it would be a major loss of visual amenity and would have an adverse impact on character and setting. The proposal conflicts with Policy 12 and 13 (2687, 2688). In addition it would add to problems of increased traffic and insufficient parking provision.</p> <p><b>2325, 2749:</b> Part of the site floods. There is no provision of green space, affordable or low cost housing.</p> <p><b>2325, 2749, 2562:</b> In addition concerns are raised that no clarity is provided as to how industry will be introduced. Building business units and houses does not guarantee employment (2562).</p>		

**2325, 2749:** Concern raised that no indication is given as to how and when the infrastructure required for the site will be provided.

**2687, 2688:** Lack of natural boundaries risks creeping expansion.

**2687, 2688:** Representations question the deliverability of the site.

**547, 548:** M1 should be removed as it had more objection than Annesley Farm during the Main Issues Report consultation.

**479:** Site is not large enough to accommodate proposed uses and housing numbers should be reduced.

**2188, 2191:** Object to site M1.

**1979:** Scottish Environment Protection Agency raises no significant flooding concerns for the site.

#### **Site BUS**

**1979:** 10% of the site lies within the 1 in 200 year flood risk area. The flood risk should be highlighted and the need for a flood risk assessment.

#### **Site R1**

**1979:** Scottish Environment Protection Agency raises no significant flooding concerns for the site.

#### **Site R2**

**1979:** Scottish Environment Protection Agency objects to the site, as part of the site lies within a medium to high flood risk area and a detailed Flood Risk Assessment may be required to accompany any future development proposals for the site, along with a buffer strip adjacent to the existing water course. In addition, the site may not meet the recommendations in the Scottish Environment Protection Agency's Groundwater Protection Policy for Scotland v3. Further groundwater assessments should be carried out prior to the allocations being adopted in order to establish the degree of constraint.

#### **Alternative Sites**

##### Site M83

**547, 548:** Allocate land at Annesley Farm (M83 in Main Issues Report) for up to 50 houses. Indicative masterplan shows flood risk area as public open space and includes cordon sanitaire around the waste water treatment works. There is no impediment to access. The site is well contained, is within walking distance of town centre and employment land, and development would round off the settlement. There is sufficient shortfall within the Rural Housing Market Area to allow allocation of additional sites.

##### Site BUS/M26

**1983:** The BUS site should be extended and re-allocated as a mixed use site. This would allow the garage to be retained, provide new business units within walking distance of settlement, and enhance the primary entrance to Torphins. Allocation would comply with Scottish Planning Policy and the Structure Plan, as it promotes sustainable mixed community.

#### **Modifications sought by those submitting representations:**

**479:** Reduce number of houses on M1.

**2188, 2191, 2687, 2688:** Delete allocation M1.

**1979:** Delete site R2 unless the following wording is included in the settlement statement for Torphins "Part of this site lies within SEPA's indicative 1 in 200 year flood risk area. A detailed flood

risk assessment will be required to accompany any future development proposals for this site and adequate buffer strips will be required adjacent to existing watercourses.”

**1979:** Add text supplementary guidance for BUS “Part of this site lies within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment may be required to accompany any future development proposals for this site and an appropriate buffer strip will be required adjacent to the existing watercourse.”

**547, 548:** Allocate land at Annesley Farm (M83 in Main Issues Report) for up to 50 houses.

**1983:** Allocate mixed use development to south east of Torphins, at and to the south of Station Garage for 39 houses for period 2007-2016 and 1.2 hectares of employment land.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Torphins lies to the north west of Banchory within the rural housing market area and the “local growth and diversification area” identified in the Structure Plan. The spatial strategy in the Local Growth and Diversification Area is to concentrate development on certain settlements, on a scale that will allow the provision of important infrastructure and is appropriate to the size of the settlement. Torphins primary school has a falling roll and is forecast to be at 85% of design capacity in 2016. It is appropriate to allocate land to sustain this important local service. The size of allocation made reflects the scale of the settlement, and ensures that sufficient land is provided to meet the housing land requirement Figure 8 of the Structure Plan (page 17). The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and Structure Plan.

**Site M1**

Site M1 is close to the village centre and the allocation promotes a more compact settlement form with a mix of uses appropriate to the village centre location. The allocation is for mixed use to include housing, employment and community uses.

Scottish Water have advised that there is currently sufficient capacity at Torphins WWTW (see Proposed Action Programme). The land is grade 3.2 on the Macaulay Institute Land Capability for Agriculture map and would therefore not be considered prime agricultural land for which there is a presumption not to develop within Scottish Planning Policy. All the sites within the Main Issues Report around Torphins would have resulted in the loss of grade 3.2 land. The retail proposal referred to is for a replacement of the existing convenience store on a new site and is a pending planning application APP/2010/2785.

The development of a masterplan will consider issues such as landscape and the historic environment. Whilst the site is designated as an Area of Landscape Significance, this designation covers all the land around Torphins and therefore would be an issue wherever growth was promoted. The compact nature of the site, the surrounding existing development and close proximity to the town centre mean that visual impacts are contained and minimal. The Roads Authority have advised that the site could be serviced from a new access onto the A980, but that footpath extension and improved connectivity for pedestrians and cyclist to sites to the south-east will be required.

Provision for green space will come forward through the masterplan and planning application. The site is small. However, it is intended that the employment element of the allocation will be live-work units and the high density of the site is appropriate for its central location. As site R2 is within the same ownership, this would contribute towards the site’s open space requirements. As the site is mixed use, this will encourage provision of serviced employment land and assist in reducing the need to travel. The masterplan will ensure that any impacts on the cemetery will be mitigated and development overlooking the cemetery would provide extra security against vandalism. The respect new residents will have for the cemetery is not a planning consideration.

The settlement boundary and existing fenceline will ensure that “creeping expansion” will not occur during the life of the plan. The Action Programme details what infrastructure is required for the site and how this is to be provided. Scottish Environment Protection Agency have not raised any significant flooding concerns. The site will require to contribute towards affordable housing in line with Policy 6 Affordable Housing.

Whilst more comments were received during the main issues report consultation in respect of site M1 than the site Annelsey Farm the Council’s conclusion was to exclude the site at Annesley Farm as it is more appropriate to focus development on site M1 to create a more compact settlement form and avoid piecemeal allocations to the south of the town.

**Site BUS**

This is an existing site carried over from the previous plan. The relatively large size of the site and type of uses proposed should allow mitigation measures to be accommodated. Specific flood risk issues would be considered at the time of a planning application. However, text has been added to the supplementary guidance in respect of the requirement for a flood risk assessment.

**Site R1**

No issue needs to be addressed.

**Site R2**

As a reserved site there are at present no specific development proposals and the reservation of the site would not mean a cemetery could not be proposed elsewhere. If a cemetery is pursued, groundwater assessments will be undertaken. If the site proves to be unsuitable, the site protection would be removed at the next local plan review.

**Alternative Sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

Site M83

The site at Annesley farm, site M83 in the main issues report, was considered following consideration of representations to the Main Issues Report, but following widespread community engagement the Council’s conclusion was to exclude the site, as it is more appropriate to focus development on site M1 to create a more compact settlement form and avoid piecemeal allocations to the south. See “Issues and Actions” paper Volume 7 page 107 Torphins.

Site BUS/M26

The BUS site, site M26 in the main issues report, was considered following consideration of representations to the Main Issues Report, but following widespread community engagement the Council’s conclusion was to exclude the site, as a supply of employment land requires to be maintained and there are concerns in relation to potential flood risk and proximity to the sewage treatment plant. See “Issues and Actions” paper Volume 7 page 107 Torphins.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Torphins are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

The supplementary guidance has been changed to show the requirement for a flood risk assessment for site BUS.



**Reporter's conclusions:**

**Site M1**

1. Site M1 is prominently situated to the west of the Learney Hall and the proposed development of 50 houses would have a significant impact on the setting of the hall when viewed from the A980. On this western approach to Torphins, housing is limited to the north side of the road with views over open countryside to the south. The proposed development would protrude into open landscape and, as a result, this proposal has generated a considerable number of representations expressing various concerns. Scottish Water has advised that there is currently sufficient capacity at Torphins waste water treatment works for an additional 50 houses. The primary school has a falling roll and is forecast to be at 85% of design capacity in 2016.

