

# PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020 RESPONSE FORM

As part of the production of the Local Development Plan, a 'Main Issues Report' was published in January 2019. The responses from these consultations have helped to inform the content of the Proposed Local Development Plan ("the Proposed Plan").

The Aberdeenshire Local Development Plan will direct decision-making on land-use planning issues and planning applications in Aberdeenshire for the 10-year period from 2021 to 2031. The Proposed Plan was agreed by Aberdeenshire Council in March 2020 as the settled view of the Council. However, the Proposed Plan will be subjected to an independent examination and is now open for public comment.

## **This is your opportunity to tell us if anything should be changed in the Proposed Plan, and why.**

When writing a response to the Proposed Plan it is important to specifically state the modification(s) that you would wish to see to the Plan.

This is the only remaining opportunity to comment on the Proposed Plan. The reasons for any requested changes will be analysed and reported to Scottish Ministers. They will then appoint a person known as a Reporter to conduct a public examination of the Proposed Plan, focusing particularly on any unresolved issues and the changes sought.

Ministers expect representations (or responses) to be concise (no more than 2000 words) and accompanied by limited supporting documents. It is important to ensure that all of the information that you wish to be considered is submitted during this consultation period as there is no further opportunity to provide information, unless specifically asked.

Please email comments to [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk) or send this form to reach us by 31 July 2020\*.

We recommend that you keep a copy of your representation for your own records.

*\*UPDATE 16 June 2020: Consultation period was extended from 17 July 2020 for a further two-week period.*



## ACCESSIBILITY

If you need information from this document in an alternative language or in a Large Print, Easy Read, Braille or BSL, please telephone 01467 536230.

Jeigu pageidaujate šio dokumento kita kalba arba atspausdinto stambiu šriftu, supaprastinta kalba, parašyta Brailio raštu arba britų gestų kalba, prašome skambinti 01467 536230.

Dacă aveți nevoie de informații din acest document într-o altă limbă sau într-un format cu scrisul mare, ușor de citit, tipar pentru nevăzători sau în limbajul semnelor, vă rugăm să telefonați la 01467 536230.

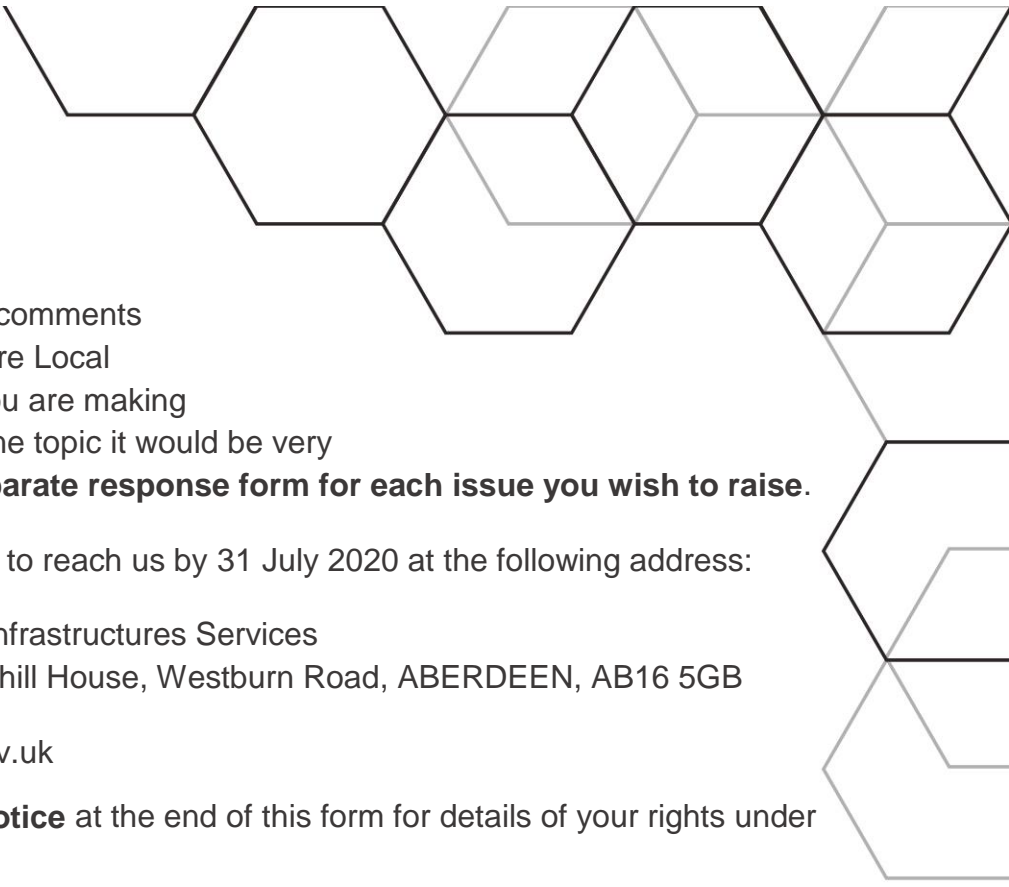
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

Ja jums nepieciešama šai dokumentā sniegtā informācija kādā citā valodā vai lielā drukā, viegli lasāmā tekstā, Braila rakstā vai BSL (britu zīmju valodā), lūdzu, zvaniet uz 01467 536230.

Aberdeenshire Local Development Plan  
Woodhill House, Westburn Road, Aberdeen, AB16 5GB

Tel: 01467 536230  
Email: [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk)  
Web: [www.aberdeenshire.gov.uk/ldp](http://www.aberdeenshire.gov.uk/ldp)  
Follow us on Twitter @ShireLDP

If you wish to contact one of the area planning offices, please call 01467 534333 and ask for the relevant planning office or email [planning@aberdeenshire.gov.uk](mailto:planning@aberdeenshire.gov.uk).



Please use this form to make comments on the Proposed Aberdeenshire Local Development Plan 2020. If you are making comments about more than one topic it would be very helpful if you could fill in **a separate response form for each issue you wish to raise**.

Please email or send the form to reach us by 31 July 2020 at the following address:

Post: Planning Policy Team, Infrastructures Services  
Aberdeenshire Council, Woodhill House, Westburn Road, ABERDEEN, AB16 5GB

Email: [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk)

Please refer to our **Privacy Notice** at the end of this form for details of your rights under the Data Protection Act.

## YOUR DETAILS

Title:	Mrs
First Name:	Claire
Surname:	Coutts
Date:	7 July 2020
Postal Address:	Ryden LLP, [REDACTED]
Postcode:	[REDACTED]
Telephone Number:	[REDACTED]
Email:	[REDACTED]

Are you happy to receive future correspondence only by email?  Yes  No

Are you responding on behalf of another person?  Yes  No

If yes who are you representing?

Balgranach Properties

Tick the box if you would like to subscribe to the Aberdeenshire LDP eNewsletter: ✓

*An acknowledgement will be sent to this address soon after the close of consultation.*

# YOUR COMMENTS

Please provide us with your comments below. We will summarise comments and in our analysis will consider every point that is made. Once we have done this we will write back to you with Aberdeenshire Council's views on the submissions made. We will publish your name as the author of the comment, but will not make your address public.

