

ISSUE 170

Kincardine and Mearns – Blairs

Objector	Reference
Stewart Milne Group	47.34.1-3
The Green Wedge	936.1.3
Scottish Environment Protection Agency (SEPA)	969.7.7
Scottish Natural Heritage (SNH)	986.25.1
The Muir Group	1046.2.1
North Kincardine Rural Community Council	1086.2.1

Procedure	Reporter
Informal hearing (the Muir Group, the Green Wedge and North Kincardine Rural Community Council) and written submissions	Richard Dent

Provisions of the local plan

170.1 The finalised local plan designates Blairs as a rural service centre in the green belt. It is in the Aberdeen housing market area. No settlement boundary is shown and there is a star notation centred on the buildings of Blairs College. The key explains that the star represents an opportunity for enabling development. The text re-iterates that Blairs provides “an opportunity for enabling development including a future housing allocation fh1(70).”

Basis of the objections

170.2 **The Muir Group** explains that there is a continuing deterioration in the condition of the listed buildings at Blairs. It is necessary to include in the local plan a clearly defined “enabling” area to achieve a sustainable level of cross-subsidy to allow the restoration of the listed buildings. In this respect, the boundary proposed in the initial modifications to CALPs would be appropriate and provide certainty in terms of future development. If necessary, text could elaborate and explain that “it is envisaged” the boundary could take the form shown.

170.3 The boundary suggested is also included in an outline planning application submitted in 1999 but which has not yet been determined. In effect, the local plan preparation procedure and the consideration of the planning application represent a parallel process. A concept masterplan has been prepared in conjunction with the planning application. The former Blairs College buildings remain at the heart of the development with a range of facilities and accommodation including a high quality hotel and conference centre with leisure, tourist and recreational facilities. A golf and country club would extend over more than 70 hectares with some 281 houses designed to maintain the countryside character. These houses have always been regarded as a windfall contribution and were never thought to be part of the structure plan targets. A detailed viability statement has also been submitted showing this to be the minimum number of houses required to provide the finance to allow the restoration process.

This document has been audited by the council. A draft agreement under section 75 of the 1997 Act has also been prepared.

170.4 There is a need to take particular care in respect of drainage in view of the designation of the River Dee as a candidate Special Area of Conservation. Similarly, the potential landscape impact has required a sensitive approach. (1046.2.1)

170.5 **The Green Wedge and North Kincardine Rural Community Council** maintain that Blairs is not a rural service centre being neither a town nor village as required by the local plan. Equally, none of the three specified criteria applies. It is a fallacious argument to suggest that Blairs would become a rural service centre once development has taken place. All other rural service centres in Kincardine and Mearns have boundaries and there is no justification for Blairs to be an exception. Blairs is simply a rural estate and should therefore be removed from the rural service centres section of the local plan. Development at this location would be contrary to the historic pattern on Deeside where, historically, Aberdeen has expanded along North Deeside. Development as proposed would also conflict with green belt objectives.

170.6 The star notation in the local plan is neither clear nor precise. It is imposed on the College itself and may suggest an intention to convert the building, along with outbuildings, to provide 70 flats. This would be acceptable and there are several local examples where large listed buildings have been successfully converted into flats. In terms of the strict requirements of NPPG18, Planning and the Historic Environment, not all the buildings are in imminent danger. Only the Old Chapel, Menzies House and the Gardener's Cottage have deteriorated badly and justify protection under an enabling policy. However, if development is to take place, a rural service centre boundary - if one is to be drawn - should be limited to the College and its close environs. Lack of a defined boundary could lead to building across the Blairs estate, no matter how unsuitable the site may be in a green belt context.

170.7 The reference to an "opportunity for enabling development" confuses two separate policy issues. Policy Env\18, as modified, provides ample guidance and allows any proposed development to be considered on merit.

170.8 Various elements of development must be in doubt: several local hotels have closed and converted into flats; many local golf clubs are under-subscribed; the northerly aspect of the proposed course could preclude winter play. This could lead to pressure for more houses. In any event, NPPG18 requires enabling development to have the minimum impact on architectural interest, character and setting of the historic environment. Development on the scale proposed would lead to the loss of the medieval field pattern.

170.9 It is significant that there is opposition to the proposed form of development from Historic Scotland, the Royal Fine Art Commission for Scotland, the Garden History Society and SNH. Blairs is within a wildlife corridor along the River Dee which is itself a candidate Special Area of Conservation. Planning authorities must meet the requirements of the European Habitats and Species Directive. Surface water and foul drainage could have a detrimental impact on sensitive species including salmon and pearl mussels. There should be a reference to the importance of the EC directive within the local plan.

170.10 The B9077, South Deeside Road has been recognised by the council as having numerous shortcomings. The construction of 70 units would generate a significant amount of traffic although this may just be tolerable. However, the traffic generated by the number of houses proposed, a hotel, conference centre and golf course would be unacceptable.

170.11 It is a particular concern of the community council that, in the event of no houses being allocated at Blairs, the 70 units might be transferred to an alternative location in the Kincardine and Mearns area. (936.1.3 & 1086.2.1)

170.12 **Stewart Milne Group** draws attention to the structure plan and, in particular, to (a) the requirement to maintain at all times a minimum 5 year supply of effective housing land and (b) that development should focus on the edge of city communities and main service centres with good accessibility by a number of transport nodes. Housing allocations are set out in the structure plan and local plans are required, where possible, to indicate where the housing should be located, based on the capacity, function and role of settlements. In addition to allocations against specific settlements, allocations to “other Aberdeenshire settlements” are provided. Other settlements in Kincardine and Mearns are to be allocated 125 units in the period 2006-2010 and the local plan allocation of 70 units to Blairs must be considered in this context.

170.13 Blairs does not qualify as either a main settlement or a rural service centre. To qualify as a rural service centre the local plan requires a village to have services, facilities or work places, a very compact grouping of at least 6 houses, and opportunities for development which could meet both structure plan and local plan policies. The council has accepted that the criteria do not apply to Blairs although it has been suggested that the semi-regular use of the chapel could assist qualification. The suggestion that Blairs would become a rural service centre once the proposed development takes place could be applied to many other places.

170.14 The local plan does not set a specific allocation against brownfield development and any such development should therefore be regarded as augmenting the land supply, the approach previously taken in respect of Blairs.

170.15 Local plan Policy Env\18 recognises that some enabling development may be required to cross-subsidise refurbishment subject to a number of tests. Appendix 4 states that where housing in the green belt is involved, new groups of over 6 houses will be acceptable in exceptional cases only. It has not been demonstrated that these policy requirements have been met at Blairs: the allocation of 70 units is therefore contrary to the terms of the policy. Cross-funding may not even be necessary as the Chapel has been restored without recourse to enabling development.