2. Whilst the proposal is justified on the grounds of being close to the village centre, any development on site M1 would have an adverse visual impact on the approach to the village from the west and, consequently, on the character of the village. It is not accepted that visual impacts are contained and minimal. Furthermore, the lack of any natural boundaries to development in this location could lead to pressure for further development to the south of Beltie Road. On balance, it is not considered that there is sufficient justification for a mixed use development in this location. The removal of this site from the proposed Plan will not prejudice the strategy for the Local Growth and Diversification Area in view of the allocations proposed elsewhere; in Banchory, Tarland and Alford.

**Site R2**

3. There are no specific proposals for an extension to the cemetery and the reservation of this site for such a purpose does not preclude the development of a cemetery at some other location. It is noted that the Scottish Environment Protection Agency (SEPA) has identified this site as one where ground water pollution may be a constraint and where a groundwater assessment is required prior to any allocation of the site for a cemetery extension. A detailed flood risk assessment may also be required to accompany any future development proposals.

**Alternative sites**

Site M83

4. Site M83 has been suggested as an alternative to site M1 in the proposed Plan. It extends southwards from the edge of the settlement to the Beltie Burn. SEPA's Flood Risk Maps indicate that a large proportion of this site is prone to localised flooding. Any development on this site is restricted to two areas of higher ground to the east and west. The Roads Authority has advised that access and connectivity between these two areas and to the public road network is likely to be challenging due to potential land ownership and flooding constraints. Two separate access points would be required. The present edge of the settlement is well defined by a belt of mature trees. Although the visual impact of any development could be mitigated by the proposal for informal open space and landscaping on the lower ground adjacent to the Beltie Burn, this is likely to have only minimal effect on a housing development on the higher slopes. Consequently, the proposed development would have a significant impact on the landscape setting of Torphins on the approach along the B993. In conclusion, it is considered that the challenges in accessing the site and providing connectivity, and the adverse impact on the landscape setting of Torphins, indicate that site M83 would not be an appropriate alternative to site M1.

Site BUS/M26

5. Site BUS is safeguarded for employment uses. The northern part of the site closest to the public road is occupied by Station Garage. It is requested that the site be extended southwards to the Beltie Burn and re-allocated for a mix of uses, including 39 houses and 1.2 hectares of employment land. This would allow the existing garage to be relocated to the southern part of the site and the northern half of the site to be developed for housing. It is suggested that such a development would enhance the approach to Torphins along the A980 from the east.

6. SEPA has intimated that part of the site lies within the 1 in 200 year flood risk area and that an appropriate buffer strip would be required along the Beltie Burn. This would be likely to reduce the

amount of land available for employment uses. Whilst the removal of the garage from the frontage of this site would undoubtedly improve the eastern approach to the village, the amount of employment land would be reduced. There is a need to maintain a supply of employment land to promote Torphins as a sustainable mixed community and the safeguarding of site BUS for employment uses is even more necessary following the removal of site M1 from the proposed Plan.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

Delete site M1 from the Proposals Map-Marr (p. 24) and from Schedule 1, Table 7 (p. 29). Delete site M1 from Schedule 2, Table 7 (p. 33).

<b>Issue 155</b>	<b>Muir of Fowlis</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p 24) Schedule 1, Table 7, (p 29) Volume 3i, Supplementary Guidance, Settlement Statements, (p 64 and 65)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
James Young (31) Paul Jackson (47, 201) Anna S K Scott (55) J & S Watson (118) Eric Obree (132) Ian Downie on behalf of Hill of Kier Ltd, Irvine Christie, Blairythan Partnership, Whitecairns Estates Ltd, Mr & Mrs S Ged (1689) Scottish Environment Protection Agency (1979)		
<b>Provision of the development plan to which the issue relates:</b>	Housing Allocations in Muir of Fowlis - H1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Muir of Fowlis</b>  <b>31, 47, 55, 118,132, 201:</b> Representations question the sustainability, demand and need for further housing in the area, citing the length of time existing properties have remained unoccupied. Specific objection is raised in respect of impact on wildlife and landscape, impact on privacy, impacts on noise and pollution and road safety, risk of flooding and the impact of development on the character of the area.</p> <p><b>31, 47, 55, 118,132, 201:</b> Development in Muir of Fowlis is unsustainable as it has no public transport, and lacks services and amenities. The hamlet is not dependent on growth to sustain business, social or economic growth.</p> <p><b>31:</b> Site H1 conflicts with the rural development, natural heritage and landscape policies of the plan.</p> <p><b>1689:</b> As the Aberdeenshire Local Plan site in Muir of Fowlis is constrained and there is a shortage of sites in the area, the H1 allocation should be in phase 1. Due to a shortage of effective land in the Rural Housing Market Area, site H1 should be reinstated to the full size of the M96 bid and not restricted to 5 houses.</p> <p><b>BUS</b>  <b>1979:</b> Scottish Environment Protection Agency object to site BUS as part of the site lies within the 1 in 200 year flood risk area. The flood risk should be highlighted.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>31, 47, 132, 201:</b> Delete site H1 Muir of Fowlis.</p> <p><b>1689:</b> Increase size and allocation of H1 to full size of M96 bid within phase 1.</p> <p><b>1979:</b> The following wording should be added to the BUS allocation “Part of this site lies within SEPA’s indicative 1 in 200 year flood risk area. A detailed flood risk assessment may be required to accompany any future development proposals for this site and an appropriate buffer strip will be required adjacent to the watercourse.”</p>		

**Summary of responses (including reasons) by planning authority:**

**Overview**

Muir of Fowlis lies to the south of Alford within the Rural Housing Market Area and in the “local growth and diversification area” identified within the Structure Plan. Craigievar Primary School has a falling roll and is forecast to be at 63% capacity by 2016 and as Muir of Fowlis falls within the Craigievar primary school catchment it is appropriate to direct development there. Only one other site within the Craigievar school catchment was considered in the Main Issues Report at Milton of Cushnie. However, this is farther from the school than Muir of Fowlis. The level of development and phasing proposed on site H1 reflects existing planning consents yet to be built out and the size of the existing settlement, and ensures that sufficient land is provided to meet the housing land requirement in Figure 8 of the Structure Plan (page 17). A larger allocation would not be in scale with the settlement, would lead to overdevelopment and alter the character of the settlement. The allocation made is appropriate and sufficient for the purposes of delivering the strategy and aims of the Structure Plan.

Issues relating to the general sufficiency and maintenance of the housing land supply are dealt with in Issue 12 Housing land supply. Issues relating to the specific allocation of sites and their effect on the housing land allocations are dealt with in Issue 25 New housing land allocations

Paragraph 94 of Scottish Planning Policy states that development plans should support more opportunities for small scale housing development in rural areas including extensions to existing clusters and groups. Therefore, the allocation of 5 houses at Muir of Fowlis is consistent with Scottish Planning Policy. Whilst the immediate hamlet of Muir of Fowlis is not dependent on growth and lacks services the allocation will benefit the wider rural area.

Paragraph 96 of Scottish Planning Policy states that planning authorities should be realistic about the availability of alternatives to access by car, as not all locations can be served by public transport. The rural location of Muir of Fowlis means public transport options are limited. However, the need to maintain the school roll and sustain other services in the area are over-riding considerations

**Site H1**

Site H1 is a compact well screened site which is bordered by existing development on two sides. The location of the site means landscape impacts will be minimal. The development will require to comply with other policies in the plan including Policy 8 Layout, siting and design of new development, which will reduce impacts on privacy and amenity. The Roads Authority have not raised any issues with access, but have indicated extension of footpaths and speed restrictions may be required. The site is not a designated site and at the consultation on the Main Issues Report Scottish Natural Heritage expressed support for the site (see extract from response 1775 by Scottish Natural Heritage to the Main Issues Report.)

**BUS**

This is an existing site and is partially developed. The BUS allocation protects the site for business uses. If any additional development is proposed, this should be informed by a flood risk assessment and appropriate text has been added to the supplementary guidance.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Muir of Fowlis are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

The supplementary guidance has been changed to show the requirement for a flood risk assessment for site BUS.

