

NKRCC RESPONSE TO DRAFT ABERDEENSHIRE LOCAL DEVELOPMENT PLAN MAIN ISSUES REPORT - SPECIFIC DEVELOPMENT BIDS

The nature of all our responses to the MIR has been governed by our continuing grave concerns over the forecasts imposed on the LDP by the Draft Structure Plan, namely:

- an overambitious housing needs forecast, driven in part by
- an overoptimistic population forecast, both stemming from
- an unrealistic High Case scenario for economic growth and development.

Although the whole 'package' was settled two years ago there has been no subsequent revision to take account of the significant changes impacting the local and world economy. Those concerns have particular force when considering our comments on these housing development bids.

In short, whilst we comment below on the proposed settlements (K 121 and K 142), we have little faith in the assumptions on which their inclusion in the MIR is based, and must point out that the Structure Plan makes no mention of a new settlement.

K121: BANCHORY-LEGGART NEW SETTLEMENT

NKRCC doubts whether a new settlement is desirable when compared with the alternative of extending existing towns and settlements. The conclusions of the Portlethen Corridor Study appear to have been cast aside, though the priority of land use as set out in SPP 3 requires the planning authority to consider such extensions before greenfield development (and in this case Green Belt). The case for it is further eroded by the overoptimistic housing need forecast.

The Preferred status conferred on K121 is premature insofar as the Structure Plan has yet to be approved and the Green Belt review required by the Structure Plan has yet to take place.

The MIR fails to acknowledge the scale, expense and potential problems associated with the new infrastructure needed in respect of drainage, water supply and roads for such a new town. These are serious constraints. Instead the assessment quotes the constraints as being... 'flood risk.. woods for people.. ancient woodland.. Green Belt'. In addition, insufficient account has been given to the impact on the River Dee SAC, the loss of habitat for wildlife and the adverse consequences for the current Banchory Devenick community.

The effect of 3,000 houses on the road system at Bridge of Dee is glossed over or (virtually) ignored with the statements that ... 'This location is favoured due to its transport links...' and that it ... 'would cause fewer problems to traffic on the A90...'

Figures taken from the Environment Assessment for the recent AWPR Inquiry on the benefits of the AWPR (if it were to be built), showed that there would be a reduction in traffic of approximately 3% at Bridge of Dee at year of opening (2012) compared with traffic measured there in 2005. (Calculations based on the implementation of a package of measures, including Crossrail.)

Even if that were to be achieved, the effect of a 3,000 house development would replace that reduction several times over (and that is without calculating the effect of a further 1,550 Preferred houses at K 125, 280 approved houses at Blairs and 50 approved at Leggart Terrace). Remove

Crossrail from the equation – as seems to be very likely – and there is the potential for very serious congestion on one of the city’s two worst traffic pinch points.

The assessment describes K121 as having good access into the city via pedestrian access, cycling and the Park and Ride facility. The first two are, of course, desirable and meet the injunctions contained in SPPs. They will, however, do little – if anything – to provide access for Banchory - Leggart residents to the city.

Both cycling and walking in areas without the city are either recreational or desparational, and to anticipate that residents of this settlement would use pedestrian access for shopping at Bridge of Dee, granted the topography of the area, is rather naive.

Park and Ride in Aberdeen has not generally been too successful and is acknowledged (by the Transport Strategy) to be in decline. Such a facility at K121 may also be of questionable value in reducing commuting by car for work, leisure or shopping.

Whilst the proposed village centre would be convenient, it would do little to make this a self-contained community. By the developer’s own admission the bulk of residents’ shopping would take place elsewhere, and be by use of private car.

Whilst a Business Park might be staffed in part from within the settlement, we suspect that much of it would rely on inward commuting. What percentage of Badentoy’s workforce lives in Portlethen? With Cumbernauld, Milton Keynes and other new towns, the picture has been similar, i.e. that the self-contained ideal has not been fulfilled. There are also doubts about whether a Business Park is actually needed in the area to the South of the city, with three other such sites soon to be available within a few miles.

Whilst a Business Park would attract inward commuters, we believe that the majority of residents would be commuting out to work at Dyce, Bridge of Don, Aberdeen, Altens etc. – thus adding to the pressure on the road system.

We have reservations on two other scores. First, this proposed ‘new town’ would have no access to rail travel and would therefore not be locating development

... ‘where there are clear opportunities to encourage people to use public transport...’

as required in the Structure Plan – public transport, moreover, in its ‘cleanest’ form. Even the proposed bus service would have a very limited appeal for those who work. How many would be working in the centre of Aberdeen?