170.16 Lack of a defined settlement boundary means the development is likely to spread and it is clear that the developers are seeking considerably more than the specified 70 units. Settlement status should therefore be withdrawn and any enabling development should be provided under the terms of Policy Env\18. In turn, the housing proposed for Blairs should be allocated to other settlements in the Kincardine and Mearns area such as Newtonhill and Drumoak. (47.34.1-3)

170.17 **SNH** is believes the housing allocation would be contrary to the terms of Policy Gen\1, Sustainability Principles, sub-section (e), which safeguards built and cultural heritage

resources against damage. Similarly, development would be contrary to Policy Env\20, Historic Gardens and Designed Landscapes. Although the grounds are not listed in the Inventory of Gardens and Designed Landscapes in Scotland, they contribute to the landscape of the wider area. Any development must be appropriate for the area and the maintenance and restoration of landscape features must be assured. (986.25.1)

170.18 **SEPA** requires a statement to the effect that foul drainage is to be public infrastructure adopted and maintained by Scottish Water with provision of a new, first time sewerage treatment system. (969.7.7)

The council's responses

170.19 Objection 1046.2.1: The objection is not accepted. The prime purpose of enabling development is to preserve and maintain a listed building. Each application is unique and best dealt with by means of a planning application. In the event of the development currently proposed not proceeding, it is likely that a dispersed rural service centre (of which there are already 17 in Aberdeenshire) would be designated.

170.20 Some additional text could be helpful to describe the type of development envisaged but it would not be possible to clearly define the boundary at this time. Hatching or a broad indication of the boundary would be acceptable. Although the text currently refers to 70 houses, this simply meets the structure plan requirements and the eventual figure is likely to be much higher. The final figure will depend on what is required to make the project viable; any houses in excess of 70 would be regarded as windfall development.

170.21 Objections 936.1.3 & 1086.2.1: The objections are not accepted. Whist Blairs is not a town or a village it meets the criteria for designation as a rural service centre. There is an existing complex of buildings, including the church, which is in regular use, and an important museum. Six businesses employ 15-20 people and there are 3 houses in the complex with approximately 17 other houses in relatively close proximity. Although a boundary is not shown, this is a special case and a final boundary will be provided once the final form of the opportunity development has been established.

170.22 The undefined boundaries allow the most sympathetic development proposal to come forward. Enabling development should be driven by what is necessary to achieve the restoration of the relevant listed buildings. The required details only become available through a planning application. In the interim, the local plan should provide the required flexibility and should not define the settlement envelope.

170.23 The value of the local landscape is recognised and every effort will be made to minimise impact and safeguard the setting and character of Blairs. The boundary will be drawn as tightly as possible and open spaces will be protected.

170.24 Objections 47.34.1-3: The objections are not accepted in terms of rural service centre designation for the reasons set out in respect of objections 936.1.3 and 1086.2.1.

170.25 Although the precise number of houses at Blairs remains to be established, initial calculations suggest that the number could be far in excess of 70. It is therefore reasonable

that the houses should contribute to meeting the structure plan strategic housing land requirements.

170.26 Objection 986.25.1: The comments are accepted. Enabling development should be appropriate and acceptable in landscape terms. Maintenance and restoration of the landscape will be a prime consideration.

170.27 Objection 969.7.7: The comments are accepted and clarify the issue of drainage infrastructure and a modification is proposed to the text to indicate that a connection to a first time sewerage system will be required.

Conclusions

Rural service centre status

170.28 The local plan states that rural services centres are towns and villages, other than the main settlements, with a) services, facilities or work-places, b) a very compact grouping of at least 6 houses and c) opportunities for development which could meet both structure and local plan policies.

170.29 The Green Wedge and North Kincardine Rural Community Council maintain that Blairs is neither a town nor a village and therefore, in terms of the local plan, a rural service centre cannot be designated at this location. Although the council does not dispute the suggestion that there is no town or village, it argues that the three criteria are met and therefore a rural services centre can be designated.

170.30 I consider that the requirement for a rural service centre to be a town or a village is fundamental insofar as towns and villages have a sense of place which, in turn provides a centre of public resort where the services, facilities or workplaces are utilised. Blairs is set back from the South Deeside road and, although it may be visited by members of the public, it is not a place of general public resort. The objectors describe Blairs as a rural estate but, the chapel, museum and college buildings provide an institutional dimension, albeit that the college is no longer operational. I do not believe that Blairs can be regarded as a village.

170.31 Even if this assessment is incorrect, the “very compact grouping of at least 6 houses” is not found at Blairs. The council accepts that there are only three houses in the complex but draws attention to other houses in the general proximity. I believe that nearby houses are simply part of the wider settlement pattern and do not relate particularly to the building complex at Blairs. Although the council explains that there are other rural service centres in the local plan which have a dispersed character, the very compact grouping of at least 6 houses is a fundamental requirement.

170.32 Any suggestion that new development would create a rural service centre is not a credible argument as the rural service centre must exist in the first instance to provide the basis for development.

170.33 I therefore conclude that Blairs cannot be properly regarded as a rural service centre and should not be designated as such in the local plan.

The residential allocation of 70 houses

170.34 The council has allocated 70 “future houses” as a contribution to the structure plan strategic land requirement. The local plan explains that “fh” sites are safeguarded to meet the indicative provision for the period January 2006 - December 2010. The glossary explains that fh allocations are shown outside the settlement envelopes but their extent is defined. This is not the case at Blairs where the reference to housing is limited to the supporting text. In any event, the council has stated that the number of houses anticipated is greatly in excess of 70. Indeed, the current planning application, although in outline, has indicated a figure of 281 houses.

170.35 The structure plan states that small-scale development (usually less than 15 houses) will be spread among rural service centres to support services, local housing needs and economic development. Even if Blairs could be regarded as a rural service centre, and despite the flexibility in the guidance of the usual maximum size of small-scale development, the local plan indication of 70 houses is not in accordance with the approach to development in rural service centres. The prospect of 281 houses bears no relationship whatsoever to the role and function of rural service centres.

170.36 I appreciate that the local plan must conform to the structure plan housing land allocations and, subject to review under Policy 9, provide for 125 houses in “other settlements” in Kincardine and Mearns for the period January 2006 - December 2010. However, in view of the council’s expectation that many more houses should be anticipated, it is a misleading and contrived approach to indicate 70 houses at Blairs simply to accord with strategic objectives.

170.37 Similarly, although it is recognised that the housing expectations are derived from the prospect of development including the listed buildings at Blairs, the figure of 70 is also inappropriately included as such a significantly higher total is expected by the council. I therefore agree with those objectors who are concerned that the housing land objectives and the provisions for enabling development are being linked in an inappropriate manner.