**Reporter's conclusions:**

**Site H1**

1. Site H1 forms part of a field on the northern edge of this small settlement. Its boundaries are undefined on the ground. An existing site on the eastern edge of the hamlet with a capacity for 6 houses, designated fh1 in the adopted local plan, remains undeveloped. Site H1 is a compact well-screened site and landscape impacts will be minimal. However, Muir of Fowlis lacks facilities and it is not on a public transport route. It is questionable whether the development of further housing in this location would be consistent with the principles of sustainable development set out in the vision and aims for the plan and in the spatial strategy. Furthermore, any development on this site, accessed by way of a new access from the A980 outwith the present limits of the settlement, would not be well related to the present form of the settlement.

**BUS**

2. The council's confirmation that the supplementary guidance has been changed to show the requirement for a flood risk assessment for site BUS is noted.

**Reporter's recommendations:**

Modify the proposed Plan as follows:

Delete site H1 from Proposals Map-Marr (p. 24) and remove entry from Schedule 1, Table 7 (p. 29).

<b>Issue 156</b>	<b>Kincardine O'Neil</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, Marr, (p 24) Schedule 1, Table 7, (p 29) Schedule 2, Table 7, (p 33) Volume 3i, Supplementary Guidance, Settlement Statements, (p 48 & 49)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Strutt & Parker LLP on behalf of Kincardine Estate (2059, 2106) Dayle Cammaert (2288) Robert & Susan Farquharson (2469, 2471, 2472) DDP LLP on behalf of Church of Scotland General Treasurer (1172, 1173, 1184, 1185) Scottish Environment Protection Agency (1979)		
<b>Provision of the development plan to which the issue relates:</b>	M1, E1 Allocations in Kincardine O' Neil	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>General</b></p> <p><b>2106:</b> Land for period to 2017 and 2017 to 2023 should be allocated in Kincardine O'Neil.</p> <p><b>2472:</b> There should be a minimum of 30 houses allocated in Kincardine O'Neil in line with Main Issues Report.</p> <p><b>Site M1</b></p> <p><b>2059, 2106:</b> Representations support identification of M1 but object to the mix of uses proposed. Allocation should be for 26 houses, business and a respite centre in line with Kincardine O'Neil Design Brief.</p> <p><b>2471:</b> Respondent supports M1 as it is within settlement boundaries.</p> <p><b>2288:</b> Allocation of M1 conflicts with Scottish Planning Policy, as it is unsustainable in terms of access and does not have infrastructure to support business, does not have access to public transport nor provides opportunities to walk.</p> <p><b>2288:</b> Allocation of M1 conflicts with Scottish Planning Policy, as it does not support high quality tourism, since it erodes amenity.</p> <p><b>2288:</b> Allocation of M1 conflicts with Scottish Planning Policy, as it does not encourage the reuse of buildings.</p> <p><b>2288:</b> Allocation of M1 conflicts with Scottish Planning Policy, as no consideration is given to the landscape, natural and built heritage, historic character and setting of historic assets.</p> <p><b>2288:</b> Allocation of M1 conflicts with Scottish Planning Policy as, it is in close proximity to the Scottish Environment Protection Agency flood risk areas.</p> <p><b>2288:</b> Allocation of M1 conflicts with Scottish Planning Policy, as the land is capable of supporting mixed agriculture.</p> <p><b>2288:</b> Allocation of M1 conflicts with Scottish Planning Policy, as it will erode wildlife corridors.</p> <p><b>2288:</b> Allocation of M1 conflicts with Scottish Planning Policy, as the water supply is constrained.</p>		



**Site E1**

**2469:** Representation objects to E1 as the site is already used for business, and new building should be avoided, as it would be ribbon development and detrimental to character of the village.

**2288:** Allocation of E1 conflicts with Scottish Planning Policy, as it is unsustainable in terms of access, including public transport and opportunities to walk.

**2288:** Allocation of E1 conflicts with Scottish Planning Policy, as it does not support high quality tourism since it erodes amenity.

**2288:** Allocation of E1 conflicts with Scottish Planning Policy, as it does not encourage the reuse of buildings.

**2288:** Allocation of E1 conflicts with Scottish Planning Policy, as no consideration is given to the landscape, natural and built heritage, historic character and setting of historic assets.

**2288:** Allocation of E1 conflicts with Scottish Planning Policy, as it is in close proximity to the SEPA flood risk areas.

**2288:** Allocation of E1 conflicts with Scottish Planning Policy, as it will erode wildlife corridors.

**2288:** Allocation of E1 conflicts with Scottish Planning Policy, as the water supply is constrained.

**Site EH1**

**2059:** Support identification of EH1, but object to density. Allocation proposed equates to 8 dwellings per hectare, which is a waste of Greenfield land and nowhere near overall density of 30 dwelling per hectare anticipated in SG Housing 1. Further housing should be allocated on EH1 in line with the Kincardine O'Neil Design Brief in two phases.

**2059:** Object to requirement for a masterplan as a Design/Development Brief has already been prepared.

**2059:** EH1 should include two parcels of "white" land to ensure a comprehensive development.

**2469:** Site EH1 is detrimental to the balance of the settlement as it represents westward spread of housing along the A93.

**2469:** The southern part of EH1 is close to the River Dee and would be visible and impact on the protected "valued view" identified in SG Landscape 2.

**2469:** The shape and extent of EH1 differs from site M108 in the Main Issues Report and therefore it is difficult to determine what the proposal is. The site description states initial development will be to the immediate area to the west of the bowling green and Canmore Place but this area is no longer within EH1.

**2288:** Allocation of EH1 conflicts with Scottish Planning Policy, as it does not support high quality tourism since it erodes amenity.

**2288:** Allocation of EH1 conflicts with Scottish Planning Policy, as no consideration is given to the landscape, natural and built heritage, historic character and setting of historic assets.

**2288:** Allocation of EH1 conflicts with Scottish Planning Policy, as it is unsustainable in terms of access, including public transport and opportunities to walk.

**2288:** Allocation of EH1 conflicts with Scottish Planning Policy, as the land is capable of supporting mixed agriculture.

**2288:** Allocation of EH1 conflicts with Scottish Planning Policy, as it will erode wildlife corridors.

**2288:** Allocation of EH1 conflicts with Scottish Planning Policy, as the water supply is constrained.

**2288:** Allocation of EH1 conflicts with Scottish Planning Policy as, it is in close proximity to the Scottish Environment Protection Agency flood risk areas.

**2059:** Representation states that whilst EH1 lies adjacent to the 1 in 200 year flood risk the site sits significantly above this.

**Site EH2**

**2288:** Allocation of EH2 conflicts with Scottish Planning Policy, as it does not support high quality tourism since it erodes amenity.

**2288:** Allocation of EH2 conflicts with Scottish Planning Policy, as no consideration is given to the landscape, natural and built heritage, historic character and setting of historic assets.

**2288:** Allocation of EH2 conflicts with Scottish Planning Policy, as it is unsustainable in terms of access, including public transport and opportunities to walk.

**2288:** Allocation of EH2 conflicts with Scottish Planning Policy, as the water supply is constrained.

**2471:** Site EH2 is close to a burn which is subject to flooding.

**1979:** Scottish Environment Protection Agency state that part of site EH2 lies within the 1 in 200 year flood risk area and the flood risk should be highlighted.

**1172, 1173, 1184, 1185:** Representations support allocation of EH2 for 8 residential units.

**Alternative Sites**

**1173, 1184, and 1185:** The southern Glebe land (M61 in Main Issues Report) should be allocated for housing, as it is accessible, well located in terms of amenities and settlement boundaries, would not have an adverse impact on surroundings, has naturally defined boundaries, is a logical expansion and is viable, effective and deliverable.

**Modifications sought by those submitting representations:**

**2059:** Amend M1 to reflect phase 1 within Kincardine O'Neil Design Brief, 26 houses, business and respite centre for immediate development.