Second, there are obvious concerns that, once an outline site is approved and subsequently perhaps granted full permission, within a line on a map, there would appear to be little control over whether proposed “Country Park” areas would remain so or whether they would then themselves see further development – within the Green Belt and in contravention of the developer’s currently stated aims. This is relevant to the similar argument on ‘Over development of Allocated Sites’ discussed under ‘Other Main Issues’ above.

K 142: NEW SETTLEMENT AT ELSICK

Our concerns over this proposal mirror, in general, those already expressed over K121, Banchory-Leggart and in our comments on the overall Settlement Strategy. We do not wish to repeat them at length, but can summarise them as follows:

- overall housing need overstated, Portlethen area thus also overstated
- extension to be preferred to new settlements, making use of existing infrastructure
- serious expenditure required for new infrastructure for new settlement
- drainage and water supply difficulties
- grave doubts about whether a stand-alone can ever be truly independent
- retail centres would be only a token
- even more clearly a commuter town than B-L
- principally a town commuting to work, shop and relax elsewhere
- would result in inward commuting
- serious effect on road network
- serious effects on congestion at Bridge of Dee
- no easy access to rail travel (Newtonhill unlikely to get a station in the near future)
- business and industrial areas proposed, but others soon available nearby

Those reservations that we have which are specific to Elswick are as follows:

The developer has stated that one of his aims would be to build a major road through the Elswick settlement to join the Fast Link section of the proposed AWPR. The intention would be to give easy access to, and egress from, the settlement for private and commercial vehicles, presumably to reduce the settlement traffic using the A 90.

As the Reporter has yet to submit his Findings of Fact and Recommendations and the Minister has yet to consider them and make a decision, there is no certainty that the AWPR will be constructed. If it is, then the stated intention of Transport Scotland - at the recent Public Inquiry – is that there should be no access to the Fast Link between Stonehaven and Milltimber, save that from Charleston. There must be doubt, therefore about the feasibility of achieving the link.

Assuming that the AWPR were to be built, and the link were to be achieved, there then arises the probability that the road through the settlement which joins the Fast Link would become the 'rat run' for residents of Portlethen, Newtonhill and the surrounding areas wishing to find the shortest route to the AWPR.

Finally, there has been employment land approved previously in this area and which was never developed, casting doubt on the attractiveness of such provision as is shown in the description of the development.

OTHER DEVELOPMENT BIDS IN NKRCC AREA

K102: ARDOE (15 Houses)

Not within a service centre and not identified for any provision of plots. Fifteen houses would seem to be an overdevelopment but has the merit of conforming more to the existing scattered pattern of development than other proposals.

The planning authority should not be swayed into conferring preferred status on K102 by the grandiose but dubious claims for the facilities to be provided – community hall, acres of playing fields, hydro-electric scheme, veterinary surgery, etc.

Recommendation – This should not be an allocation but should be determined under a revised rural housing policy and should include affordable housing.

K69: ALTRIES WOOD (15 Houses)

The MIR suggests that fh1 might provide affordable housing but it has already been developed with very expensive 'executive detached' houses, as was the previous allocation immediately opposite.

The same developer now proposes 15 further houses at K69. That would effectively double the size of the existing group, not increase it by 50% as the MIR suggests and would thus constitute overdevelopment. Further, this would be another example of virtually dropping a small suburban estate into a rural area.

The constraints on this site are: Narrow single track access roads, exit directly onto a bad bend in the B979, complete lack of facilities and services, site is not a service centre.

Recommendation – K69 should not be written into the LDP as an allocation. And if determined under the revised rural housing policy should be scaled back and might provide some affordable housing.

K8 and K96: COOKNEY (3 or 4 Houses)

In our letter of 3 Feb 2009 responding to the policy team's request for views of potential developments, we confirmed our previous objection to development at this site.

We stated then, that

- Cookney was an isolated hilltop settlement
- We endorsed both the settlement boundary and the protected area
- The approaches to Cookney should similarly be protected

That remains our position.

Previous, almost identical applications have been refused here, including that presented as an objection at the ALP public inquiry. The reporter, in his conclusions on that objection, stated ...

... even if ... 4 or 5 houses ... did not break the skyline or impact on longer, inward views of Cookney, they would represent an outward spread of the small compact hilltop settlement. I do not regard the site as an infill opportunity and conclude that development would detrimentally affect character and identity..."

We entirely concur. Cookney already has an allocation on site A as yet undeveloped and has not been identified in IAS as needing an allocation.

Recommendation – should not be given any allocation in LDP and if K8 and K96 are to be presented under policy they should be refused.