170.38 A consequence of not including the allocation of 70 houses will be that, contrary to the wishes of the community council, it is necessary to ensure that suitable compensating provision is made elsewhere in the “other settlements” of Kincardine and Mearns. Stewart Milne Homes has suggested that allocations should be made at Drumoak and Newtonhill but the determination of the location of alternative sites is not a matter for consideration under this issue. (see Issues 176 and 194)

The future of the listed buildings

170.39 Local plan Policy Env\18, Listed Buildings, as modified, generally reflects the guidance contained in NPPG18 in terms of enabling development. In particular, the policy indicates that where a building is seriously at risk of imminent collapse or of further decay, the merits of enabling development will be considered. Six further qualifications are included in the policy including exhausting the prospect of grant aid assistance, the essential nature of the development in terms of the preservation of the building, that the development is the minimum required to enable the restoration and would not undermine architectural character or the setting, that there are no other opportunities for enabling development under other

local plan policies and that funds raised are successfully channelled into the conservation of the building. (see Issue 15)

170.40 The Muir Group prepared a conservation report to support the current planning application. The report includes a survey of the condition of the various buildings within the Blairs complex including the Menzies Apartments, the walled garden and Gardener's Cottage and the New College. It is clear from the report and from observations on-site that the condition of the buildings varies from good to poor. A newspaper article provided by the Stewart Milne Group describes the recent "completion of restoration work" at St Mary's Chapel, Blairs.

170.41 It is for the council to assess any proposals - including the current application - relative to the future of the buildings, including any intended change of use. Policy Env\18 provides a firm basis for assessing such proposals. The proposals put forward in the planning application are not themselves a subject for consideration as part of the local plan preparation process. In turn, despite the certainty sought by the Muir Group, I believe it would be inappropriate to include a potential development boundary in the local plan to reflect the extent of the outstanding planning application. Similarly, a boundary reflecting that proposed following the CALPs inquiry would be inappropriate as the preparation of that plan and the subsequent inquiry took place in a different planning context. The concept of rural service centres was not current at that time and housing land was subject to the provisions of a structure plan that has since been superseded.

170.42 In the event of no suitable proposals coming forward, it may be that the listed buildings, or at least some of them, could be placed at risk. NPPG18 strongly encourages planning authorities to use their powers to enforce building preservation notices, listed building enforcement notices, urgent works notices, repairs notices and compulsory purchase procedures, as appropriate, where listed buildings are at risk from neglect and where all other means of conservation have been exhausted. Reference to these procedures is contained in the justification for Policy Env\18. I therefore conclude that Policy Env\18 provides an adequate basis for protecting the listed buildings at Blairs irrespective of any other provisions of the local plan.

Green belt

170.43 Notwithstanding the intention to designate Blairs as a rural service centre, the local plan shows the countryside around the complex of buildings as designated green belt. The location of the "opportunity star" and the reference to the related future housing allocation of 70 units in the supporting text gives no indication that there would be any loss of green belt. However, it is clear that the implementation of the development envisaged in the current outline planning application would involve a considerable area of green belt land. The Muir Group has provided supplementary information including an assessment of landscape character and visibility. However, as previously concluded, it is for the council to assess this aspect of this or any other proposal in the context of Policy Env\18 and any other relevant policies, particularly Policy Gen\13, Green Belt.

170.44 In terms of the objections under this local plan issue, I conclude that Blairs and the surrounding countryside are properly located within the green belt. This designation is correctly included in the local plan and therefore endorses my conclusion that a rural

settlement boundary should not be shown. Similarly, I conclude that no other indication of the potential extent of future development by hatching or any other means should be included.

Other matters

170.45 Reference has been made to various other matters including landscape and nature conservation in respect of the historic landscape in the vicinity and the candidate Special Area of Conservation status of the River Dee. The Green Wedge, the community council and SNH have expressed particular concern in these respects. The impact of any proposed development, including, especially, the current planning application, must clearly be assessed against these matters. However, as previously concluded, it is for the council to consider whether any particular proposal is acceptable.

170.46 Similarly, SEPA has made reference to the need to connect to a “first-time” sewerage system. The council has agreed to modify the local plan in this respect but, in view of my conclusion that a rural service centre should not be designated, such a modification is not necessary. It would, of course, be incumbent upon any developer to ensure all drainage requirements would be met.

170.47 The question of the adequacy of the local road network was raised by the Green Wedge and the community council. The council accepted shortcomings in the standard of the South Deeside road. The community council suggested a development of 70 residential units may be acceptable from a traffic point of view but that a larger development such as proposed in the planning application should not be permitted. The detailed basis of this argument was not substantiated. The evidence has not allowed me to draw a firm conclusion in this respect and this is a further matter which would require to be assessed against any particular development proposal.

Overall

170.48 All-in-all, I conclude that Blairs is not a rural service centre and a rural service centre boundary should not be included in the local plan.

170.49 The reference to 70 future houses is inappropriate, having no specific relationship to any envisaged development, and should not be included in the local plan simply as a component of the structure plan housing land requirements. Any requirement for alternative provision should be assessed through the overall strategic assessment and the consideration of particular issues relative to “other settlements” the Kincardine and Mearns area.

170.50 I further conclude that the star notation at Blairs is not necessary as policies contained in the local plan, particularly Policy Env\18, Listed Buildings, provide adequate guidance in the assessment of any particular development proposal. Any such assessment should include consideration of such matters as impact on the green belt, landscape character and nature conservation, traffic generation and drainage.

Recommendation

170.51 I recommend that the local plan is modified whereby Blairs is deleted from the Kincardine and Mearns list of rural service centres.

ISSUE 186

Kincardine & Mearns – Kirkton of Maryculter

Objector	Reference
Mr Austin Hand	775.1.1-12
Procedure	Reporter
Written submissions	Richard Dent

Provisions of the local plan

186.1 The finalised local plan designates Kirkton of Maryculter as a rural service centre in the Aberdeen housing market area. Site A is shown as being suitable for no more than 10 houses.

Basis of the objections

186.2 **Mr Hand** objects to the development of site A as being contrary to the structure plan and believes the proposal is not in accordance with various aims and policies of the local plan.

The council's response

186.3 The council does not accept the objections and points out that 6 houses are to be erected on the site.

Conclusions

186.4 The objections have been overtaken by events insofar as the site is under development. As a designated rural service centre, a small-scale residential development at Kirkton of Maryculter is in accordance with the provisions of both the structure plan and local plan. Insofar as less than 10 houses are proposed, the development is in accordance with the provisions of the finalised local plan. Indeed, I consider the 6 houses proposed are suited to the scale to the village. I conclude that no modification to the local plan is required.