**2472:** Only allocate a total of 30 houses in Kincardine O'Neil.

**1173, 1184, 1185:** Allocate South Glebe (M61) for 10 residential units.

**2059:** Increase allocation on site EH1 to 41 houses in two phases after 2016.

**1979:** Insert following text for EH1 " Part of the site lies within SEPA's indicative 1 in 200 year flood risk area or is known to flood from other sources. A detailed flood risk assessment will be required to accompany any future development proposals for this site."

**2059:** Acknowledge the contents of the design led Design/Development Brief (in particular the mix of uses) set out for Phase 1 and the areas identified as an immediate

**2059:** Acknowledge the housing numbers attributed to land west of Canmore Place (41 houses in Phase 2). This land should be brought forward in two phases .

**2059:** Amend the allocation boundaries to reflect those identified on page 27 of the Design/Development Brief to ensure a comprehensive development and to avoid leaving

undeveloped “white land” within the settlement”

**2106:** Identify land in the period to 2017 and in the period to 2017 to 2023.

**Summary of responses (including reasons) by planning authority:**

**Overview**

Kincardine O’Neil lies to the east of Aboyne within the Rural Housing Market Area and in the “local growth and diversification area” identified within the Structure Plan. School roll forecasts show that whilst Kincardine O’Neil Primary School roll is predicted to increase it remains well below capacity and is forecast to be operating at 47% capacity by 2016. It is appropriate to direct development to Kincardine O’Neil to support the school, sustain other services and provide opportunity for local employment. The size of allocation made reflects local needs and the scale of the settlement and ensures that sufficient land is provided to meet the housing land requirement Figure 8 of the Structure Plan (page 17). The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan.

Limited new allocations have been made in Kincardine O’Neil, due to existing allocations yet to be built out, and concern that a higher level of development would impact on the character of the settlement. Whilst site EH1 is carried forward from the Aberdeenshire Local Plan and the allocation has been increased, it is intended that the initial allocation for 20 houses will be developed in the most northerly section of the site with subsequent phases identified in the masterplan to the south. The whole site area has been shown to ensure a masterplan is developed for the entire area despite only the initial phase being allocated in the plan.

**Consistency with Scottish Planning Policy**

The sites allocated in Kincardine O’Neil are consistent with Scottish Planning Policy. The allocations promote development of business and housing in a sustainable location within an existing settlement which is on the Aberdeen to Braemar bus route in line with paragraph 80 of Scottish Planning Policy. The employment allocation on site M1 allows integration between housing and employment land, and the mixed use nature of the site should ensure the type of employment uses are compatible with residential uses, with minimal impacts on amenity in line with paragraph 45 of Scottish Planning Policy. Development on all sites will require to comply with other policies, including Policy 13 Protecting, improving, and conserving the historic environment, and Policy 8 Layout, siting and design; and application of these policies should minimise impacts on amenity and tourism. Concerns regarding preserving the historic character and protecting the conservation area will also be addressed through careful siting and design, which will allow development to successfully integrate with the settlement. The sites allocated have the least visual impact, as the alternatives are on prominent positions on the approach to the village. The sites proposed are agricultural land and support limited wildlife. Development will provide opportunities to enhance and connect any wildlife corridors in line with paragraph 130 of Scottish Planning Policy. The allocation of site M1 for mixed use would not preclude development of that site for high quality tourism uses in line with paragraph 47 of Scottish Planning Policy. The allocations are made on land of grade 3.2 on the Macaulay Institute (Land Capability for Agriculture) map and would therefore not be considered prime agricultural land, for which paragraph 97 of Scottish Planning Policy has a presumption against development. Scottish Water have not advised that the water supply at Kincardine O’Neil is constrained.

**Site M1**

Part of site M1 was allocated for employment as site EmpB in the Aberdeenshire Local Plan. Increasing the housing allocation on this site to 26 units would leave minimal employment space and would not be consistent with the vision and aims for the plan to grow and diversify the economy and provide employment land in proportion to the scale of housing proposals. The allocation reflects one of the objectives for the settlement to provide opportunity for local employment. The Kincardine O’Neil Design Brief has not been approved by the Council and therefore it can only inform the development plan. The detailed comments about Scottish Planning Policy are dealt with above.

**Site E1**

Allocation of site E1 will help to sustain and support an existing business and allow for its expansion. The existing log cabin business is appropriate for the rural location and supports the aims of the plan to grow and diversify the economy. The site is accessible from the settlement via a footpath adjacent to the football pitch and is also on the bus route. Development will not result in ribbon development as it builds on an existing uses and is separated from the town by a protected area. The detailed comments about Scottish Planning Policy are dealt with above.

**Site EH1**

Site EH1 is carried forward from the Aberdeenshire Local Plan with an increased allocation and the wording within the supplementary guidance advises that the initial allocation for 20 houses should be developed in the most northerly section of the site with subsequent phases identified in the masterplan to the south. Therefore, although it may initially appear the site has a low density this is not the case. The whole site area has been shown to ensure a masterplan is developed for the entire area despite only the initial phase being allocated in the plan. The boundary of the site reflects the allocation made within the Aberdeenshire Local Plan rather than the M108 bid site. The supplementary guidance states “The initial development phases will be to the west of the bowling green and Canmore Place” rather than “immediately west”. The Kincardine O’Neil Design Brief has not been approved by the Council therefore it can only inform the development plan.

The site reflects the settlement pattern by developing along the A93 and uses existing access tracks/paths and woodlands to form defensible boundaries. The site is close to the River Dee, but Scottish Environment Protection Agency have advised that there is no significant flood risk. Potential impacts on the River Dee SAC have been assessed through a Habitats Regulation assessment. The “valued view” referred to is listed on page 125 of volume 3C Proposed Supplementary Guidance Policies 2010 as “27. To east of Kincardine O’Neil where the road from Torphins joins the Deeside Road.” There will be minimal impacts on the view from development, as site EH1 will be screened by existing development and the backdrop of trees to the west of the site will allow development to be more easily absorbed into the landscape.

The detailed comments about Scottish Planning Policy are dealt with above.

**Site EH2**

The flood risk is noted. The relatively large size of the site and relatively small allocation should allow mitigation measures to be accommodated. Specific flood risk issues would be considered at the time of a planning application. Text has been inserted into Supplementary Guidance highlighting the flood risk, but this does not require any change to the Local Development Plan itself.

The detailed comments about Scottish Planning Policy are dealt with above.

**Alternative Sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

The southern glebe land, site M61 in the main issues report, following consultation on the Main Issues Report and following widespread community engagement the Council’s conclusion was not included in the proposed plan due to flood risk and the impact of development on historic assets.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Kincardine O’Neil are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

The supplementary guidance has been amended to show the requirement for a flood risk assessment for site EH2.

**Reporter's conclusions:**

**Site M1**

1. Site M1 comprises an area of disused farm buildings and an adjoining field, which is allocated for employment uses (EmpB) in the adopted local plan. The proposed Plan allocates site M1 for a mix of uses, including 8 houses and employment uses. Increasing the housing allocation to 26 houses, as requested, would leave limited land available for employment uses. The mixed use allocation reflects the objectives for the settlement to provide opportunities for employment, and the vision and aims of the proposed Plan to promote housing and business uses in sustainable locations. Furthermore, existing sites EH1 and EH2 have the capacity for some 28 houses, and the development of a further 26 houses on site M1 would not be compatible with the scale of the settlement. The requirement for all new development to comply with policies 8 and 13 of the Plan should minimise the impact of the proposed development on the character of the village (which lies within a conservation area) and on the amenity of the surrounding area. The use of this, partly brownfield, site within the settlement for mixed uses is consistent with Scottish Planning Policy.

2. In relation to the concerns expressed regarding the extent of the area identified on the proposals map as site M1, the site boundaries should accord with the ownership boundaries shown in the Kincardine O'Neil Design/Development Brief in order to accurately reflect the phase 1 area shown on page 27 of that document. This will ensure that the comprehensive development of this site can be effectively delivered.

**Site E1**

3. The allocation of site E1 reflects its existing use for employment purposes and is consistent with Scottish Planning Policy. Any new development on the site would be required to comply with policy 8 of the proposed plan.