K17 and K63: KIRKTON OF MARYCULTER (10 Houses)

K 63 - MIR suggests that this can provide affordable housing which "may" be needed. It is within the service centre. The constraints would appear to be: complete lack of services and facilities, narrow single track access roads, doubt about drainage / sewage capacity.

K 17 - stated in MIR to be an .. *'enabling development for Story Book Glen improvements...'*

Whilst 4 houses here may be acceptable **as an alternative to K63**, we strongly oppose the suggestion that they should be treated as enabling development, creating a precedent for other landowners in the Accessible areas near the city. SPP 15 states (our emphasis)....

*... 'The formation of some **new businesses** can depend on....new housing....providing early funding....'*

The LDP Draft policy amplifies that in saying that enabling development for employment or leisure use....

... 'within regeneration or remote rural areas....' might be appropriate, and that it should not be...

.... 'a substitute for normal development funding or intended to subsidise the profitability of the venture beyond start-up costs....'

Kirkton is neither a regeneration nor a remote area and Story Book Glen is not a new business. To treat this as an enabling development in the Accessible area near the city would create a precedent for other claims which would be difficult to refute. For an established business, normal commercial means of funding should be sought.

Recommendation: K63 could be allocated in the LDP as affordable housing. K17, **if used as an alternative to K63** should be determined under the revised rural housing policy but should not be treated as enabling development.

LAIRHILLOCK AREA

Background

This small area is the focus for a large number of development bids, totalling more than 400 houses. There is no designated settlement or service centre and the area has not been identified in either Appendix 1 or Appendix 2 as one proposed for site allocations or flexible provision of plots. That lack of designation in either Appendix followed consultation with Community Councils and the elected members. There is neither shop nor post office, and only token public transport. It is a wholly rural area and the established pattern of development is of scattered farms and houses.

We presume that the bids have been prompted by the existence of a restaurant/public house opposite which a new school has been built. Planning permission, as yet not started for a 16 bed lodge also exists. Without a grouping of houses however, that does not constitute a settlement or rural service centre. At the ALP enquiry the Reporter stated (apropos Blairs) ...

.. "the requirement for a service centre to be a town or village is fundamental..."
and that

.. "the very compact grouping of at least 6 houses is fundamental"

Those submitting some of these bids appear to be saying that their proposals would create a Service Centre. That is a false premise – a circular, “chicken and egg” argument. To quote the Reporter once more...

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

We agree with that assessment. It has long been our view that rural development should respect the character and pattern of development of the surrounding area. That view also reflects the provisions of both extant and emerging structure and local plans.

Even allowing the relaxation over rural housing espoused in SPP3 and SPP15, there can be no justification for the scale of development here proposed. SPP15 states (paras 8 and 9)...

... "the planning system can assist this by adopting a more welcoming stance to development in rural Scotland"... adding the caveat..

... "the aim is not ... to suburbanise the Scottish countryside...rather it is... to accommodate selective modest growth... new developments must be carefully planned if the character and quality of the countryside is not to be undermined."

Lairhillock School

Central to any consideration of development in the area is the school capacity. In August 2009, the roll will be 96 primary pupils (maximum 120). Two extra classrooms can be added to raise that maximum to 170.

Planning permission has already been granted at Blairs, in the school's catchment area, for 280 houses which, using a factor of 0.3, means that the school is potentially over capacity without any further planning applications in the entire Cookney, Netherley, Stobhall, Lairhillock and Maryculter areas. (Bids in the MIR in those areas amount to more than 500 houses).

It should also be said that at the time of the merger of Maryculter and Netherley Schools, parents' and residents' initial scepticism over the site of the new school was allayed by the assurances that the new school would

- a. remain a rural school in a rural area and
- b. not become a focus for housing development

The K and M Area Committee confirmed that by rejecting the suggestion for housing around the school. Parents and residents were assured by the administration and its officers that such development would not happen and that pledge should be honoured.

K9: WESTSIDE (15 houses)

Not a service centre. No allocation or provision of plots. It is completely constrained by its position within the flood-plain of the Crynoch Burn.

Recommendation: K9 should not be made an allocation in the LDP as it is an unsuitable location for any further development

K46: LAIRHILLOCK (300 houses)

Not a service centre. No allocation or provision of plots. To quote the reporter once again (in respect of Blairs)..

... "the prospect of 281 houses bears no relationship whatsoever to the role and function of rural service centres."

By the planner's own admission this would effectively be creating a new settlement (the size of Drumoak with 800 people). Even with a relaxation of policy this constitutes a development of unbelievable and unacceptable scale. It would be so wildly at odds with the rural character of the area and with the existing pattern of development that we believe it cannot be countenanced. The Justification for the draft revised RHP makes it abundantly clear that ...