Recommendation

186.5 I recommend that there is no change to the local plan in respect of these objections.

ISSUE 189

Kincardine & Mearns – Maryculter West

Objector	Reference
Churchill Homes (Aberdeen) Limited	566.12.1
Montgomerie Developments Limited	568.96.1
North Kincardine Rural Community Council	1086.6.4

Procedure	Reporter
Informal hearing	Richard Dent

Provisions of the local plan

189.1 The finalised local plan designates Maryculter West as a rural service centre in the Aberdeen housing market area. One development opportunity is identified: site eh1, suitable for around 10 houses.

Basis of the objections

189.2 **Churchill Homes (Aberdeen) Ltd** have completed site eh1 although only 6 houses were constructed. It had been proposed to build a further 21 houses to the south and east of site eh1 and 8 houses to the north of the road and the objection sought the allocation of the land for this purpose. However, the objection has been amended and it is now intended to seek only an allocation for 8 houses to the north. In total, this would involve 14 houses (including those built on site eh1), four more than indicated in the local plan. Development would not be visible in the wider landscape. Although there are trees on part of the site, it is likely that these would be felled in any event.

189.3 Should the school close, it could be converted to residential use. However, it would be preferable to create a small business centre and community facility to enhance sustainability and social well-being. The facility would include a pre-school nursery, small community shop, and serviced offices. The single track road to the east would also be improved with the provision of, perhaps, four passing places. (566.12.1)

189.4 **Montgomerie Developments Ltd** objects to the failure to allocate additional land for residential development. Houses would support the school and build on the infrastructure provided for site eh1, thereby off-setting costs. Development would accord with national and regional planning policy and, in this respect, the strategic arguments put under Issue 20 support additional housing land.

189.5 The site has public transport and development would support the service. Being next to the existing built-up area, there would be no detrimental visual impact. Although the site is large, no more than 15 houses are envisaged with ample open space and landscaping remaining. The terms of structure plan Policy 11, General Housing Considerations, would be

met and development would make a positive contribution to the community. Local services, including the school (the future of which is uncertain), would be supported and encouraged. (568.96.1)

The council's responses

189.6 Following the publication of the finalised local plan it was decided to locate a new primary school at Lairhillock to serve the general area. This would lead to the closure of the school at Maryculter West and, in turn, the rural service centre criteria would no longer be met. On this basis it was decided to withdraw the rural service centre designation. Accordingly, policy would not support any further houses and, in any event, there is no strategic justification for the allocation of additional housing land.

189.7 The consultation process in respect of the proposed new primary school has led to some uncertainty over the future of schools initially scheduled to close, including Maryculter West. As the new school could not now be anticipated within two years, it is proposed to revert to the provisions of the finalised local plan and retain the rural service centre designation. Should the school ultimately close and be quickly converted into a business centre it is likely that the rural service centre status would be continue.

189.8 Despite the retention of the rural service centre status, additional houses are not justified if only because of the lack of strategic need. Notwithstanding this wider argument, any new development should be in scale with the existing and not overwhelm the existing buildings.

189.9 **Montgomerie Developments** objected to the initial modification to remove the rural service centre designation but welcomes the subsequently proposed restoration of the designation.

189.10 **North Kincardine Rural Community Council** objected to the proposed removal of the rural service centre designation and required a statement in the local plan to the effect that no substitutes would be created through new designations or extensions of other existing rural service areas.

Note: this objection, which is repeated in respect of Stobhall and Netherley, is considered under Issue 202, Areas Outwith Settlements - Stobhall.

Conclusions

189.11 The council's current position is that the rural service centre designation should be retained and there are no objections to the local plan in this respect. The closure of the school may lead to the council reviewing the position. However, certain objectors have indicated that if the school should close, it would be intended to provide a business and community facility which would justify continued designation of the rural service centre status. Irrespective of the future use of the school buildings, Maryculter West is designated as a rural service centre in the local plan.

189.12 The development proposed by Churchill Home would have the advantage of being set at the same level as the school and existing houses and I accept that visual impact in the

countryside would be limited. Development to the north side of the road would involve loss of the trees. These are a pleasing, if not dominant, landscape feature although I note that felling is anticipated. The indicative drawing shows the access almost opposite the school at a point where cars park while setting-down and picking-up children. In terms of numbers, a total of 14 houses would result, being 40% more than anticipated through site eh1. In the wider context, a limited number of additional houses at this location would have only a marginal impact on strategic requirements.

189.13 All-in-all, I conclude that a small development would be justified to the north of the road under site fh1 designation. However, I consider that part of the site should be utilised to provide replacement trees and therefore the total number of houses should be limited to 6. This number would also be more in scale with the existing development at Maryculter West. Additionally, a project area should be designated “Site P1 (strategic landscaping)” and this should be shown close to the northern boundary of the site. Matters such as the precise position of the access and the provision of passing places could be considered at the time detailed proposals come forward.

189.14 Turning to the proposal by Montgomerie Developments, a maximum of 15 houses is intended over a large area between the school and the B979 to the east. This land does not relate well to the school and the houses on site eh1 which are set at a lower level. Even if located as close to the school as possible and accepting that landscaping is proposed, the houses would appear as an isolated and sporadic plateau development in the countryside. Fifteen houses would more than double the existing total and could not be regarded as being in scale. Although it was claimed that the development would make a contribution to the community, this was not substantiated. Overall, I conclude that the proposal does not merit support.

Recommendation

189.15 I recommend the local plan is modified whereby Maryculter West is recognised as having two main opportunities for new development. Site fh1 should be added as being suitable for around 6 houses. Project area P1, strategic landscaping should be included.

189.16 The proposals map should show site fh1 to the north of the road to accord generally with the site proposed by Churchill Homes and include the project area within the site, close to the northern boundary.

ISSUE 193

Kincardine & Mearns – Netherley

Objector	Reference
Mr Alan Forbes	1256.2.1
North Kincardine Rural Community Council	1086.6.3

Procedure	Reporter
Written submissions	Richard Dent

Provisions of the local plan

193.1 The finalised local plan designates Netherley as a rural service centre in the Aberdeen housing market area but a modification was proposed to remove this status.

Basis of the objections to the modification

193.2 **Mr Forbes** believes the rural service centre status of Netherley should be restored to allow some low density housing on infill land especially as the area has no housing provision. This would also benefit the new school intake.

193.3 **North Kincardine Rural Community Council** notes the withdrawal of the rural service centre status and requires a statement to the effect that no other substitutes should be created or other rural service centres extended within the area of the community council.

Note 1: this objection, which is repeated in respect of Stobhall and Maryculter West, is considered under Issue 202, Areas Outwith Settlements – Stobhall.

Note 2: objections under Issue 202, Areas Outwith Settlements – Westside Farm, Sunnyside, seek the removal of the rural service centre designation for Netherley.