**Modification that you wish to see** (please make specific reference to the section of the Proposed Plan you wish to see modified if possible, for example Section 9, paragraph E1.1):

Netherley should be identified as a named settlement within the Kincardine and Mearns Area of the Aberdeenshire Local Development Plan. This would allow the organic growth of the settlement in this accessible countryside location.

Land adjacent to Netherley House (KN015 in the Main Issues Report) should be identified as an Opportunity Site for a small scale rural housing development. It is considered that a development of around 4 houses would be appropriate.

## Reason for change:

On behalf of Balgranach Properties, objection is made to the failure of the Proposed Plan to identify the land at Netherley House for the development of 4 houses. This representation should be read in conjunction with the development bid submitted for the site at the pre-MIR stage, along with the MIR representation which together demonstrate that the site is suitable for housing.

### Background

A development bid was submitted for the site to Aberdeenshire Council on 13th March 2018 (Appendix 1) on behalf of Balgranach Properties. This considered that the site had the potential to accommodate up to 4 houses as an extension to the hamlet of Netherley, which itself should be identified as a settlement in its own right. The Main Issues Report (MIR) was published in January 2019, which identified the entire site as KN015.

Aberdeenshire Council Planning Officers did not identify the site as a preferred option for development as it is located in the countryside. They identified a number of constraints including the removal of trees, the negative impact on the setting of the category B listed Netherley House and that the area is susceptible to flooding. In addition, it was considered that the addition of 4 houses would have an impact on the adjacent watercourse and there site is not within walking distance of amenities.

Representations (Appendix 2) were submitted to the Main Issues Report objecting to the failure of the Council to identify it as a preferred option for development. Issues raised by Officer's were also addressed.

### Justification

The site is not considered suitable for development by Aberdeenshire Council Officers due to a number of constraints which were raised in the MIR assessment. However, it is argued that none of these are an impediment to development. These are addressed in turn below:

Aberdeenshire Council officers state that the site is situated in the Countryside, however, this should not be a reason to prevent development. Scottish Planning Policy promotes rural development and paragraph 77 encourages a sustainable network of settlements and supports provision for housing in rural areas taking account of the development needs of local communities.

Section 7 of the Proposed Local Development Plan deals with development in the countryside. It states that Aberdeenshire Council “**want to create a welcoming approach to development in the countryside that meets local needs**”. The Main Issues Report aimed to support a long term sustainable pattern of development that balances needs and aspirations for development in rural areas. It stated that the most sustainable pattern of development is to promote growth within and adjacent to existing settlements as noted in paragraph 40 of SPP and its policy principle to “**direct the right development to the right place**”. However, it was also acknowledged that there will be circumstances where development cannot be directed to settlements and will need to occur in the wider countryside. Where this is promoted, it is essential that development does not cause an adverse impact, such as suburbanisation of the countryside or social isolation.

The Proposed Plan separates the countryside into the accessible and remote rural area. It is understood that this site falls within the accessible rural area, however, the plan on page 37 of the Proposed Plan is not clear in this separation. Development in rural areas is restricted to brownfield opportunities or the organic growth of identified settlements. It is argued that the proposals would comprise the organic growth of Netherley, however, Netherley is not identified as a settlement and therefore cannot be considered for organic growth.

There is justification for the identification of Netherley as a small settlement in its own right, given that it is an established grouping of 13 individual properties as well as Netherley House which has been converted to residential use. The nearby Cookney is identified as a settlement within the Local Development Plan which is smaller than the grouping at Netherley. As such Netherley should similarly be identified as a named settlement and is capable of organic growth through the inclusion of the land adjacent to Netherley House (site KN015 in the MIR) as a small extension to this.

This would contribute to the creation of a vibrant rural community and support local services and businesses in the area, including Lairhillock Primary School located to the north east. In fact, local employers in the past, have expressed the need for homes located in the area to attract and retain staff and the identification of the bid site for development would therefore satisfy a local need in line with the Strategic Development Plan.

SPP promotes a sustainable pattern of development optimising the use of existing resource capacity with infrastructure investment (paragraph 40). The site is well connected to Maryculter to the north and Stonehaven to the south via the B979. The completion of the Aberdeen Western Peripheral Route (AWPR) and Fastlink improves the accessibility of Netherley with the surrounding area and existing linkages to Portlethen are maintained via an underpass to the east of Cookney.

Further to this, bus stops are located approximately 425m from the site, linking the site to the wider area by public transport services 6 days a week. This ensures that the site is not remote from services and transport routes and any development on the bid site would not result in social isolation.

Capacity exists within the Water Treatment Works for development and an additional 4 houses is not considered to place a significant pressure on the local schools. Therefore, given the improvements to transport infrastructure in the area, proximity to existing services, and infrastructure capacity, it is considered that Netherley is an ideal location for small scale rural housing, regardless of whether it is identified as a settlement.

Aberdeenshire Council previously stated that the site was not suitable for development as it would “*involve the removal of trees that form part of the category B Listed Netherley House. This development would have a negative impact on the setting of the listed building specifically related to the principle elevation and the property’s designed landscape*”.

The bid site extends to approximately 0.8ha and based on the 25 homes per hectare considered appropriate by Aberdeenshire Council, would mean that this site has capacity for 20 units. As the bid only proposes 4 houses, this would ensure the site is developed at a low density suitable for

the rural location. This would allow ample distance between any new built development and Netherley House, ensuring that its principle elevation and designed landscape is maintained.

The site is currently redundant scrubland with tree cover mainly located along the site boundaries. They are not protected or considered to have any significant value. It is accepted that some tree removal would be required, however, mature trees will be retained where possible and given the size of the site and density of development proposed, it is not accepted that this would have a negative impact on the setting of the listed building, its principle elevation or its surrounding landscape.

Given the size of the bid site, it can be developed through a discreet and sensitive layout, siting and design to ensure that the landscape character and setting of the Listed Building is enhanced. The wider woodland surroundings and its gentle gradient ensure that any visual impact is minimised. Additional landscaping, including native trees would be planted on the site providing an opportunity to maintain and improve the biodiversity of the site as well as the setting of Netherley House. As such, this issue is not an impediment to further housing on the site.

Aberdeenshire Council further considered that *“the site and its surrounding land is susceptible to flooding”*. It is understood that this is from the Burn of Monquich which is located to the south east of the site. This flood risk also affects the neighbouring dwellings and this flood risk would be investigated as part of any planning application for the site. It is not considered that flood risk is a reason to not identify this site as appropriate mitigation can be provided.

In terms of the impact on the adjacent watercourse, it is argued that the relevant drainage assessments would be carried out during any planning application process and the required mitigation provided to ensure there was no impact on the adjacent watercourse. Again, this is not considered to be a reason to prevent development.

Aberdeenshire Council stated that *“the site is not within walking distance from amenities and community facilities and would encourage the use of unsustainable modes of transport”*. However, it is understood that the site is in the “accessible” countryside as contained in the Proposed Plan and there has to be some acceptance from the Council that many sites in the countryside will not be within walking distance of amenities.