... "restrictions are placed on areas where there is likely to be the greatest demand for rural housing and where there is a risk of sporadic and intrusive development to the detriment of the character of the landscape...."

Even more emphatically, the Policy itself is quite unequivocal in stating (LDP emphasis)....

*.... 'In **accessible** rural areas there will be a presumption against new development...'*

and the subsequent exceptions would not in any way cover this massive proposal. This site lies squarely within that Accessible area around towns and settlements which the policy is intended to protect from development.

300 houses at this site would merely be a dormitory town for Aberdeen with the majority of its residents commuting for work, leisure and shopping. The 'business area' and 'village centre'

mentioned by the developer would do little to minimize the overwhelming need to commute. SPP 15 states....

..... *'planning authorities can allow development where the impact of vehicle movements on the local road network would not be significant....'*

300 houses would bring with them at least 550 extra cars travelling to and fro on small rural roads. The effect here would not be merely 'significant' but overwhelming.

The proposed inclusion of sheltered housing and a care home, whilst welcome in principle should not influence the planning authority's judgement and allow this unsuitable and overbearing development by default. There is also concern that an isolated rural area may not be suitable for sheltered housing and a care home.

Potential constraints: poor roads, water supply, drainage / sewage, commuting by car / CO2 emissions, above all (the planners' own assessment)... *'infrastructure constraints are considerable...'*

Recommendation: K46 should not be made an allocation in the LDP and should not be considered even under the revised rural housing policy, so completely contrary to that document is it.

K64: ROTHNICK (12 houses plus nursery)

Not a settlement or service centre, nor a site proposed for an allocation. This proposal is another in which the housing element claims the status of enabling development. As with our comments on K17, the status of enabling is almost as dubious here.

In this case the nursery would indeed be a new business (as required in SPP 15), but would emphatically NOT qualify under the terms of the Draft Preferred Policy. The provisions of Section B (employment etc) could not be clearer. They apply in...

..... *'regeneration or remote rural areas...'*

Section B is designed to assist diversification and provide public benefit in deprived or remote areas. Rothnick is neither: it is in fact an Accessible area as defined by the MIR.

There is some local scepticism over such an isolated rural area as the site for a nursery – distant from places of work – as well as the number of houses quoted.

If, however, the applicant has experience of this type of business, has researched the possibilities and is confident of success – as claimed – then normal commercial means of funding should be used for this development. To grant enabling status would be contrary to policy and create a precedent in Accessible areas.

Constraints: located on a road not prioritized for winter clearance, possibly an inappropriate location, not in a settlement, distant from the school with which it claims to be complementary.

Recommendation - This proposal should not be granted enabling status and should not be an allocation in the LDP. To be determined under revised policy, without enabling status and with fewer houses.

K104: CRYNOCH LODGE (15 houses)

This is a proposal to build 15 houses within the garden ground of a single house and would clearly be a gross over-development in that restricted area and is planned to be of a very suburban nature.

Once again we invoke the caveats in SPP 15, SPP 3 and the Structure and Local Plans, namely those concerning – established pattern of development, selective modest growth, development with little or no relationship with the local landscape character, adverse visual impact, dominant or overbearing scale, and especially ... *“suburbanization of the Scottish countryside”*.

This area is not identified in IAS as needing an allocation or provision of plots and is not a settlement or service centre. Whilst ideally situated for pedestrian access to school, that would not reduce the need for school transport, as the majority of pupils are carried by bus. Finally the draft Rural Housing Policy unequivocally precludes development in this ... *“accessible rural area”* (policy emphasis).

Recommendation – K104 should not be made an allocation in the LDP. The proposal should be scaled back severely to 2 or 3 houses and should then be determined under the revised rural housing policy.

K107

If this proposal should lose its red “Not Possible” status then it should be determined under the revised Rural Housing Policy.

K151: CROSSLEY (60 houses)

Again, not a settlement or service centre and not a site proposed for allocation in the LDP. With very little detail in the developers’ application this is clearly a speculative proposal intending to piggy back on the possibility of the Elsick Development gaining approval. Even if Elsick were to be built, it would not extend as far as this, so K151 is in effect a proposal for a large isolated suburban estate in the countryside like K46, and without facilities or services of any kind.

Yet again; as with many other bids in this area, our strictures elsewhere apply with equal force here, namely - dominant, overbearing scale, not selective modest growth, no relation to local landscape character or pattern of development, constituting *‘suburbanisation of the Scottish countryside’*, a dormitory commuting settlement located in a rural area etc.