The council's response

193.4 The council points out that the closure of the primary school is dependent on a replacement at Lairhillock. This is not now anticipated for at least two years. However, in anticipation of the closure of the school, Mr Forbes' objection was not accepted on the basis that rural service centre criteria are not met and there could be no certainty that new low density housing would be of benefit. Housing allocations are better met on sites elsewhere. In view of the possibility of the school remaining open longer than originally anticipated, the question of the rural service centre designation should be reconsidered. In assessing whether the designation is justified it is significant to note that the school is some 300 metres from the hamlet.

Conclusions

193.5 The general settlement pattern at Netherley is similar to that in the wider area - dispersed houses with a few more-concentrated groups. Netherley itself differs insofar as the school is located relatively close to what the council describes as the hamlet. However, the school is not particularly associated with any specific group of houses. Notwithstanding the school, which may close in due course, Netherley does not have the characteristics of a town or village - as required by the local plan - and so does not qualify for consideration as a rural service centre. I therefore conclude that the proposed modification to delete the rural service centre status attributed to Netherley in the finalised local plan should be endorsed.

Recommendation

193.6 I recommend that the local plan is modified, as proposed by the council, whereby the rural service centre status of Netherley is removed.

ISSUE 202

Kincardine & Mearns – Areas Outwith Settlements - Ardoe

Objector	Reference
David Lawtie	568.56.1
Procedure	Reporter
Written submissions	Richard Dent

Provisions of the local plan

202.1 Ardoe is located in the green belt in the finalised local plan. It is not designated as a rural service centre.

Basis of the objections

202.2 **David Lawtie** objects to Ardoe not being identified as a settlement. The properties in the area, including the Ardoe House Hotel, a major employer, should be encompassed within a settlement envelope thereby allowing development on infill and gap sites in terms of Policy Gen\4, Infill Development. In turn this would relieve development pressure in the area and prevent sporadic development in the countryside.

202.3 Ardoe is, in effect, a village where much haphazard development has taken place in recent years. The opportunity should be taken to round-off development within the existing mature landscape. In so doing, a contribution would be made to providing a variety of sites in a choice of locations.

202.4 Settlement designation would be in accordance with the approach adopted in CALPs.

The council's response

202.5 The hotel does not qualify as a compact grouping of at least 6 houses, and the surrounding properties also are not compact. In turn, Ardoe does not meet rural service centre criteria, and Policy Gen\4 is not applicable. The local plan already provides a variety of sites for housing in areas where potential house-buyers would want to live. The objection site is on a north-facing slope where development would impact on views from the north bank of the Dee. In any event, the strategic housing land requirement has been fulfilled, and any further housing allocations would conflict with the structure plan.

Conclusions

202.6 Ardoe is not a village or town as required to qualify as a rural service centre. It is, in effect, a hotel complex with a number of unrelated and random residential properties in the general vicinity. Indeed, the objector has described the situation as haphazard. Even if this arrangement were to be regarded as a settlement, the council has pointed out that the criteria

are not met as required. Any contribution to the range of choice of housing does not overcome the need to meet rural service centre criteria.

202.7 Although it has been suggested that rounding-off might be of benefit, no indication has been provided of the envisaged scale and extent of this process. The council believes that development could lead to conflict with the structure plan and have a wider visual impact. Despite the lack of details, I consider it is unlikely that the scale of development could lead to problems in either respect. Nevertheless, this does not override the need to meet the criteria and I conclude that the designation of Ardoe as a rural service centre is not justified.

Recommendation

202.8 I recommend no change to the local plan in respect of this objection.

ISSUE 202

Kincardine & Mearns – Areas Outwith Settlements – Banchory Devenick

Objector	Reference	
Banchory and Leggart Estates Mr M Bibby	1095.2.1	568.58.3
Procedure	Reporter	
Informal hearing (Banchory & Leggart Estates) and written submissions	Richard Dent	

Provisions of the local plan

202.9 The finalised local plan places Banchory Devenick in the designated green belt in the Aberdeen housing market area..

Basis of the objections

202.10 **Mr Bibby** supports the retention of the school and young families living in the area. The local plan should provide for up to 10 houses in the vicinity of the crossroads or the school. The hamlet should be given “village” status with a speed limit and street lights.

202.11 **Banchory and Leggart Estates** also requires the well-defined group of buildings at the crossroads to be designated as a settlement as has been the case in earlier plans. This group lies on an historic route south from Aberdeen with a well-established sense of place, and clear identity and character despite recently change and recently built houses.

202.12 The school was faced with possible closure, the roll falling from 69 in 2001 to a projected 36 in 2011, although it now appears likely to remain open. New housing would address the problem of attendance in the manner taken by the council in other locations. Some 25-30 houses are intended in the natural bowl close to the crossroads although, if necessary, a maximum of 15 would be acceptable. Landscaping would be provided although the details have not yet been determined. Ten or 12 houses are proposed in the vicinity of the school. This is about one kilometre from the crossroads. Ground opposite the school is the preferred location for the smaller development. Up to 40% could be affordable houses. Again there would be some planting and some of the school facilities would be improved. Development would be phased at a rate of 10 a year to prevent too great an impact.

The council’s responses

202.13 In response to both objections the council states that there would be grounds for considering Banchory Devenick as a small settlement if the new primary school was to be sited at this location rather than at Lairhillock. It now appears that the new school will not be ready for occupation for at least two years but the existing primary school cannot be

considered as integral to the hamlet at the crossroads being a kilometre distant and, accordingly, Banchory-Devenick does not fulfill rural service centre criteria.

202.14 SEPA has been consulted, and has stated that there is no watercourse to accept the discharge of foul effluent within the vicinity of the crossroads or the school. In any event, whilst the land at the crossroads does form a bowl, no more than 15 new houses should be provided in any small settlement.

Conclusions

202.15 Banchory Devenick is typical of a historic crossroads although Banchory and Leggart Estates somewhat confusingly describe the character as both traditional and modern. Nevertheless, the crossroads does have a distinct character although this is not that of a village that meets the criteria required for designation as a rural service centre.

202.16 At one time it was anticipated that the school would close when a replacement was provided at Lairhillock. However, the situation is now less certain and it appears that the Banchory Devenick primary school may remain open, albeit with a declining roll. The council believes that the distance between the crossroads and the school is too great to justify rural service centre status. I conclude that this is correct as the journey undertaken by children who travel from the crossroads to the school is essentially no different to the journeys of pupils who live elsewhere. There is therefore no particular symbiosis between the crossroads and the school.