Although there are no amenities within walking distance of this site, this is the same position for a number of rural properties in the immediate vicinity and elsewhere in Aberdeenshire. SPP encourages the identification of a range of attractive, well-designed, energy efficient, good quality housing (paragraph 110). The identification of the bid site provides a choice of location for housing as not everyone wants to live within a built up area.

Although no amenities exist within walking distance, there are a range of amenities and facilities in the area, including the Lairhillock Inn, Lairhillock Lodge, Lairhillock Primary School and Cookney Hall. The bid site is therefore considered to be well placed in relation to these facilities. Further to this, the site is well connected to the north towards Maryculter and Peterculter and south to Stonehaven and beyond via the B979. Existing linkages to Portlethen have been maintained after the completion of the AWPR, via an underpass to the east of Cookney. The site is therefore well located to many of the main service centres within the Kincardine and Mearns area and the amenities and community facilities that they benefit from. As such, it is in an accessible area in the countryside as acknowledged in the Proposed Plan.

It is therefore not accepted that the site would encourage the use of unsustainable modes of transport. Bus stops are located approximately 425m from the site which provides sustainable access to the surrounding area by a range of modes. Further to this, an existing school bus service can be utilised by pupils attending Lairhillock Primary or Mackie Academy. The site is well placed to promote the use of sustainable modes of transport as an alternative to the private car.

### Conclusion

Balgranach Properties consider that there is justification for the identification of Netherley as a named settlement, given the surrounding development and links to the wider area. The addition of 4 houses on the bid site is a logical extension to the established grouping of houses at Netherley.

Aberdeenshire Council have stated that the site has a number of constraints, but these are either not accepted, or can be overcome to provide a high quality, sensitively designed development which will meet local housing needs.

### Recommendation

It is therefore respectfully requested that Netherley is identified as a named settlement within the Aberdeenshire Local Development Plan which would allow organic growth. Alternatively, bid site KN015 (as contained in the MIR) should be identified as an Opportunity Site in the Proposed Local Development Plan for the provision of 4 houses.

# PRIVACY NOTICE

## LOCAL DEVELOPMENT PLAN PUBLIC COMMENT

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following purposes:

- To provide public comment on the Aberdeenshire Local Development Plan. The data on the form will be used to inform Scottish Ministers and individual(s) appointed to examine the Proposed Local Development Plan 2020. It will inform the content of the Aberdeenshire Local Development Plan 2021.

### Your information is:

Being collected by Aberdeenshire Council	X
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### The Legal Basis for collecting the information is:

Personal Data	
Legal Obligations	X

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

It is a Statutory Obligation under Section 18 of the Town and Country (Scotland) Act 1997, as amended, for Aberdeenshire Council to prepare and publish a Proposed Local Development plan on which representations must be made to the planning authority within a prescribed period of time. Failure to provide details requested in the 'Your Details' section of this form will result in Aberdeenshire Council being unable to accept your representation.

Your information will be shared with the following recipients or categories of recipient:

Members of the public are being given this final opportunity to comment on the Proposed Aberdeenshire Local Development Plan. The reasons for any changes that the Council receives will be analysed and reported to Scottish Ministers. They will then appoint a person to conduct a public examination of the Proposed Plan, focusing particularly on the unresolved issues raised and the changes sought.

Your name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your

submission) will be published alongside a copy of your completed response on the Proposed Local Development Plan website (contact details and information that is deemed commercially sensitive will not be made available to the public).

In accordance with Regulation 22 of the Town and Country (Development Planning) (Scotland) Regulations 2008 where the appointed person determines that further representations should be made or further information should be provided by any person in connection with the examination of the Proposed Plan the appointed person may by notice request that person to make such further representations or to provide such further information.

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

Not applicable.

The retention period for the data is:

Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue to retain your information for a longer period. A redacted copy of your submission will be retained for 5 years beyond the life of the Local Development Plan 2021, possibly until 2037.

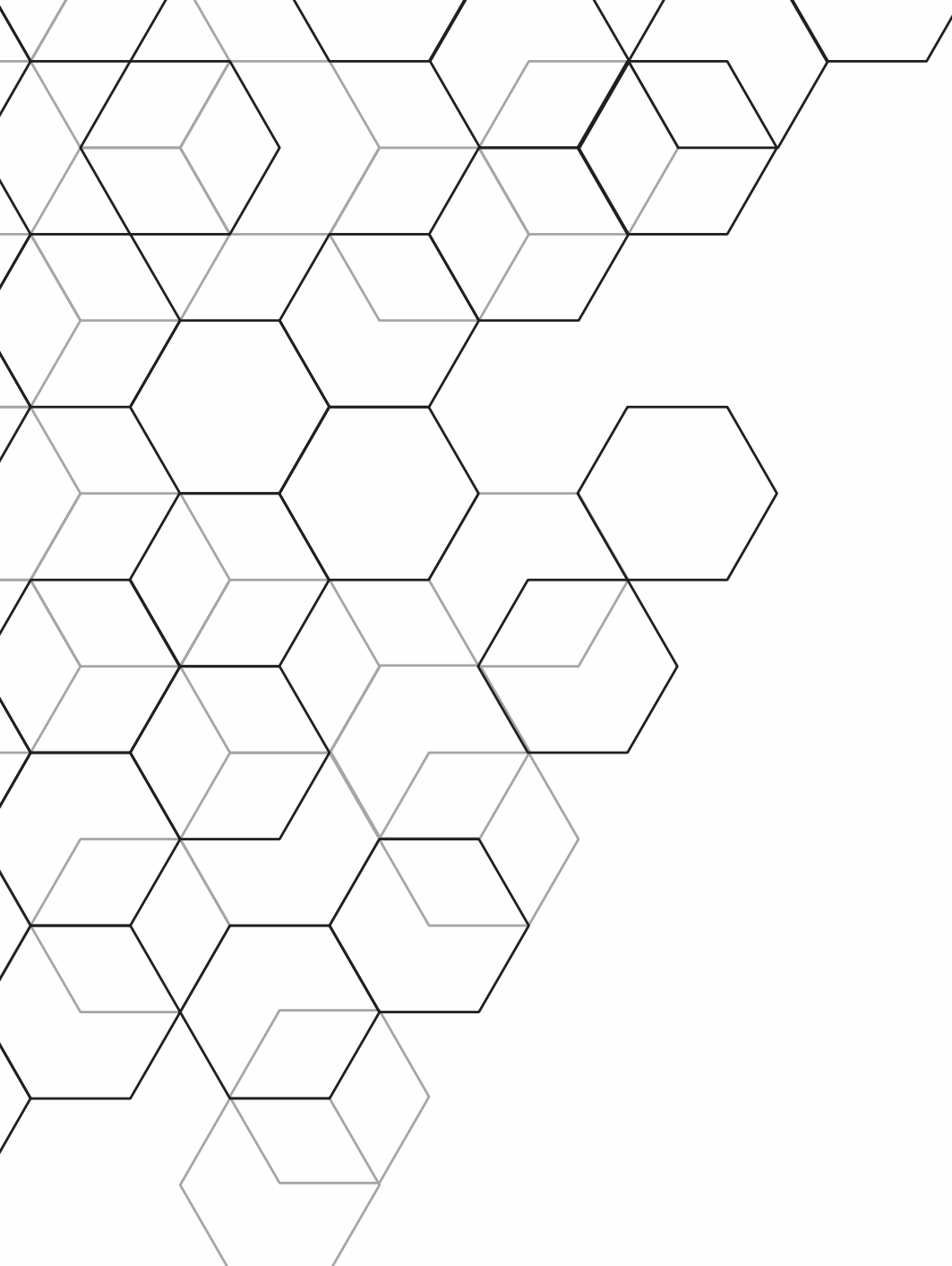
The following automated decision-making, including profiling, will be undertaken:

Not applicable.