**Site EH1**

4. Site EH1 has been carried forward from the adopted local plan. It is not shown as a proposal in the proposed Plan and the re-allocation of this site is outwith the scope of this examination. The council has indicated that the increased allocation of 20 houses (from 15 houses) only refers to the most northerly section of the site; the whole site having a larger capacity. In relation to the concerns regarding the need to preserve the historic character of the settlement, any development of the site will be required to meet the requirements of policy 8 of the Proposed Plan. The delineation of the extent of the site and its capacity is a matter for the council to clarify in the SG.

**Site EH2**

5. Site EH2 has been carried forward from the adopted local plan. It is not shown as a proposal in the proposed Plan and the re-allocation of this site is outwith the scope of this examination. The council has confirmed that the supplementary guidance has been changed to show the requirement for a flood risk assessment for site EH2. By this action, the representation from the Scottish Environment Protection Agency (SEPA) would be resolved.

**Alternative sites**

6. Site M61 has potential for a small-scale development being largely screened from the road through the village by existing development. It is close to the village centre. However, there are access issues and the site is prone to flooding. SEPA has advised that the site is partially within the 1 in 200 year flood risk envelope. The deliverability of this site is therefore unclear.

**Reporter's recommendations:**

No modifications.

<b>Issue 157</b>	<b>Aboyne</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, Marr, (p 24) Schedule 1, Table 7, (p 29) Schedule 2, Table 7, (p 33) Volume 3i Supplementary Guidance, Settlement Statements, (p 1 to 4)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Roy Grant (5, 354)                  Leona Scott (42, 357)                  Matthew Leivers-Coletta (85, 358)                  Sir Theodore Brinckman, Bt (158)                  Alison Ewan (164)                  Kathleen Grant (353)                  Craig Mennie (355)                  Alistair Moir (356)                  Craig Grant (359)                  Ryden LLP on behalf of Aboyne Castle Farms (1938, 1939)                  Greig Penny (1548)                  Ian MacDonald Architectural Consultants on behalf of Mr &amp; Mrs Grant (1549, 2750)                  Ryden LLP on behalf of Dinnet Estates &amp; the Marcus Humphrey Educational Trust (1856, 1857)                  Ryden LLP on behalf of Cabardunn Development Company &amp; Dunecht Estates (1931, 1932)                  Katy Leitch (2180)</p>		
<b>Provision of the development plan to which the issue relates:</b>	M1 Allocations in Aboyne.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site M1</b>  <u>Phasing and density</u>  <b>1938:</b> Respondent states the size of the site requires to be increased to reflect the lower density on neighbouring sites. A higher density would be out of character with the rural location, landscape setting and pattern of development. In addition the requirement for 40% of the site to be open space will result in a density out of character for the area. To maintain current densities and provide 40% open space the site requires to be increased. An indicative masterplan prepared by developer includes playing fields and allotments in addition to amenity areas. Respondent states the site should be allocated in its entirety which would avoid incremental development. Land should be reserved for future (post 2023) housing, commercial and community development to provide confidence to invest in strategic infrastructure.</p> <p><b>1939:</b> Respondent considers the phasing of M1 restricts development to artificially inconsistent levels.</p> <p><u>Employment land</u>  <b>1938:</b> Representation states the location of EmpB in the extant local plan has access issues and should be relocated so it can be accessed directly from Tarland Road.</p> <p><b>1938:</b> The level of employment land should be reviewed as there is disparity between the 1ha allocation in the Proposed Plan and the 5ha in the Supplementary Guidance.</p> <p><u>Detailed design issues</u>  <b>158:</b> Concern is expressed in respect of the impact of traffic levels on neighbouring properties.</p>		



**164:** Concern is expressed in respect of flooding and the loss of a further flood water absorption area. The effect of tree felling and house building on ecology is also a concern.

**Site EH1**

**2180:** Trees should be planted on EH1 rather than development of 130 houses. Insufficient consideration has been given to the adverse impact on European Protected Species, the enhancement of biodiversity and the protection and conservation of trees and woodland.

**164:** Object to site EH1 on grounds of flooding and loss of a further flood water absorption area. The effect of tree felling and housing building on ecology is also a concern.

**Alternative Sites Aboyne**

Site west of Aboyne

**5, 42, 85, 353, 354, 355, 356, 357, 358, 359, 1548, 1549, and 2750** Representations wish to see a small site to the west of Aboyne allocated (shown as M54 in Main Issues Report). Support is given to the proposal as it is aimed at first time buyers, will provide employment for local tradesmen, would provide a more natural settlement boundary, it is a gap site between the joiner’s workshop and allocated land, would help retain part time firefighters in area, the site is sympathetic to the character of the village, would keep young people in the area, it is an ideal site on environmental and ecological basis. Aboyne can only grow in a westerly direction due to constraints, the settlement plan in the extant local plan extends further west, and the site has good access.

Site at Golf Road

**1856, 1857** Site at Golf Road (to north east of Aboyne) should be allocated as Aboyne has capacity to accommodate an additional 25 houses and would ensure a consistent supply of marketable land. The site is well defined, would have no adverse impact on surroundings, is close to bus routes and the town centre, and a development brief would ensure the Scheduled Ancient Monument is protected.

Site at Birsemore

**1931, 1932** : Site at Birsemore (M88 in Main Issues Report) should be allocated as it is organic and incremental infill, would help to meet the shortfall of allocated sites in the Rural Housing Market Area, is in line with Scottish Planning Policy and Planning Advice Notes as there is landscape and service capacity and development will generate infrastructure upgrades and community benefits, the site is within walking and cycling distance of Aboyne, is in an area heavily influenced by existing housing and could absorb the excess in units not allocated by the Marr Area Committee.

**Modifications sought by those submitting representations:**

**1938, 1939** Extend site M1 to show the entirety of M85 with a post 2023 phase.

**1938, 1939** Enlarge M1 to 18.7ha. Should 40% open space be required, enlarge the site to 19.66ha.

**1938, 1939** If site M1 is not to be enlarged relocate M1 to the north of EH1 to allow the 5ha of employment land to be accessed off Tarland Road.

**2180:** Delete EH1.

**5, 42, 85, 353, 354, 355, 356, 357, 358, 359, 1548, 1549, 2750** Allocate site M54 for housing.

**1856** Allocate site at Golf Road for up to 25 houses subject to a development brief.

**1931, 1932:** Allocate up to 16 houses on M88 Birsemore, Aboyne.

**Summary of responses (including reasons) by planning authority:****Overview**

Aboyne lies within the Rural Housing Market Area and in the “local growth and diversification area” identified within the Structure Plan. Aboyne is one of the main service centres for the western part of Marr and the key planning objectives for Aboyne are to meet local housing needs, sustain services, provide opportunity for local employment and to protect and enhance the role and attractiveness of the town. An allocation is made on site M1 to meet local housing needs and provide opportunity for local employment. The site is on the edge of Aboyne and builds on recent development to the south and planning consent to the east. The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan. Further information on the sites/policies is contained in the Issues and Actions paper (Volume 7 page 3 Aboyne), which was informed by the Main Issues Report consultation, and was produced to inform the allocations in the Proposed Plan.

**Site M1**Phasing and density

The phasing and number of units proposed on site M1 reflects local needs and the levels of development yet to be built out. The number of units proposed in the main issues report for Aboyne was reduced from 200 to 150, as the Council took a view which placed greater weight on the need to ensure that Aboyne is not overwhelmed and that recent development has time to bed in. There is no requirement for an allocation post 2023.

The density proposed on the site is approximately 19 houses per hectare when taking into account the requirement for 40% open space and would therefore be considered appropriate for the area. This also reflects the expectation expressed on page 63 “SG Housing1: Housing Land allocations 2007-2016” that residential development should be provided at approximately 30 houses to the hectare. The allocation could be developed for a lower number of units to reflect marketing, site and design needs, if the developer considered this appropriate. Allocating the whole bid site covered by the masterplan would be in excess of local needs and would not reflect the settlement strategy. The Local Development Plan is required to focus on specific proposals for the period up to year 10 from adoption.