202.17 Strategic demand does not dictate an over-riding need to allocate houses at this location and, in any event, structure plan guidance points to a scale of development commensurate with the size of the settlement in order that new houses can be easily absorbed. Initially, Banchory and Leggart Estates suggested 25-30 houses close to the crossroads but it was later indicated that 15 would be acceptable. The impact of even 15 houses in the bowl adjacent to the crossroads would have a significant visual impact and destroy the traditional form of development at countryside crossroads locations. Although it has been stated that landscaping would be provided, no great thought has been given to the detailed form of the proposals and therefore the benefit of planting cannot be clearly assessed. Even if the crossroads vicinity were to be designated as a rural service centre and the problems raised by SEPA could be overcome, the number of additional houses that would be acceptable would be very severely limited.

202.18 The suggested housing site at the school had originally been on the same side of the road as the school buildings. At a very late stage in the proceedings this was changed to the opposite side of the road, an alteration accepted by the council. There is little merit in this location as it does not relate to any existing buildings and would simply represent a group of houses in the designated green belt. Again there are no over-riding reasons why housing should be allocated at this point. Although it has been indicated that some of the school facilities would be improved, no further details have been provided. Affordable houses are intended but, in itself, this contribution does not overcome the disadvantages of the site.

202.19 Overall, I conclude that rural service centre designation should not be applied to either the crossroads vicinity at Banchory Devenick or around the primary school, individually or as a twin-centred designation.

Recommendation

202.20 I recommend no change to the local plan in respect of these objections.

ISSUE 202

Kincardine & Mearns – Areas Outwith Settlements – Cookney

Objector	Reference
Mr R Winmill	766.2.2
Mr Tom Shanks	568.98.1
North Kincardine Rural Community Council	1086.2.2 & 6.1
Country Life Estates Limited	1310.2.2 & 17.3 (previously 568.67.3)

Procedure	Reporter
Informal hearing (NKRCC, Mr Winmill & Country Life Estates) and written submissions	Richard Dent

Provisions of the local plan

202.27 The finalised local plan places Cookney in the countryside within the Aberdeen housing market area.

Basis of the objections

202.28 **The community council and Mr Winmill** believed that Cookney should be designated as a rural service centre with the prospect of providing 8-10 houses. (766.2.2 & 1086.2.2)

202.29 **Country Life Estates** similarly required rural service centre status, the settlement boundary to include an infill site to the south which would be capable of accommodating 4 or 5 detached houses. (1310.2.2 & 17.3)

The council's response

202.30 The objections were accepted to the extent that the council proposed a modification designating Cookney as a rural service centre. Site A, north of the former church is identified for around 10 houses. Woodland on the north-west boundary of the settlement is shown as a protected area. The site put forward by Country Life Estates is excluded from the envelope.

Objections to the modification

202.31 **The community council and Mr Winmill** require the local plan to indicate that the tightly drawn boundary will be maintained in the future to ensure the planned development on site A is effectively concealed. No further development should be permitted as expansion would be inappropriate at this prominent location. Cookney is a small hilltop settlement with views in all directions. It is isolated from the surrounding countryside and the slopes around

the village form an important part of the approaches. The character can only be retained if the foreground views of the village are kept open. (1086.6.1 & 766.2.2)

202.32 **Country Life Estates** supports the settlement envelope but objects to the omission of land extending to 0.9 hectares to the south of Cookney. This land should be allocated for housing in place of site A. Four houses could be built in a cohesive manner rather than the sporadic ribbon development that has often occurred in the past. The site is set behind a row of trees which would screen development from the north and provide a backdrop when viewed from the south. Additional planting could be provided and the access would be improved. There is residential property to the north and south and, in effect, the site would represent infill development.

202.33 The SEPA position is unclear and unhelpful. Although the council initially argued that development was constrained through lack of mains drainage, planning permission has been granted for 10 houses on site A. The development has not commenced and it is understood that the owner is not prepared to release the land as it lies within part of an operational farm. The site should therefore remain as “white land”. On the other hand, the objection site is available and could be serviced by individual septic tanks. Development would add to the range of housing choice. Insofar as Cookney has been identified as a settlement as a consequence of the village hall, new residential development could assist with funding restoration work that the hall requires. (1310.2.2 & 17.3)

202.34 **Mr Shanks** also welcomes the settlement envelope but believes it should be extended. Inclusion of his property at Cookney Stables would result in the full and appropriate use of the land and the site would link easily to existing infrastructure and services. Access would be safe and convenient for walking and cycling. It would fulfil all the requirements of structure plan Policy 11 and overall there would be no adverse impact on the character, environment or amenity of the surrounding area. Any resultant development would contribute to any shortfall in the five year land supply.

202.35 The structure plan defines a settlement as any built-up area with a community function with at least some viable services. Cookney Stables meets these criteria and should be identified as a settlement. (568.98.1)

The council’s further responses

202.36 Objections 1310.2.2 & 17.3 and 568.98.1: The objections are not accepted. Although it is proposed to designate Cookney as a rural service centre, the settlement envelope has not been extended to enclose the objection sites:

- the plan already provides a variety of sites for housing, and Cookney has been allocated its fair share as the planning permission for site A - which may be implemented at any time - has trebled the potential number of houses in the settlement;
- the existing development has mains water, but SEPA has stated that it would oppose any further development;
- the settlement envelope has been extended to enclose a shelter belt of trees to the north of site A which has been designated as a protected area in view of the contribution to the special character and amenity of Cookney;

- houses on the Country Life Estates site would show against the skyline and impact on the landscape;
- structure plan housing land requirements have been fulfilled.

Conclusions

The future of Cookney

202.37 Objections 1086.6.1 & 766.2.2: The community council and Mr Winmill generally support the modification. Although a definitive statement about future intent is required, this would not be appropriate. The local plan sets out the council's policies against which development proposals must be assessed in the first instance. However, on occasion, other material considerations may be of relevance and the council must not fetter its discretion or its ability to take account of such considerations.

Land to the south

202.38 Objections 1310.2.2 & 17.3: Although Country Life Estates expresses doubt about the prospect of the implementation of the planning permission on site A, this evidence has not been substantiated. As the council indicates, the situation may change and the development could progress in terms of the permission notwithstanding the unclear drainage situation. On the other hand, the objection site would require individual private systems, which SEPA and local plan Policy Inf4, Drainage Standards, (as modified under Policy Inf4a) do not accept. The council draws attention to the relative scale of the prospective development on site A and explains that, when built, this would treble to number of houses in Cookney.

202.39 Despite the concerns expressed in respect of site A, it would be unwise to disregard the planning permission. Implementation could provide a significant development compared with the size of Cookney and, in terms of structure plan guidance, it would be difficult to justify further development.