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to data portability, where the legal basis specified above is:
  - (i) Consent; or
  - (ii) Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.





# Local Development Plan 2021

## Call for Sites Response Form



Aberdeenshire Council would like to invite you to use this form to submit a site for consideration within the next Local Development Plan (LDP 2021) for the period 2021 to 2031. A separate form should be completed for each site you wish to submit.

This is not a speculative plan. It is a fresh ‘call for sites’, so please re-submit any sites that do not or are not expected to have planning permission by 2021.

In order for the bids to be fully assessed, it is crucial that the questions in the bid form are answered fully and concisely with clear evidence of deliverability. The submission of a supporting statement, often known as a paper apart, should be avoided, and only assessments, such as a Flood Risk Assessment that has already been undertaken, should be submitted in support of your proposed site.

Completed forms and Ordnance Survey “Landline” site maps should be returned by email to: [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk)

Alternatively, you can return the form and Ordnance Survey map by post to:  
Planning Policy, Infrastructure Services, Woodhill House, Westburn Road, Aberdeen AB16 5GB

**All forms must be submitted by 31 March 2018.**

### 1. Your Details

Name	[REDACTED]
Organisation (if applicable)	Ryden LLP
Address	[REDACTED]
Telephone number	[REDACTED]
Email address	[REDACTED]
Do you wish to subscribe to our newsletter?	Yes

### 2. If you are acting as an agent on behalf of a third party, please give their details

Name	Balgranach Properties
Organisation (if applicable)	
Address	c/o agent
Telephone number	
Email address	

### 3. Other Owners

Please give name, organisation, address, email details of other owner(s) where appropriate:	As above
Do these owners know this is being proposed for development?	Yes

**For data protection purposes, please complete the rest of this form on a new page**

## Appendix 1 – Development Bid

### 4. Site Details

Name of the site (Please use the LDP name if the site is already allocated)	Land at Netherley House, Netherley
Site address	
OS grid reference (if available)	NO846938
Site area/size	0.8 ha
Current land use	Scrub land
Brownfield/greenfield	Greenfield
Please include an Ordnance Survey map (1:1250 or 1:2500 base for larger sites, e.g. over 2ha) showing the location and extent of the site, points of access, means of drainage etc.	

### 5. Ownership/Market Interest

Ownership (Please list the owners in question 3 above)	Sole owners
Is the site under option to a developer?	No
Is the site being marketed?	No
	If yes, please give details

### 6. Legal Issues

Are there any legal provisions in the title deeds that may prevent or restrict development? (e.g. way leave for utility providers, restriction on use of land, right of way etc.)	No
	If yes, please give details
Are there any other legal factors that might prevent or restrict development? (e.g. ransom strips/issues with accessing the site etc.)	No
	If yes, please give details

### 7. Planning History

Have you had any formal/informal pre-application discussions with the Planning Service and what was the response?	No
	If yes, please give details
Previous planning applications	
Previous 'Call for sites' history. See Main Issues Report 2013 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a>	Please provide Previous 'Call for sites'/'Bid' reference number: KM033
Local Development Plan status <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a>	Is the site currently allocated for any specific use in the existing LDP? No

### 8. Proposed Use

Proposed use		Housing
Housing	Approx. no of units	The site has the potential to accommodate up to 4 houses
	Proposed mix of house types	Number of: <ul style="list-style-type: none"> <li>• Detached: 4</li> <li>• Semi-detached:</li> <li>• Flats:</li> <li>• Terrace:</li> <li>• Other (e.g. Bungalows):</li> </ul>
		Number of: <ul style="list-style-type: none"> <li>• 1 bedroom homes: Exact mix to be determined</li> <li>• 3 bedroom homes:</li> <li>• 4 or more bedroom homes: stage</li> </ul>
	Tenure (Delete as appropriate)	Private
	Affordable housing proportion	This would be provided in line with Policy requirements at the time of development
Employment	Business and offices	n/a
	General industrial	n/a
	Storage and distribution	n/a
	Do you have a specific occupier for the site?	n/a
Other	Proposed use (please specify) and floor space	n/a
	Do you have a specific occupier for the site?	n/a
Is the area of each proposed use noted in the OS site plan?		Not applicable

### 9. Delivery Timescales

We expect to adopt the new LDP in 2021. How many years after this date would you expect development to begin? (please tick)	0-5 years	✓
	6-10 years	
	10+ years	
When would you expect the development to be finished? (please tick)	0-5 years	✓
	6-10 years	
	+ 10years	
Have discussions taken place with financiers? Will funding be in place to cover all the costs of development within these timescales	No	
	Funding would be available by the landowner/developer at the time of development for this site	
Are there any other risk or threats (other than finance) to you delivering your proposed development	No	
	If yes, please give details and indicate how you might overcome them:	