Employment land

The “Emp B” allocation from the Aberdeenshire Local Plan has been carried over into the M1 allocation to provide flexibility as to its location. Access to site M1 can be taken through the EH1 site or from the access road to the west of site M1. A total of five hectares for employment land is shown within the supplementary guidance, as four hectares are carried over from Aberdeenshire Local Plan. An additional one hectare of employment land has also been allocated to reflect the increase in housing. Schedule 2 of the Proposed Plan only shows new employment land allocations: hence only one hectare is identified in the schedule. The issue of whether Schedule 2 should show previous allocations being brought forward is considered under Issue 26.

Detailed design issues

The site requires a masterplan and traffic impact will require to be taken into account. The Roads Authority note that there may be a requirement to upgrade the A93/B9094 junction depending on traffic volumes. Scottish Environment Protection Agency have noted that the site is adjacent to a watercourse and a flood risk assessment may be required. Text has been added to the supplementary guidance in respect of requirement for a flood risk assessment. Drainage of the site will require to be considered as part of the detailed application or through the masterplan. Whilst trees will be removed as a result of developing the site, woodland to the north of the site will be retained. These are all issues that can be resolved at a later stage rather than in the Local Development Plan.

**Site EH1**

Application APP/2008/3443 for planning permission in principle was granted on 13<sup>th</sup> October 2010

for 130 houses on site EH1. Therefore, the issues in relation to the site have already been determined and it would be inappropriate to remove the site in light of the planning consent granted.

**Alternative sites**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites.

Site west of Aboyne

The site west of Aboyne, site M54 in the main issues report, was fully debated following consultation on the Main Issues Report and following widespread community engagement, the Council's conclusion was to exclude it, as it extended the westerly thrust of development beyond allocations within Aberdeenshire Local Plan and the settlement boundary.

Site at Golf Road

The site at Golf Road came forward during the consultation on the main issues report. However, it was not included within the plan due to the lack of public consultation on the site. The M1 site was considered more appropriate to meet local needs. Development of the site at Golf Road would impact on the scheduled ancient monument within the site.

Site at Birsemore

The site at Birsemore, site M88 in the main issues report, was fully considered following consultation on the Main Issues Report, and following widespread community engagement the Council's conclusion was to exclude it, as development would significantly detract from the rural character and amenity of the area.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Aboyne are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

The supplementary guidance has been changed to show the requirement for a flood risk assessment for site M1.

**Reporter's conclusions:**

**Site M1**

1. Site M1 incorporates the EmpB allocation from the adopted local plan. The amount of employment land has been increased from 4 hectares to 5 hectares and, consequently, Table 7 in Schedule 2 of the proposed plan only shows the additional 1 hectare of new employment land. The landowner/developer of the site has raised concerns about the location of the employment land within site M1 and related access issues. However, the distribution of the employment land within site M1 is a matter to be considered in the preparation of the masterplan for the site, which will require an assessment of traffic impact.

2. Concerns have also been raised in relation to the housing capacity of the site. The number of houses proposed (175 units) approximates to a density of 19 houses per hectare when taking into account the requirement for 40% open space. Although this density is higher than that on the adjoining site (EH1), it is well below the expectation in SG that residential development should be provided at approximately 30 houses per hectare.

3. With regard to the request that site M1 should be extended in order to accommodate the proposed 175 houses at a lower density, the council would consider a lower number of houses on site M1 rather than extending the site further northwards. The precise number and phasing of

houses to be accommodated on the site will be identified through the masterplanning process. In relation to detailed design issues, the proposed masterplan will set out the detailed layout and design of the development, including access arrangements. The SG has been amended to show the requirement for a flood risk assessment.

4. Any extension of development northwards would constitute large scale development in open countryside, which would have significant landscape and visual impacts. There is no justification for such large-scale housing within the timescale of the proposed Plan and there is no requirement for housing development post-2023.

**Site EH1**

5. Planning permission has been granted for the erection of 176 houses on this site and development is in progress.

**Alternative sites**

Site west of Aboyne

6. Site M54 comprises an L-shaped area of ground set back from the A93 behind the belt of trees that extends westwards from Darroch Wood. It lies beyond Cluny Cottage on the western side of the access road to Dykehead Farm. A joiner’s workshop has been erected at the west end of the site. It is requested that this small site be allocated for some eight 1 or 2 bedroom houses.

7. Although a housing development on the site would be largely screened from view, and would benefit from good linkages with the Deeside Way and the A93, it would be detached from the existing built up area and from the proposed development on site M1. Site M1 is a continuation of the developments that have taken place to the east and the wooded strip along the eastern side of the track to Dykehead Farm forms the natural western boundary for development on the north side of the A93. The suggested development of site M54 would constitute an inappropriate incursion into the countryside beyond this natural boundary and would be unrelated to the existing and planned form of development in this location.

Site at Golf Road

8. This site comprises an open field bounded by housing to the south, the golf course to the east and woodland to the west. Although this land was identified for residential development in the Consolidated Aberdeenshire Local Plans 1998, it was omitted from the adopted Aberdeenshire Local Plan 2006. In the intervening period, the southern part of the site received SMR status as a scheduled ancient monument and, in the proposed Plan, the southern part of the field is protected to conserve the setting of the scheduled ancient monument. Consequently, a housing development on the northern part of the field would be physically and visually detached from the rest of the built-up area and would obtrude into the surrounding landscape.

Site at Birsemore

9. Birsemore, located on the south side of the River Dee, is closely linked to Aboyne but is outwith the Aboyne settlement boundary. This site comprises two separate areas of land (sites X and Y). It is requested that, collectively, these two areas of land should be allocated for the development of up to 16 housing units. Both sites contribute to the rural character of this community and their development for housing would detract from this character. Site Y is a small infill site and any housing development at this location should be assessed against the proposed Plan’s policy for development in the countryside. Site X is a larger site and, although well screened from the B968, its allocation for housing would not reflect the existing pattern of development, which is essentially linear. Again, any housing development at this location should be assessed against the proposed Plan’s policy for development in the countryside.

**Reporter’s recommendations:**

No modifications.

<b>Issue 158</b>	<b>Lumphanan</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p 24) Volume 3i, Supplementary Guidance, Settlement Statements, (p 56 and 57)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Philippa Davie (7) BLUE Planning & Development on behalf of Matthew Merchant (1981)		
<b>Provision of the development plan to which the issue relates:</b>	Land Allocations at Lumphanan.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>R1</b> 7 : Support site R1 and highlight that school is already overcrowded with a rising roll and needs extra accommodation as soon as possible.</p> <p><b>Alternative site</b> 1981: Kirk View is within walking distance of the village centre; development would run off the settlement boundary and is compatible with Scottish Planning Policy and the Structure Plan, as it promotes sustainable development.</p>		
<b>Modifications sought by those submitting representations:</b>		
1981: Allocate site at Kirk View, Lumphanan for 8 houses in phase 1 of the plan.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b> Lumphanan lies to the north west of Torphins within the Rural Housing Market Area and in the “local growth and diversification area” identified within the Structure Plan. The primary school at Lumphanan is currently at capacity and is forecast to be operating at 129% capacity in 2016. There are existing planning consents yet to be built out (approximately 26 units). Therefore, in accordance with paragraph 77 of Scottish Planning Policy, as it would not lead to efficient use of infrastructure, allocations for new housing have not been made in Lumphanan.</p> <p><b>Site R1</b> The representation is in support of the plan, and does not require a response.</p> <p><b>Alternative Site</b> The site at Kirk View was considered in the main issues report as site M27, following consultation on the Main Issues Report and following widespread community engagement the Council's conclusion was to exclude the site due to the reasons outlined above, the topography of the site and the visual impacts on character and landscape. See Issues and Actions paper (Volume 7, page 83 Lumphanan.)</p> <p><b>Conclusion</b> The modification sought should not be made, as there is insufficient capacity at Lumphanan primary school and due to the number of units with planning consents yet to be built out.</p>		