202.40 Even if the construction of 4 or 5 houses on the objection site did not break the skyline or impact on longer inward views of Cookney, they would represent an outward spread of the small, compact hill top settlement. I do not regard the site as an infill opportunity and conclude that development would detrimentally affect character and identity. Even if site A is not brought forward for implementation, I believe the development of the objection site would not be justified.

Cookney Stables

202.41 Objection 568.98.1: In terms of Cookney Stables, the site lies on an approach road to Cookney but at a significantly lower level. It is physically separated from the compact settlement on the hill top and cannot be regarded as part of Cookney or as a settlement in its own right. I conclude that incorporation of this land within the settlement should not be contemplated. Neither should Cookney Stables be defined as a settlement in its own right.

Recommendations

202.42 I recommend that the local plan is modified, as proposed by the council, whereby Cookney is designated as a rural service centre with the boundary as shown in the Proposed Modifications, 2 July 2003. Site A should be included to the north of the former church along with the protected area of trees.

ISSUE 202

Kincardine & Mearns – Areas Outwith Settlements – Maryculter East

Objector	Reference
James R Irvine-Fortescue	900.1.1
Procedure	Reporter
Written submissions	Richard Dent

Provisions of the local plan

202.93 The finalised local plan places Maryculter East in the countryside in the Aberdeen housing market area.

Basis of the objection

202.94 **Mr Irvine-Fortescue** requires the designation of Maryculter East as a rural service centre, as in the draft local plan, with an allocation for “around 2 houses”.

The council’s response

202.95 The objection is not accepted. Maryculter East does not meet the criteria for rural service centre designation because the school is no longer in use. Any housing allocation would conflict with the structure plan requirement which has been met.

Conclusions

202.96 The allocation of a site for around 2 houses is not significant in the context of the overall strategic requirement. However, the closure of the school at Maryculter East was a significant event and deprived the settlement of its basis as a rural service centre. As indicated by the council, the criteria for designation are not met and the few houses that constitute Maryculter East are not even announced by a place name sign. I therefore conclude that Maryculter East should not be identified as a rural service centre.

Recommendation

202.97 I recommend no change to the local plan in respect of this objection.

ISSUE 202

Kincardine & Mearns – Areas Outwith Settlements - Stobhall

Objector	Reference
Churchill Homes (Aberdeen) Limited	566.14.1
C & R Fraser	448.39.1
R Winmill	766.2.1-2
North Kincardine Rural Community Council	1086.2.3 & 6.2

Procedure	Reporter
Informal hearing	Richard Dent

Provisions of the local plan

202.98 The finalised local plan shows Stobhall as lying in the countryside in the Aberdeen housing market area.

Basis of the objections

202.99 **North Kincardine Rural Community Council, Mr Winmill and Churchill Homes (Aberdeen) Limited** objected to Stobhall not being identified as a rural service centre.

202.100 The community council and Mr Winmill suggested that the western boundary should be the minor road running south from South Deeside Road and the eastern boundary should follow a line of trees planted some years ago. Land to the north of South Deeside Road should be excluded. (766.2.1 & 1086.2.3)

202.101 Churchill Homes required the field to the south-west to be included to allow the construction of around 20 houses and the provision of community facilities. (566.14.1)

The council's response

202.102 The objections were accepted to the extent that it was proposed to modify the local plan by the designation of a rural service centre at Stobhall, the boundaries of which follow those suggested by the community council and Mr Winmill to the south of South Deeside Road but also include several residential properties to the north.

Objections to the proposed modification

202.103 The **community council** is generally concerned about changes to rural service centre designations being made at a late stage in the plan-making process. In an area of high development pressure it is feared that this process could lead to the identification of further centres or extended boundaries in existing centres. In turn, this could be used to attempt to justify more houses. In particular, at Stobhall, the community council is seeking a statement to the effect that the village envelope will not be further extended as local services and

facilities are very limited. The boundary proposed is compact and would retain the character of this small settlement which even a few extra houses would threaten. More houses should not be regarded as the price to pay for additional facilities. Although it has been suggested that a village hall might be provided, there is a nearby modern hall, the Corby Hall, Oldmill, with full facilities and football pitches. This serves adequately as a village hall and there is no known demand for a building in Stobhall itself. (1086.6.2)

202.104 **Churchill Homes** explains that there has recently been some new building at Stobhall, with the construction of 3 “executive” houses; the rationale for the increase in numbers has not altered and, arguably, the justification for further houses has increased. In this respect, an indicative layout has been prepared showing 22 houses to the north and south of the minor road leading west from the village. There is public transport, including a school bus, but no other community facilities. Additional houses would support existing local services and enable the provision of a community centre or such other facility as might be required. The land and building would be provided along with car parking. The overall layout is flexible and would take account of local opinion. (566.14.1)

202.105 **C & R Fraser** objects to the failure of the rural service centre to include Maryculter Lodge. The envelope should include all the houses in Stobhall including the Maryculter House Hotel, the social heart of the village. Extending the envelope eastwards on the north side of South Deeside Road would create a visual link with the new houses on the opposite side. Inclusion of this land would allow the possibility of building a very limited number of houses - one, or preferably two – in the grounds of Maryculter Lodge. These could assist the falling school roll. The site is well- contained and there would be virtually no visual impact in contrast to the recently built houses opposite. The 30 mph speed limited could be extended eastwards beyond the site and this would also provide a sense of approaching a village. (448.39.1)

The council’s further responses

202.106 Objection 1086.6.2: The objection is not accepted. The council has endeavoured to portray an up-to-date situation and any proposed modifications are intended to reflect current circumstances. All changes must follow a defined procedure and be the subject of formal modifications to the local plan. These must be advertised and are open to objection. Despite the community council’s concern about ever-increasing numbers of houses, there is no intention to make further allocations and the local plan must abide by the strategic guidance provided in the structure plan.

202.107 Because of the size of the hamlet, including existing houses and business premises, and, especially, because of the recently completed suite of small offices, Stobhall can be reasonably regarded as a rural service centre. The group of 5 houses across South Deeside Road is an integral part of Stobhall and it would be illogical not to include these properties in the envelope. A further modification is proposed whereby a project area for strategic planting is to be indicated in the field beyond the western boundary.

202.108 Objection 566.14.1: The objection is not accepted. A field with defensible boundaries does not justify extending a logical settlement boundary. The proposed layout would represent an elongated extension of the village. In any event, the strategic housing land requirement has been met. Furthermore, taking into account the new houses recently built,

any further development would overwhelm Stobhall. Although there might be advantages in a new hall, providing a central focus, it is necessary to strike a balance. Indeed, a petition had been submitted expressing the view that rural service centre designation should not be applied.

202.109 Objection 448.39: The objection is not accepted. Maryculter Lodge is over 100 metres beyond proposed settlement envelope, separated by a gulley, and is not part of the village fabric. Visually there is no connection. It has been suggested that the main focus for community congregation is the Corby Hall at Oldmill. Potential impact on the school role would be minimal.