**10. Natural Heritage**

<p>Is the site located in or within 500m of a nature conservation site, or affect a protected species?</p> <p>Please tick any that apply and provide details.</p> <p>You can find details of these designations at:</p> <ul style="list-style-type: none"> <li>• <a href="https://www.environment.gov.scot/">https://www.environment.gov.scot/</a></li> <li>• EU priority habitats at <a href="http://gateway.snh.gov.uk/sitelink/index.jsp">http://gateway.snh.gov.uk/sitelink/index.jsp</a></li> <li>• UK or Local priority habitats at <a href="http://www.biodiversityscotland.gov.uk/advice-and-resources/habitat-definitions/priority/">http://www.biodiversityscotland.gov.uk/advice-and-resources/habitat-definitions/priority/</a></li> <li>• Local Nature Conservation Sites in the LDP's Supplementary Guidance No. 5 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a></li> </ul>	RAMSAR Site	No
	Special Area of Conservation	No
	Special Protection Area	No
	Priority habitat (Annex I)	No
	European Protected Species	No
	Other protected species	No
	Site of Special Scientific Interest	No
	National Nature Reserve	No
	Ancient Woodland	No
	Trees, hedgerows and woodland (including trees with a Tree Preservation Order)	Yes
	Priority habitat (UK or Local Biodiversity Action Plan)	No
	Local Nature Conservation Site	No
	Local Nature Reserve	No
	If yes, please give details of how you plan to mitigate the impact of the proposed development:	<p>There are trees on the site, but these are not protected, or are considered to have any significant value. It is proposed that the mature trees would be retained where possible and the small scale residential development proposed would be contained within this landscape. Additional tree planting would be undertaken to compensate for any tree loss.</p>
<b>Biodiversity enhancement</b>		
<p>Please state what benefits for biodiversity this proposal will bring (as per paragraph 194 in Scottish Planning Policy), <a href="http://www.gov.scot/Resource/0045/00453827.pdf">http://www.gov.scot/Resource/0045/00453827.pdf</a>) by ticking all that apply. Please provide details.</p> <p>See Planning Advice 5/2015 on Opportunities for biodiversity enhancement at: <a href="http://www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf">www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf</a></p> <p>Advice is also available from Scottish Natural Heritage at: <a href="https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers">https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers</a> and <a href="http://www.nesbiodiversity.org.uk/">http://www.nesbiodiversity.org.uk/</a>.</p>	Restoration of habitats	
	Habitat creation in public open space	
	Avoids fragmentation or isolation of habitats	
	Provides bird/bat/insect boxes/Swift bricks (internal or external)	
	Native tree planting	✓
	Drystone wall	
	Living roofs	
	Ponds and soakaways	
	Habitat walls/fences	
	Wildflowers in verges	
	Use of nectar rich plant species	✓
	Buffer strips along watercourses	
	Show home demonstration area	
	Other (please state):	
<p>The site does have some biodiversity value from the existing trees on the site. These will be retained where possible and additional, native tree planting providing the opportunity to maintain and</p>		

## Appendix 1 – Development Bid

	improve the biodiversity value of the site. The creation of private gardens, with the potential for the planting of nectar rich plant species will also increase the opportunities for biodiversity.
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### 11. Historic environment

Historic environment enhancement		
Please state if there will be benefits for the historic environment.	No impact on the historic environment If yes, please give details:	
Does the site contain/is within/can affect any of the following historic environment assets? Please tick any that apply and provide details. You can find details of these designations at: <ul style="list-style-type: none"> <li>• <a href="http://historicscotland.maps.arcgis.com/apps/Viewer/index.html?appid=18d2608ac1284066ba3927312710d16d">http://historicscotland.maps.arcgis.com/apps/Viewer/index.html?appid=18d2608ac1284066ba3927312710d16d</a></li> <li>• <a href="http://portal.historicenvironment.scot/">http://portal.historicenvironment.scot/</a></li> <li>• <a href="https://online.aberdeenshire.gov.uk/smrp/ub/master/default.aspx?Authority=Aberdeenshire">https://online.aberdeenshire.gov.uk/smrp/ub/master/default.aspx?Authority=Aberdeenshire</a></li> </ul>	Scheduled Monument or their setting	No
	Locally important archaeological site held on the Sites and Monuments Record	No
	Listed Building and/or their setting	No
	Conservation Area (e.g. will it result in the demolition of any buildings)	No
	Inventory Gardens and Designed Landscapes	No
	Inventory Historic Battlefields	No
	Netherley Bridge, Netherley House and Netherley House Bridge are all listed and located within 500m of the bid site. However, a modest residential development of approximately 4 houses could be accommodated to the east of the existing grouping, allowing the setting of Netherley House to be protected. This would be achieved by allowing adequate distance between any proposed development and the slight change in levels which would ensure that there was no interference with any of the main views of the listed building. The setting of the bridges would not be affected by the proposals.	

### 12. Landscape Impact

Is the site within a Special Landscape Area (SLA)? (You can find details in Supplementary Guidance 9 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a> )	No <b>If yes</b> , please state which SLA your site is located within and provide details of how you plan to mitigate the impact of the proposed development:
SLAs include the consideration of landscape character elements/features. The characteristics of landscapes are defined in the Landscape Character Assessments produced by Scottish Natural Heritage (see below) or have been identified as Special Landscape Areas of local importance. <ul style="list-style-type: none"> <li>• SNH: Landscape Character Assessments <a href="https://www.snh.scot/professional-">https://www.snh.scot/professional-</a></li> </ul>	<b>If your site is not within an SLA</b> , please use this space to describe the effects of the site's scale, location or design on key natural landscape elements/features, historic features or the composition or quality of the landscape character:  The site does not lie within any SLA. There is an opportunity to provide housing, to meet a local demand, within an attractive landscape setting.

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<p><a href="#">advice/landscape-change/landscape-character-assessment</a></p> <ul style="list-style-type: none"> <li>• SNH (1996) Cairngorms landscape assessment <a href="http://www.snh.org.uk/pdfs/publications/review/075.pdf">http://www.snh.org.uk/pdfs/publications/review/075.pdf</a></li> <li>• SNH (1997) National programme of landscape character assessment: Banff and Buchan <a href="http://www.snh.org.uk/pdfs/publications/review/037.pdf">http://www.snh.org.uk/pdfs/publications/review/037.pdf</a></li> <li>• SNH (1998) South and Central Aberdeenshire landscape character assessment <a href="http://www.snh.org.uk/pdfs/publications/review/102.pdf">http://www.snh.org.uk/pdfs/publications/review/102.pdf</a></li> </ul>	<p>The creation of enhanced landscape buffers will ensure that the impact of development is negligible.</p>
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### 13. Flood Risk

<p>Is any part of the site identified as being at risk of river or surface water flooding within SEPA flood maps, and/or has any part of the site previously flooded?</p> <p>(You can view the SEPA flood maps at <a href="http://map.sepa.org.uk/floodmap/map.htm">http://map.sepa.org.uk/floodmap/map.htm</a>)</p>	<p>River - Yes. The Burn of Monquich lies to the south east of the site and the SEPA flood risk map identifies some risk of flooding from that. Surface Water – No.</p> <p>Although there is a risk of flooding from the Burn of Monquich, there are a number of dwellings in the area. A Flood Risk Assessment would be carried out as part of any planning application and any mitigation provided.</p>
<p>Could development on the site result in additional flood risk elsewhere?</p>	<p>No</p> <p>If yes, please specify and explain how you intend to mitigate or avoid this risk:</p>
<p>Could development of the site help alleviate any existing flooding problems in the area?</p>	<p>Yes.</p> <p>Any flood mitigation provided could improve any flooding issues around the site.</p>

### 14. Infrastructure

a. Water / Drainage		
<p>Is there water/waste water capacity for the proposed development (based on Scottish Water asset capacity search tool <a href="http://www.scottishwater.co.uk/business/Connections/Connecting-your-property/Asset-Capacity-Search">http://www.scottishwater.co.uk/business/Connections/Connecting-your-property/Asset-Capacity-Search</a>)?</p>	<p>Water</p>	<p>Yes</p>
	<p>Waste water</p>	<p>n/a</p>
<p>Has contact been made with Scottish Water?</p>	<p>No, but a search using Scottish Water asset capacity search tool was carried out which advised that Invercarnie WTW has capacity for over 2000 properties.</p> <p>In terms of waste water, it is understood that properties are served by private septic tanks. Any development on this site would similarly be served by private system discharged to ground</p>	