<p><b>Any further plan changes commended by the planning authority:</b></p>
<p>No changes are commended.</p>
<p><b>Reporter's conclusions:</b></p>
<p><b>Alternative Site</b>          1. The site at Kirk View comprises steep rough ground in a prominent position. Any development on this site would have a significant visual impact on the setting of the village. It is not considered that the development would constitute "rounding-off", as contended by the respondent; instead, it would constitute an unacceptable intrusion into the landscape. It is also noted that there is currently limited capacity at Lumphanan waste water treatment works and that the primary school is currently at capacity and is forecast to be operating at 126% capacity in 2016.</p>
<p><b>Reporter's recommendations:</b></p>
<p>No modifications.</p>



<b>Issue 159</b>	<b>Finzean</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p 24) Schedule 2, Table 7, (p 29) Volume 3i, Supplementary Guidance, Settlement Statements, (p 27 to 29)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Trevor Harrison (480) Finzean Estate Partnership (518, 519) Knight Frank LLP on behalf of M Horsfall (854, 855) Finzean Community Council (2298, 2714)		
<b>Provision of the development plan to which the issue relates:</b>	H1 Housing Allocation.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1</b>  <b>518, 519, 2298, 2714</b> Respondents state the H1 allocation should be reduced to 8 units, as 10 units is excessive in relation to previous development and not comparable to historic growth rates. Previous sites have been sold to local people allowing them to integrate more easily into the community.</p> <p><b>2298, 2714, 854, 855:</b> Respondents state that the strong community is in part attributable to restrained growth; a higher growth rate is not required to maintain the school roll; and the number of units proposed would overwhelm the settlement.</p> <p><b>854, 855:</b> H1 is unsuitable for 10 houses as this would have an adverse impact on the woodland and woodland character of Finzean.</p> <p><b>854, 855:</b> Respondents object on the grounds that the site is not in keeping with the linear settlement form and would exacerbate problems with pollution from septic tanks.</p> <p><b>Site EH1</b>  <b>480:</b> Object to EH1 on grounds of loss of privacy and increased level of noise, traffic and light levels. There are only 10 houses in the area at present so increase of 5 would have large impact. Development of this size should be in established villages.</p> <p><b>Alternative Site</b>  <b>854, 855:</b> Allocation of site at Feughside would be in line with Scottish Planning Policy and the Structure Plan as it provides an opportunity for small-scale housing in a rural area whilst respecting and protecting the natural and cultural heritage. Development would provide two affordable units in a pressurised area and help maintain local services. The site has no accessing and servicing issues.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b>518, 519, 2298, 2714</b> Reduce number of units on H1 to eight.</p> <p><b>854, 855</b> Remove site H1 or reduce number of units to five and allocate land at Feughside for up to five houses.</p>		

**Summary of responses (including reasons) by planning authority:**

**Overview**

Finzean lies to the south west of Banchory within the Rural Housing Market Area and in the “local growth and diversification area” identified within the Structure Plan. School roll forecasts show that Finzean Primary School has a low roll and is forecast to be operating at 65% capacity in 2016. It is appropriate to direct development to Finzean to support the school and other local facilities. The scale of development proposed reflects local needs and the size of the settlement, and ensures that sufficient land is provided to meet the housing land requirement Figure 8 of the Structure Plan (page 17). The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan.

**Site H1**

Scale of development

The allocation proposed is for “up to” ten houses and therefore any proposal for a lower number of units would be supported. The ten units are also split equally between the two phases of the plan and therefore the five houses proposed between 2007 and 2016 is an appropriate level of growth for the size of the settlement. Development of site H1 for ten houses would equate to a growth rate of approximately 10% over the plan period.

Woodland Character and Settlement Form

Development of site H1 is to have specific regard to the woodland character of Finzean, as stated within the Proposed Supplementary Guidance Settlement Statements Marr (page 27). In addition an area of woodland to the east of the site is protected to retain the woodland character on the approach to Finzean. Less than 50% of the existing woodland is allocated for development and the size of the site, 1.7 ha, allows for retention of woodland. The site has frontage onto the main road which maintains the linear form. However, objections have been received to the supplementary guidance stating the site should be set back from the road to maintain woodland character and reduce visual impacts. Aberdeenshire Council will take a view on this when considering the supplementary guidance. It is not necessary to consider this level of detail within the Local Development Plan itself.

Waste Water Treatment

Scottish Environment Protection Agency have not raised objection to the allocation and any waste water treatment will require to meet current standards at the time of development.

**Site EH1**

Application APP/2009/2182 for planning permission in principle was granted on 3<sup>rd</sup> December 2010 for 5 houses on site EH1. Therefore, the issues in relation to the site have already been determined and it would be inappropriate to remove the site in light of the planning consent granted.

**Alternative Site**

As the allocations discussed above are appropriate and sufficient there is no requirement to consider alternative sites. The site proposed at Feughside was not proposed at any previous stages and no opportunity for public debate or assessment of its appropriateness. It is more appropriate to direct development to site H1 and the established settlement of Finzean. Growth is proposed on nearby site EH1 and a further allocation in this rural location would lead to overdevelopment.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in Finzean are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter's conclusions:**

**Site H1**

1. Site H1 comprises part of the woodland situated at the eastern entrance to Finzean village. The proposed Plan restricts housing to the front of this woodland with a strip along the eastern edge protected to retain the woodland character on the approach to the village. Finzean Primary School has spare capacity and the proposed development would support the school and local facilities such as the village hall, which is situated almost opposite the site. However, there are concerns in relation to the loss of woodland and the community council considers that an allocation of 10 houses is excessive taking account of previous building rates in the village.

2. According to the council, this scale of development equates to a growth rate for the settlement of approximately 10% over the plan period (2007-2023), which is lower than the past growth rate of 1% per annum. Nevertheless, the allocation of the site for 10 houses does not preclude a lower number of houses.

3. The site measures 1.7 hectares and a density of 6 houses per hectare is low when compared with the density of 30 houses per hectare expected of new development. It is considered that a well-designed group of 10 houses would not be inappropriate taking account of the form and character of Finzean. The layout and design of the proposed houses, including any set back from the road frontage is a matter for supplementary guidance.

**Site EH1**

4. Planning permission has been granted for 5 houses on this site and development has commenced.

**Alternative site**

5. The site at Feughside lies to the east of the Feughside Inn in a prominent location. It comprises part of a field open to views from the east and a housing development on this site would obtrude into open countryside. Whilst site EH1 constitutes an infill site and relates well to the existing building group at Feughside, the suggested site east of the Feughside Inn does not.

**Reporter's recommendations:**

No modifications.

<b>Issue 160</b>	<b>Strachan</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, (p24) Schedule 1, Table 7, (p29) Volume 3i, Supplementary Guidance, Settlement Statements, (p68 & 69)	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Castleglen Land Search Ltd (717) Feughdee West Community Council (2443)		
<b>Provision of the development plan to which the issue relates:</b>	H1 Housing Allocations in Strachan.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Site H1 Strachan</b>  <b>2443:</b> Representation states development of the site should be delayed until the low-cost housing on an adjacent site is agreed.</p> <p><b>717:</b> Supports allocation and confirms the deliverability of the site.</p>		
<b>Modifications sought by those submitting representations:</b>		
2443: Delay development of site H1.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p><b>Overview</b>  Strachan lies to the south of Banchory within the Rural Housing Market Area and in the "local growth and diversification area" identified within the Structure Plan. School roll forecasts show that Strachan Primary School has a falling roll and is forecast to be operating at 40% capacity at 2016. It is appropriate to direct development to Strachan to support the school, village hall and church. The size of allocation made reflects local needs and the scale of the settlement, and ensures that sufficient land is provided to meet the housing land requirement Figure 8 of the Structure Plan (page 17). The allocations made are appropriate and sufficient for the purposes of delivering the strategy and aims of the Local Development Plan and the Structure Plan.</p> <p><b>Site H1</b>  The comments regarding low-cost housing are unrelated to development of site H1, and it is unreasonable to delay development of site H1 as a result. Site H1 is a new allocation and will require to make a separate contribution towards affordable housing in line with Policy 6 Affordable Housing.</p> <p><b>Conclusion</b>  The modification sought is not supported. The development strategy and land allocated in Strachan is appropriate and sufficient to meet the needs of the settlement strategy.</p>		
<b>Any further plan changes commended by the planning authority:</b>		
No changes are commended.		