Conclusions

Status of Stobhall as a rural service centre

202.110 Despite the council's reference to a petition, there are no formal objections to the modification proposing Stobhall as a rural service centre.

202.111 The community council has a general concern about the timing of the proposed modification, along with similar modifications elsewhere, but the council has explained why these have been made. I accept that as local plans progress through the preparation procedure it is often appropriate to introduce modifications. However, as the council points out, there is a formal process to be followed and this is set out in statutory regulations. Whilst modifications to a local plan might not involve the level of publicity afforded to draft plans they often represent changes made to satisfy objections. I conclude that provided the council undertakes the statutory procedure, modification of the local plan is entirely permissible.

Note This conclusion also applies to similar objections by the community council in respect of Maryculter West (Issue 189) and Netherley (Issue 193)

Extension to the west

202.112 The community council originally required the South Deeside road to form the northern boundary of the settlement but the council included several houses to the north. The matter was not pursued by the community council and I conclude that the land to the north of the road, as proposed by the council, is properly included in the settlement envelope.

202.113 Churchill Homes requires an extension of the boundary to the west to enclose land that should be allocated for housing and support the construction of a community facility. The council believes extended area is inappropriate and the scale of development to be too great.

202.114 Stobhall is a small, compact settlement notwithstanding the recently constructed houses in the village. The proposed extension is significant in size and would alter the nature of the settlement through its westward protrusion along two roads. The council is correct in questioning the value of the defensible boundary beyond the field proposed for inclusion in the settlement. The minor road itself provides an acceptable boundary. The structure plan is quite clear on the role of rural service centres and the small-scale level of development that is acceptable (usually less than 15 houses). I conclude the size and character of Stobhall is such

that an exception to structure plan guidance is not appropriate. The recently constructed houses should be given the opportunity to assimilate and the additional 22 houses should not be contemplated.

202.115 Churchill Homes offers the prospect of a community facility but there are mixed signals about whether or not this is required. The objector has received an indication from a number of residents that the facility would be welcomed. On the other hand, the community council points out that there is a hall relatively close to hand and this offers a range of facilities that are well used by the village. It has also been indicated that the Maryculter House Hotel is the “heart” of the community. There is little doubt that a new facility in or very close to the village would provide a central focus for the community. However, lack of total enthusiasm and the availability of other relatively convenient facilities, leads me to the conclusion that the offer should not take precedence over the objections to a settlement extension. On the basis of this finding, I further conclude that the western boundary of Stobhall should remain, as proposed by the council, along the minor road leading south from the South Deeside Road. This is a clear boundary and there is no requirement for additional planting as suggested by the council.

Extension to the north-east

202.116 The extension of the envelope to include Maryculter Lodge would, as the council indicates, involve a property that is remote from the compact form of Stobhall. There is no visual link and a pronounced gully adds to the physical separation. It was further suggested that the adjacent hotel should be included as being the “heart” of the community. This claim was not substantiated and other evidence was given to indicate that many community activities take place at the Corby Hall. An extension of the envelope as required would not relate to the new houses on the opposite side of South Deeside Road as these are further west and are clearly part of Stobhall. Whilst the grounds of Maryculter Lodge could probably accommodate two additional houses without wide visual impact, this very attribute emphasises that the site is not an integral part of the village. I conclude that the settlement envelope should not be extended in response to this objection.

Recommendation

202.117 I recommend that the local plan is modified, as proposed by the council, whereby Stobhall is designated as a rural service centre, the boundary and text as shown in the Schedule of Proposed Modifications dated 26 May 2003.

202.118 I further recommend that the project area proposed in the field beyond the western boundary of Stobhall should not be pursued.

ISSUE 202

Kincardine & Mearns – Areas Outwith Settlements – Westside Farm, Sunnyside

Objector	Reference
Dr P M Hook	48.2.1-2
Mr L Chong & others	448.30.1-2

Procedure	Reporter
Written submissions	Richard Dent

Provisions of the local plan

202.127 The finalised local plan places Westside Farm in the countryside within the Aberdeen housing market area. To the south, Netherley is designated as a rural service centre.

Basis of the objections

202.128 **The objectors** maintain that Netherley should not have been designated as a settlement nor should a site have been identified for public open space/educational use, not being well-related to the communities proposed to be served by the new school. The Westside Farm site is to be preferred for new development, a planning application proposing 10 houses having been submitted. That application was refused as being premature in respect of the local plan preparation process and a decision on the location of a new primary school for the area.

202.129 The land at Westside Farm is within the existing settlement at Sunnyside and extends over 10 hectares to provide for around 50 houses (of which 25 would be affordable), community facilities and a school. This would form an extension to the established settlement and should be defined within a settlement envelope.

The council's response

202.130 The objections are not accepted although it is agreed that Netherley does not meet rural service centre criteria. The designation was proposed for deletion from the local plan although subsequent consideration was given to the possible retention of rural service centre status. The new primary school for the Netherley area is to be sited at Lairhillock but is unlikely to be completed for some time. In any event, Westside Farm cannot be regarded as a rural service centre and land should not be allocated for housing. Structure plan requirements have been met elsewhere.

Conclusions

202.131 The council decided to delete Netherley as a rural service centre although subsequently considered the possibility of retention. This matter is considered under Issue

193 in which I conclude that the rural service centre status should be removed. However, that does not form the central thrust of the objection which is to include Westside Farm within a settlement envelope.

202.132 It is suggested by the objectors that Sunnyside is an existing settlement and that Westside Farm and the proposed development area should be included within a defined settlement boundary. However, although there is a considerable scatter of houses in the vicinity, this dispersed form of development is essentially rural in character and does not constitute a village or hamlet with a recognised centre. There are no apparent services or facilities.

202.133 Even if a rural service centre could be justified, the proposed building of 50 houses, albeit that 25 would fall within the “affordable” category, would be quite out of scale and inappropriate. Indeed, the sketch that has been provided showing 10 houses indicates a development more akin to a suburban street. This form of development would be totally out of character. The structure plan indicates that rural service centres could be expected to support small-scale development of usually less than 15 houses. There is no strategic requirement to justify setting aside these considerations. The council has also explained that a site for a replacement school has been identified elsewhere. The objectors have not substantiated the claim that Westside Farm is a preferable location and it is therefore not possible to conclude that this would be the case.

202.134 All-in-all, I conclude that Sunnyside does not merit a settlement boundary for designation as a rural service centre and that Westside Farm is not a suitable location for development of the type proposed. Consequently, there is no justification for a local plan modification.

Recommendation

202.135 I recommend no change to the local plan in respect of these objections.