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	and there would therefore be no demands on the mains network in this regard.
Will your SUDS scheme include rain gardens? <a href="http://www.centalscotlandgreennetwork.org/campaigns/greener-gardens">http://www.centalscotlandgreennetwork.org/campaigns/greener-gardens</a>	To be confirmed at detailed design stage.
<b>b. Education – housing proposals only</b>	
Education capacity/constraints <a href="https://www.aberdeenshire.gov.uk/schools/parents-carers/school-info/school-roll-forecasts/">https://www.aberdeenshire.gov.uk/schools/parents-carers/school-info/school-roll-forecasts/</a>	Lairhillock Primary School has a capacity range of 121-145 pupils. It is currently under capacity at 76%. By 2022 it is forecast to be over capacity. Mackie Academy is currently under capacity at 88%, but has a rising school roll and is forecast to be 97% of capacity by 2022. Although a development of 4 houses is likely to have little impact on the school, contributions to primary education may be necessary at the time of development.
Has contact been made with the Local Authority's Education Department?	No
<b>c. Transport</b>	
If direct access is required onto a Trunk Road (A90 and A96), or the proposal will impact on traffic on a Trunk Road, has contact been made with Transport Scotland?	n/a
Has contact been made with the Local Authority's Transportation Service? They can be contacted at <a href="mailto:transportation.consultation@aberdeenshire.gov.uk">transportation.consultation@aberdeenshire.gov.uk</a>	No, but access is not considered to be an issue for this small scale development. The site is well connected to the north towards Maryculter and Peterculter as well as to the south to Stonehaven via the B979, approximately 425m from the bid site. Existing linkages to Portlethen shall be maintained after the completion of the AWPR via an underpass to the east of Cookney. The site is therefore well located in respect of several of the main service centres within the Kincardine and Mearns area, as well as being within commuting distance of Aberdeen.
Public transport	Public transport services are provided along the B979, approximately 425m from the bid site. This operates 6 days a week and provides public transport provision to Aberdeen, and Laurencekirk and the intervening settlements.
Active travel (i.e. internal connectivity and links externally)	The scale of the site means that internal connectivity will be minimal. Given the rural nature of the site, any internal and external links would also be rural in nature and link to existing external means of access. There is a core path within proximity of the site which



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	would provide active travel connections to the wider area.
<b>d. Gas/Electricity/Heat/Broadband</b>	
Has contact been made with the relevant utilities providers?	Gas: No
	Electricity: No
	Heat: No
	Broadband: No
Have any feasibility studies been undertaken to understand and inform capacity issues?	No feasibility studies have been undertaken at this stage, however, there are some utilities in the area and this is not considered to be an impediment to development, given the residential development located nearby
Is there capacity within the existing network(s) and a viable connection to the network(s)?	This is unknown at this stage, however, it is not considered to present an impediment to development
Will renewable energy be installed and used on the site? For example, heat pump (air, ground or water), biomass, hydro, solar (photovoltaic (electricity) or thermal), or a wind turbine (freestanding/integrated into the building)	Unknown at this stage, but would be considered in more detail at the appropriate design stage.
<b>e. Public open space</b>	
Will the site provide the opportunity to <b>enhance the green network?</b> (These are the linked areas of open space in settlements, which can be enhanced through amalgamating existing green networks or providing onsite green infrastructure)  You can find the boundary of existing green networks in the settlement profiles in the LDP	The site is currently located in the countryside with no formal areas of open space identified in the area. Any development on the site would not specifically enhance the green network but will provide opportunities for housing in a countryside location. The site is accessible to the surrounding countryside as well as being close to the main settlements of Aberdeen and Stonehaven.
Will the site meet the open space standards, as set out in Appendix 2 in the <b>Aberdeenshire Parks and Open Spaces Strategy?</b> <a href="https://www.aberdeenshire.gov.uk/media/60777/approvedpandospacesstrategy.pdf">https://www.aberdeenshire.gov.uk/media/60777/approvedpandospacesstrategy.pdf</a>	The proposal is for less than 5 units and is therefore does not have any specific open space standards. Housing will be set in large grounds and will provide adequate open space.
Will the site deliver any of the shortfalls identified in the <b>Open Space Audit</b> for specific settlements? <a href="https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/">https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/</a>	The site is located in the countryside and therefore the open space audit does not specifically identify any shortfalls.
<b>f. Resource use</b>	
Will the site re-use existing structure(s) or recycle or recover existing on-site materials/resources?	No structures, materials or resources on site which could be re-used.

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Will the site have a direct impact on the water environment and result in the need for watercourse crossings, large scale abstraction and/or culverting of a watercourse?	No
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### 15. Other potential constraints

Please identify whether the site is affected by any of the following potential constraints:

Aberdeen Green Belt <a href="https://www.aberdeenshire.gov.uk/media/20555/appendix-3-boundaries-of-the-greenbelt.pdf">https://www.aberdeenshire.gov.uk/media/20555/appendix-3-boundaries-of-the-greenbelt.pdf</a>	No
Carbon-rich soils and peatland <a href="http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/">http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/</a>	No
Coastal Zone <a href="https://www.aberdeenshire.gov.uk/media/20176/4-the-coastal-zone.pdf">https://www.aberdeenshire.gov.uk/media/20176/4-the-coastal-zone.pdf</a>	No
Contaminated land	No
Ground instability	No
Hazardous site/HSE exclusion zone (You can find the boundary of these zones in Planning Advice 1/2017 Pipeline and Hazardous Development Consultation Zones at <a href="https://www.aberdeenshire.gov.uk/planning/plans-and-policies/planning-advice/">https://www.aberdeenshire.gov.uk/planning/plans-and-policies/planning-advice/</a> and advice at <a href="http://www.hse.gov.uk/landuseplanning/developers.htm">http://www.hse.gov.uk/landuseplanning/developers.htm</a> )	No
Minerals – safeguarded or area of search <a href="https://www.aberdeenshire.gov.uk/ldpmedia/6_Area_of_search_and_safeguard_for_minerals.pdf">https://www.aberdeenshire.gov.uk/ldpmedia/6_Area_of_search_and_safeguard_for_minerals.pdf</a>	No
Overhead lines or underground cables	No
Physical access into the site due to topography or geography	No
Prime agricultural land (grades 1, 2 and 3.1) on all or part of the site. <a href="http://map.environment.gov.scot/Soil_maps/?layer=6">http://map.environment.gov.scot/Soil_maps/?layer=6</a>	No
'Protected' open space in the LDP (i.e. P sites) <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a> and choose from Appendix 8a to 8f	No
Rights of way/core paths/recreation uses	No
Topography (e.g. steep slopes)	No
Other	No

If you have identified any of the potential constraints above, please use this space to identify how you will mitigate this in order to achieve a viable development:

### 16. Proximity to facilities

How close is the site to a range of facilities?	Local shops	> 1 km
	Community facilities (school, public hall, health centre)	> 1 km
	Sports facilities (e.g. playing fields)	> 1 km
	Employment areas	400m
	Residential areas	400m
	Bus stop or bus route	400m – 1 km

## Appendix 1 – Development Bid

	Train station	n/a
	Hotel/restaurant	> 1 km

### 17. Community engagement

Has the local community been given the opportunity to influence/partake in the design and specification of the development proposal?	No
	If yes, please specify the way it was carried out and how it influenced your proposals:
	There has been no community engagement in relation to this bid site, however, the local community would have been aware of promotion of the site through previous LDP processes. The local community will have the opportunity to participate in this LDP process and if the site is allocated, consultation can take place if required.