<b>Reporter's conclusions:</b>
<p><b>Site H1</b></p> <p>1. The site constitutes an infill site within the village. A deliverability statement indicates that there are no technical constraints to the development of this site. It is intended that the proposed development of 15 houses will provide a range of house sizes and tenures to meet local needs and help sustain services. The development will require to make a contribution towards affordable housing in line with policy 6 of the proposed Plan. Concerns regarding the contribution of an adjoining site, which is under development, to the provision of affordable housing are not a matter for this examination.</p>
<b>Reporter's recommendations:</b>
<p>No modifications.</p>

<b>Issue 161</b>	<b>Other Sites in Marr Rural Housing Market (RHMA)</b>	
<b>Development plan reference:</b>	Section 6, Proposals Map, Marr, (p 24) Schedule 1, Table 7, (p 29) Schedule 2, Table 7, (p 33) Schedule 3, Table 2 & Table 3 (p 36 - 41) Volume 3i, Supplementary Guidance, Settlement Statements Marr	<b>Reporter:</b> Douglas Hope
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Alex Scott (344) William Lippe Architects Ltd on behalf of Ian Mathers (468) Ryden LLP on behalf of Carbardunn Development Company & Dunecht Estates (1904, 1905) Ryden LLP on behalf of The Dickinson Trust Ltd, Trustee for the Dunnottar Trust & Dunecht Estates (1933, 1934) Archial on behalf of A & W Duncan (2753)		
<b>Provision of the development plan to which the issue relates:</b>	Land allocations in other settlements within the Marr Rural Housing Market Area.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>Shortfall in allocations</b>  <b>1904,1905, 1933, 1934:</b> Reservation of 25% of the Structure Plan housing allocations to the Local Growth and Diversification Areas in the Rural Housing Market Area under Policy 5 is flawed, and sites within rural service centres and hamlets should be allocated to accommodate this shortfall ( see issue 12 Housing land supply and issue 25 New housing land allocations). This will allow growth to be strategically planned alongside infrastructure.</p> <p><b>Alternative sites</b>  <u>Oldyleiper</u>  <b>1904, 1905:</b> Allocations should be made on site M91 at Oldyleiper as it is infill development and the topography, tree belts, pattern of surrounding development and the landscape have capacity to accommodate this. Benefits such as a reduction in speed limit, provision of a bus lay-by and footpath, could accrue.</p> <p><u>Campfield of Torphins</u>  <b>1933, 1934:</b> Similarly site M89 at Campfield of Torphins should be allocated as it is modest infill with landscape and service capacity. Development would generate increased developer contributions, and community benefits, would sustain services and relieve pressure on larger settlements. The site is within walking distance of Torphins.</p> <p><u>Milton of Cushnie</u>  <b>468:</b> Allocation for residential use would be in line with Scottish Planning Policy and Planning Advice Note 72, would not obtrude on the landscape, would help integrate groups of houses, and would bring economic and social benefits by supporting existing services.</p> <p><u>Silver Ladies Caravan Park</u>  <b>2753:</b> Land to North of Silver Ladies Caravan Park near Strachan: The respondent proposes tourism uses by extending the existing caravan site, which corresponds with Policy 1 and will stimulate economic development in a rural area, while it is a well screened site with existing access and infrastructure.</p> <p><b>344:</b> Support for the non-allocation of sites in Bridge of Alford.</p>		



<b>Modifications sought by those submitting representations:</b>
<p>.</p> <p><b>1904, 1905:</b> Allocate site M91 Oldyleiper of up to 16 houses.</p> <p><b>1933, 1934:</b> Allocate site M89 Campfield of Torphins for 6 houses.</p> <p><b>468:</b> Allocate land at Milton of Cushnie for 3 houses over 5 years.</p> <p><b>2753:</b> Allocate employment land on site immediately north of Silver Ladies Caravan Park near Strachan.</p>
<b>Summary of responses (including reasons) by planning authority:</b>
<p><b>Overview</b></p> <p>All these sites are within the Rural Housing Market Area and fall within the “local growth and diversification area.” The strategy within this area is for growth in communities to meet local needs. Allocations are made where there is a specific need identified, including providing opportunities to increase numbers going to primary schools where the roll is dropping.</p> <p><b>Shortfall in allocations</b></p> <p>Issues relating to the general sufficiency and maintenance of housing land supply are dealt with in Issue 12 Housing land supply and issues relating to the specific allocation of sites and their effect on the housing land allocations are dealt with in Issue 25 New housing land allocations. The Rural Development policy will meet the shortfall in the RHMA and additional numbers do not require to be found.</p> <p><b>Alternative Sites</b></p> <p>The allocations made within the Aberdeen Housing Market Area are appropriate and sufficient and there is no requirement to consider alternative sites.</p> <p><u>Oldyleiper</u></p> <p>The site at Oldyleiper, site M91 in the main issues report, was fully considered following consultation on the Main Issues Report, and following widespread community engagement the Council’s conclusion was to exclude it, as there are no service or facilities which would suggest it should be treated as a settlement, and the site was in excess of what would be considered infill. See Issues and Actions paper Volume 7, page 92, Oldyleiper.</p> <p><u>Campfield of Torphins</u></p> <p>The site at Campfield of Torphins, site M89 in the main issues report, was fully considered following consultation on the Main Issues Report, and following widespread community engagement the Council’s conclusion was to exclude it, as there were no features that would justify allocation and development was proposed in nearby Torphins. See Issues and Actions paper Volume 7 page 39, Campfield of Torphins.</p> <p><u>Milton of Cushnie</u></p> <p>The site at Milton of Cushnie, site M124 in the main issues report, was fully considered following consultation on the Main Issues Report, and following widespread community engagement the Council’s conclusion was to exclude it, as there were no facilities or features to justify allocation. See Issues and Actions paper Volume 7 page 86, Milton of Cushnie.</p> <p><u>Silver Ladies Caravan Park</u></p> <p>The site north of Silver Ladies Caravan park was considered following the consultation on the Main Issues Report, and the Council’s conclusion was to exclude the site, as it was outwith Banchory and the tourism development proposal could be pursued through other policies. An allocation is not required as development could be pursued through Policy 1 and 3. See Issues and Actions paper,</p>

Volume 7, page 12, Banchory.

**Conclusion**

None of the modifications sought are supported. The development strategy and land allocations in the Rural Housing Market Area are appropriate and sufficient to meet the needs of the settlement strategy.

**Any further plan changes commended by the planning authority:**

No changes are commended.

**Reporter’s conclusions:**

**Alternative sites**

Oldyleiper

1. Oldyleiper lacks services and facilities and the scale of development proposed is unlikely to support the provision of new services or facilities. The development of up to 16 houses on the site suggested could not be considered as “infill” development and would be excessive when compared with the size of the existing community. Oldyleiper is not a defined settlement in the proposed Plan and the allocation of land for housing in this location would not be consistent with the principles of sustainable development set out in the vision and aims for the plan and in the spatial strategy. Any proposed housing on this site should be assessed against the proposed Plan’s policy for development in the countryside.

Campfield of Torphins

2. Whilst there may be opportunities for infill development at Campfield of Torphins, this hamlet is not a defined settlement in the proposed Plan. The allocation of land for housing in this location would not be consistent with the principles of sustainable development set out in the vision and aims for the plan and in the spatial strategy. Any proposed housing in this location should be assessed against the proposed Plan’s policy for development in the countryside.

Milton of Cushnie

3. Milton of Cushnie is not a defined settlement in the proposed Plan. Whilst the small number of houses suggested for this site (3 houses) could be considered as appropriate “infill” development, the allocation of land for housing in this location would not be consistent with the principles of sustainable development set out in the vision and aims for the plan and in the spatial strategy. Any proposed housing in this location should be assessed against the proposed Plan’s policy for development in the countryside.

Silver Ladies Caravan Site

4. The Silver Ladies Caravan Site is located in the countryside to the south of Banchory. Policies 1 and 3 of the proposed Plan relate, respectively, to business development, including tourist facilities and accommodation, and development in the countryside. It is against these policies that any proposal for an extension to the existing caravan park should be judged.

**Reporter’s recommendations:**

No modifications.