It needs to be stated once again that the draft Rural Housing Policy specifically articulates a presumption against development in ... "accessible rural areas" like this.

Recommendation – K151 should not be added as an allocation in the LDP, and if determined under policy should be refused.

K97: MEIKLE CAREWE (Wind Turbines)

We agree with the red "*site incapable of being developed*" grading. This is not a suitable area, the site is not within an area of search for wind turbines and a previous, almost identical application was refused on very good grounds which still obtain.

Recommendation: Should not be included in the LDP and should not be considered under policy as an appropriate proposal.

NETHERLEY

K114: NETHERLEY HOUSE (4 houses)

This is not a service centre, but a reasonably tight-knit grouping of around 15 houses. The only constraint would appear to be that the site is within yards of a Listed building.

Recommendation: It should not be an allocation in the LDP but dealt with under the revised policy for rural development.

K127: (OLD) NETHERLEY SCHOOL (18 houses)

Netherley was identified as a settlement for flexible provision of plots for ... '*growth to support the Structure Plan strategy...*' in Appx 2 to the IAS. The rather doubtful, quoted constraint is that of ancient woodland, but as the area has been clear felled, that appears to be an error. Genuine constraints would appear to be – narrow, single track access roads and total lack of infrastructure, facilities and services.

However, we still wish to object to the style of the proposal. Once again it is shown as one major block of housing, not at all like the surrounding area. Netherley valley has around 25 houses spread over an area approximately 1 mile long by ½ mile wide.

The injunction in Para 8 of SPP 15 is again relevant....

... '*The aim is not to see small settlements increase in size to the extent that they lose their identity, nor to suburbanise the Scottish countryside...*'

This would be another suburban estate dropped into the countryside. Some houses here would be acceptable but 18 would be heavy over-development (and even 18 would not attract services or facilities).

In our submission of 3 February 2009, NKRCC suggested that AREAS could be designated and given an allocation of housing without a specific site. A further proviso could be that – as here – such an allocation could be made up of very small groups of houses, or 1 or 2 added to existing groups.

Support for that radical approach is given by SPP 15...

... 'Parameters should be established as to the number of houses that might be allowed in any given area. Small clusters and groups of dwellings could be feasible in many places...'

Recommendation: If the 'Not Possible' grading is to be removed, this proposal should nevertheless NOT be included as an allocation in the Plan. If it were to be determined under the revised housing policy, it should be reduced considerably in size.

K 163: NORTH OF SCHONWALD (5 houses)

Status is 'Not Possible' owing to the constraint of being within a pipeline consultation area. This proposal lies at the entrance to Netherley valley – see K127 discussion above.

Recommendation: If 'Not Possible' status is removed, proposal should still not be allocated in the LDP, but determined under revised housing policy.

K61 and K70: STOBHALL (10-15 houses and 18 houses, respectively)

It would be appropriate to consider these two bids together – one at each end of the existing Stobhall settlement. Stobhall, delineated as a settlement in the extant Local Plan, was not identified as having any specific need. No proposal was made for a site allocation or for provision of plots. Taken together, these two bids would represent gross over-development – more than doubling the existing group of houses.

NKRCC endorsed the existing settlement line, both at the ALP Inquiry and in our letter of February 2009 in response to the Plan team's enquiry. That is still our position. At the ALP inquiry a virtually identical proposal to K70, in the same place and by the same developer was considered as an objection. The Reporter rejected that proposal and confirmed the boundary as now delineated. Both K61 and K70 lie outside that boundary.

Constraints: single track access roads, no facilities or services (though developer claims a mobile shop) and even the whole 28 or 33 would do nothing to attract facilities or services.

Recommendation: Neither bid should be written in as an allocation in the plan, but should be assessed under the revised housing policy. Even if eventually considered under that policy, each bid should be severely scaled back, and should have an element of affordable housing.

K58: WATERSIDE (Leisure development)

We agree that, owing to flooding constraints, this proposal should not be progressed through the LDP or subsequently under policy. A previous application has been refused at this site for the same reason, in accordance with both extant and emerging Structure and Local plans.

K85: BANCHORY DEVENICK CROSSROADS (20 houses)

This bid is currently graded as being on a site which is incapable of being developed due to pipeline constraints. We believe that this constraint does not affect the entire site and as such some development in this area would be possible without it being allocated within the LDP.

Recommendation: Review extent of constraint and allow for some limited development under revised housing policy

K111: BANKHEAD (Employment Land)

This bid is for employment land adjacent but without access to the proposed route of the AWPR.

Recommendation: The impact of additional traffic from such a large business development on the rural roads adjoining this area should be carefully considered as should the impact on woodland and wildlife.