### 18. Residual value and deliverability

Please confirm that you have considered the 'residual value' of your site and you are confident that the site is viable when infrastructure and all other costs, such as constraints and mitigation are taken into account.	<p>I have considered the likely 'residual value' of the site, as described above, and fully expect the site to be viable:</p> <p>Please tick: <input checked="" type="checkbox"/></p>
---	---

If you have any further information to help demonstrate the deliverability of your proposal, please provide details.

The hamlet of Netherley comprises approximately 20 dwellings and there is justification for identifying Netherley as a settlement in its own right. The site provides the opportunity to create a well-defined and defensible boundary to Netherley, utilising the existing topography and physical landscape setting.

The bid site provides an ideal location to deliver small scale housing in keeping with the character of development within the Netherley area, which consists of small clusters and groups of dwellings. It occupies scrub land which is surplus to the current and future requirements of the land owner. The development of this land would create an attractive group of houses, in a mature landscape setting, in keeping with the housing present in the area.

It would assist in providing housing for local needs and a shortfall of housing in the area is recognised by local business owners who struggle to employ people due to a shortage of housing in the area. Development would assist in supporting local services in the area and deliver housing in proximity to three local employers which could assist them in retaining staff.

The construction of the AWPR improves the accessibility of this site and it is well located close to Aberdeen, Stonehaven and the wider area given the proximity to the Fast-link road from Stonehaven within proximity of the site.

## Appendix 1 – Development Bid

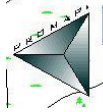
The landowner is therefore confident that any housing would be in high demand. They have also confident that there is residual value following development of the site and the provision of the necessary infrastructure. The infrastructure constraints have been considered and the landowner is confident that they can be addressed and do not impose an impediment to development.

### 19. Other information

Please provide any other information that you would like us to consider in support of your proposed development (please include details of any up-to-date supporting studies that have been undertaken and attach copies e.g. Transport Appraisal, Flood Risk Assessment, Drainage Impact Assessment, Peat/Soil Survey, Habitat/Biodiversity Assessment etc.)

Please tick to confirm your agreement to the following statement:

By completing this form I agree that Aberdeenshire Council can use the information provided in this form for the purposes of identifying possible land for allocation in the next Local Development Plan. I also agree that the information provided, other than contact details and information that is deemed commercially sensitive (questions 1 to 3), can be made available to the public.



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## Appendix 2 – MIR Representation

### **Aberdeenshire Local Development Plan 2021: Main Issues Report 2019 Main Issues Report Response Form**

#### **Important Information: Please Read**

The Main Issues Report (MIR) is a key stage in preparing the Aberdeenshire Local Development Plan 2021 (LDP 2021). The MIR sets out options for how the LDP 2021 could be improved both in terms of the policies that Aberdeenshire Council will use to determine planning applications as well as identifying land allocations for development. The MIR has been published along with a Monitoring Report and Interim Environmental Report of the Strategic Environmental Assessment. These, along with other supporting documents are available at: <https://www.aberdeenshire.gov.uk/planning/plans-and-policies/ldp-2021/main-issues-report/>.

**Comments are sought on the MIR and Interim Environmental Report, or indeed any other matter that you feel that we need to consider, by 5pm on Monday, 8 April 2019.** Responses can be emailed to us at [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk) or received via post, Planning Policy Team, Infrastructure Services, Aberdeenshire Council, Woodhill House, Westburn Road, Aberdeen, AB16 5GB.

Please note that in order for comments to be considered as valid you must include your contact details.

We will use these details to confirm receipt of your comments and to seek clarification or request further information as required. Should you have any concerns regarding the holding of such information please contact [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk). Anonymous comments will not be considered as part of the consultation process. Petitions will only be noted in the name of the person submitting the document.

All comments received will be carefully assessed and will be used to inform the preparation of the Proposed Aberdeenshire Local Development Plan. There will be a further opportunity to comment on the Proposed Plan when it is published in December 2019.

<b>Name</b>	██████████
<b>Organisation (optional)</b>	<b>Ryden LLP</b>
<b>On behalf of (if relevant)</b>	<b>Balgranach Properties</b>
<b>Address</b>	██████████ ██████████ ██████████
<b>Postcode</b>	██████████
<b>Telephone (optional)</b>	██████████
<b>E-mail (optional)</b>	████████████████████



Doing things digitally is our preference. Tick the box if you are not happy to receive correspondence via email:

Tick the box if you would like to subscribe to the Aberdeenshire LDP eNewsletter:

## Fair processing notice

Please tick to confirm your agreement to the following statements:

By submitting a response to the consultation, I agree that Aberdeenshire Council can use the information provided in this form, including my personal data, as part of the review of the Aberdeenshire Local Development Plan. This will include consultation on the Main Issues Report (including any subsequent Proposed Plan).

I also agree that following the end of the consultation, i.e. after 8 April 2019, my name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your submission) can be published alongside a copy of my completed response on the Main Issues Report website (contact details and information that is deemed commercially sensitive will not be made available to the public).

The data controller for this information is Aberdeenshire Council. The data on the form will be used to inform a public debate of the issues and choices presented in the Main Issues Report of the Aberdeenshire Local Development Plan 2021. It will inform the content of the Proposed Aberdeenshire Local Development Plan.

Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue to retain your information for a longer period. A redacted copy of your submission will be retained for 5 years beyond the life of the Local Development Plan 2021, possibly until 2037

### Your Data, Your Rights

You have got legal rights about the way Aberdeenshire Council handles and uses your data, which include the right to ask for a copy of it, and to ask us to stop doing something with your data.

If you are unhappy with the way that Aberdeenshire Council or the Joint Data Controllers have processed your personal data then you do have the right to complain to the Information Commissioner's Officer, but you should raise the issue with the Data Protection Officers first. The Data Protection Officers can be contacted by writing to:

- [REDACTED], Data Protection Officer, Aberdeenshire Council, Business Services, Town House, 34 Low Street, Banff, AB45 1AY

If you have difficulty understanding this document and require a translation, or you need help reading this document (for example if you need it in a different format or in another language), please phone us on 01467 536230.

<b>Which document(s) are you committing on?</b>	Main Issues Report	<input checked="" type="checkbox"/>
	Draft Proposed Aberdeenshire Local Development Plan	<input type="checkbox"/>
	Strategic Environmental Assessment Interim Environmental Assessment	<input type="checkbox"/>
	Other	<input type="checkbox"/>

## Your comments

### Site KN015: Land at Netherley House – 4 homes

On behalf of Balgranach Properties, objection is made to the failure of the Main Issues Report to identify the land at Netherley House for the development of 4 houses. This representation should be read in conjunction with the development bid submitted for the site at the pre-MIR stage, which together demonstrate that the site is suitable for housing.

Aberdeenshire Council Officers state in their MIR assessment, that the proposed site has a number of constraints, however, it is not considered that any of these are an impediment to development. These are addressed in turn below:

#### **“The proposed site is situated in a countryside location”**

Aberdeenshire Council officers state that the site is situated in the Countryside, however, this should not be a reason to prevent development. Scottish Planning Policy promotes rural development and paragraph 77 encourages a sustainable network of settlements and supports provision for housing in rural areas taking account of the development needs of local communities.

Chapter 5 of the Main Issues Report deals with Development in the Countryside with the policy group aiming to support a long term sustainable pattern of development that balances needs and aspirations for development in rural areas. It states that the most sustainable pattern of development is to promote growth within and adjacent to existing settlements as noted in paragraph 40 of SPP and its policy principle to **“direct the right development to the right place”**. However, it is also acknowledged that there will be circumstances where development cannot be directed to settlements and will need to occur in the wider countryside. Where this is promoted, it is essential that development does not cause an adverse impact, such as suburbanisation of the countryside or social isolation.

As such Policy R2 of the LDP aims to support a long term sustainable pattern of development that takes a measured approach to development within rural areas, generally directing development to towns and villages. Policy must ensure a balance between promoting a flexible policy whilst directing growth towards existing rural service centres and there are circumstances where development will be permitted in the wider countryside. The Main Issues Report states that matters relating to housing clusters and the definition of “small scale” require greater clarification but are not main issues.

In the absence of further clarification, it is argued that there is justification for the identification of Netherley as a small settlement in its own right, given that it is an established grouping of 13 individual properties as well as Netherley House which has been converted to residential use. The nearby Cookney is identified as a settlement within the Local Development Plan which is smaller than the grouping at Netherley. As such Netherley should similarly be identified as a settlement, and is capable of organic growth through the inclusion of site KN015 as a small extension to this.

This would contribute to the creation of a vibrant rural community and support local services businesses in the area, including Lairhillock Primary School, Lairhillock Inn located to the north east. In fact, local employers in the past, have expressed the need for homes located in the area to attract and retain staff and the identification of the bid site for development would therefore satisfy a local need in line with the Strategic Development Plan.

SPP promotes a sustainable pattern of development optimising the use of existing resource capacity with infrastructure investment (paragraph 40).The bid site is well connected to Maryculter to the north and



Stonehaven to the south via the B979. The completion of the Aberdeen Western Peripheral Route (AWPR) and Fastlink improves the accessibility of Netherley with the surrounding area and existing linkages to Portlethen are maintained via an underpass to the east of Cookney. Further to this, bus stops are located approximately 425m from the site, linking the site to the wider area by public transport services 6 days a week. This ensures that the site is not remote from services and transport routes and any development on the bid site would not result in social isolation.

Capacity exists within the Water Treatment Works for development and an additional 4 houses is not considered to place a significant pressure on the local schools. Therefore, given the improvements to transport infrastructure in the area, proximity to existing services, and infrastructure capacity, it is considered that Netherley is an ideal location for small scale rural housing, regardless of whether it is identified as a settlement.

**“Development on this site will involve the removal of trees that form part of the category B Listed Netherley House. This development would have a negative impact on the setting of the listed building specifically related to the principle elevation and the property’s designed landscape”**

The bid site extends to approximately 0.8ha and based on the 25 homes per hectare considered appropriate by Aberdeenshire Council under Main Issue 10, would mean that this site has capacity for 20 units. As the bid only proposes 4 houses, this would ensure the site is developed at a low density suitable for the rural location. This would allow ample distance between any new built development and Netherley House, ensuring that its principle elevation and designed landscape is maintained.

The site is currently redundant scrubland with tree cover mainly located along the site boundaries. They are not protected or considered to have any significant value. It is accepted that some tree removal would be required, however, mature trees will be retained where possible and given the size of the site and density of development proposed, it is not accepted that this would have a negative impact on the setting of the listed building, its principle elevation or its surrounding landscape.

Given the size of the bid site, it can be developed through a discreet and sensitive layout, siting and design to ensure that the landscape character and setting of the Listed Building is enhanced. The wider woodland surroundings and its gentle gradient ensure that any visual impact is minimised. Additional landscaping, including native trees would be planted on the site providing an opportunity to maintain and improve the biodiversity of the site as well as the setting of Netherley House. As such, this issue is not an impediment to further housing on the site.

**“The site and its surrounding land is susceptible to flooding”**

In their response, Aberdeenshire Council stated that the site and surrounding area is susceptible to flooding. It is understood that this is from the Burn of Monquich which is located to the south east of the site. This flood risk also affects the neighbouring dwellings and this flood risk would be investigated as part of any planning application for the site. It is not considered that flood risk is a reason to not identify this site as appropriate mitigation can be provided.

**“The addition of 4 houses would impact on the adjacent watercourse”**

It is argued that the relevant drainage assessments would be carried out during any planning application process and the required mitigation provided to ensure there was no impact on the adjacent watercourse. Again, this is not considered to be a reason to prevent development.

**“The site is not within walking distance from amenities and community facilities and would encourage the use of unsustainable modes of transport”**

Although there are no amenities within walking distance, this is the same position for a number of rural properties in the immediate vicinity and elsewhere in Aberdeenshire. SPP encourages the identification of a range of attractive, well-designed, energy efficient, good quality housing (paragraph 110). The identification of the bid site provides a choice of location for housing as not everyone wants to live within a built up area.

Although no amenities exist within walking distance, there are a range of amenities and facilities in the area, including the Lairhillock Inn, Lairhillock Lodge, Lairhillock Primary School and Cookney Hall. The bid site is therefore considered to be well placed in relation to these facilities. Further to this, the site is well connected

to the north towards Maryculter and Peterculter and south to Stonehaven and beyond via the B979. Existing linkages to Portlethen are maintained (after the completion of the AWPR) via an underpass to the east of Cookney. The site is therefore well located to many of the main service centres within the Kincardine and Mearns area and the amenities and community facilities that they benefit from.

It is not accepted that the site would encourage the use of unsustainable modes of transport. Bus stops are located approximately 425m from the site which provides sustainable access to the surrounding area by a range of modes. Further to this, an existing school bus service can be utilised by pupils attending Lairhillock Primary or Mackie Academy. Therefore, the site is well placed to promote the use of sustainable modes of transport as an alternative to the private car.

### **Conclusion**

Balgranach Properties consider that there is justification for the identification of Netherley as a settlement, given the surrounding development and links to the wider area. The addition of 4 houses on the bid site is a logical extension to the established grouping of houses at Netherley.

Aberdeenshire Council have stated that the site has a number of constraints, but these are either not accepted, or can be overcome to provide a high quality, sensitively designed development which will meet local housing needs.

It is therefore respectfully requested that bid site KN015 is identified in the Proposed Local Development Plan for the provision of 4 houses.