

Planning and Environment
Infrastructure Services
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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
10th. July 2020

Your reference: LDP2021 NN

Dear [REDACTED],

Thank you for your recent letter detailing the proposal for development at site OP1. I have now read the linked documents associated with your website advised in your letter. We note that your letter asks for a response by 17th July 2020 but yet the online forms give a latest submission date of 31st July 2020. We will copy this letter by email and submitted form in case the mail is late.

From the documents found, the proposed site, designated OP1, is actually site GR067, not found on the 2017 plan, but a bid made in 2018, by [REDACTED] [REDACTED] for a change of use for his land. Although the name of the sole owner is redacted out, the site is the situation of [REDACTED], of which [REDACTED] [REDACTED] is the sole proprietor. It also appears that others, namely SEPA, respondent 805, and the Bennachie Community Council, respondent 966, have all had the opportunity to comment on this proposal, however, the very neighbour, to which the proposed development site would have an adverse effect has not been contacted until now and is apparently also the last opportunity to make a comment.

This is a prudent point considering we are mentioned within his application under Section 11, Historic environment. We would like to think that this is not a deliberate move to prevent scrutiny on the proposed plan, but we note that Historic Scotland have not made a comment? Were they missed as well?

We understand that the development plan should encompass the well being of a local community and support local amenities. In the case of Old Rayne this is predominately the School. The discussion around the proposals from different documents indicates that there is a requirement for 10 houses but possibly more.

It is therefore of some concern that the Officers assessment has led to a preferred site, in Pitmachie, which [REDACTED], that already encompasses 4 houses, and a working factory. The proposed development is to support ten new houses built by the landowner, probably in his factory. The houses, although given as different types, are also advised to be based on the wooden structure previously built as a show home. This structure is not similar to the houses already on the A96, forming the hamlet of Pitmachie. No account of the feasibility of such a site seems to have been addressed. It will increase the rate of traffic entering and leaving the A96 at a point that is not a recognised junction, and it should be mentioned that, historically, children have been taken by taxi to the primary school and also the pick up point for the secondary school in

the village to prevent them having to walk from Pitmachie. This cost, we believe, has been borne by the Council.

A primary point, in such a discussion, especially when a proposal of land [REDACTED], [REDACTED], the Council needs to act in the best interest of the community to which it serves and be held accountable for these decisions through the process of judicial review if impropriety is shown, therefore, we look for clarification and indeed justification on the following points;

- 1) How did the Council move from the sites that were previously proposed to a recommendation of a new site that was formally a rejected planning application? The owner of this site and the currently operating, [REDACTED], [REDACTED], put forward a planning application a few years ago for a similar enterprise and this was rejected on the basis of the increased access to the A96.
- 2) To bring reference to the proposal, GR067: "Land North of Pitmachie Farm, Pitmachie, Old Rayne, for 10 homes. The proposed site is currently mixed residential, employment and storage use whereby the bid submission notes that the existing buildings are approaching the end of their useful life. The site is within the settlement boundary therefore the development would be brownfield land and an infill opportunity". Whilst the development does have a couple of bungalows, houses and offices contained within it, the majority of its' footprint is the commercial base of [REDACTED], [REDACTED]. This commercial property has been in operation well before the Coach House was listed in 1985 and continues to produce. Given this, how can a site supporting a working commercial property, houses, bungalows and offices be a preferred site to demolish and add new homes to a community?
- 3) The development plan also indicates that a minimum of ten houses are required and yet this preferred option is demolishing 4, houses in keeping with the surroundings, and replacing them with an estate of 10 wooden ones. An increase of only 6 dwellings, therefore the development cannot be preferred?
- 4) To bring reference now to the principal contractor listed in the proposal. The discussions around a development plan, as far as we understand, are to designate an area fit for development, which matches local and area criteria. These areas would then be open to tenders by home builders to erect dwelling houses that fit the required criteria. To accept, all be it in principle, that [REDACTED] [REDACTED] will be the sole contractor is deeply concerning. [REDACTED]
- 5) The strategic environmental assessment of bld sites - Garioch, indicates biodiversity is given a +, population is given a +, both for wooden houses all based on the same model. Landscape also given a 0 for limited impact on landscape character. How has this been assessed when the proposal is to knock down historic older buildings to make way for wooden ones?
- 6) Historically, children in Pitmachie, have got a taxi round to the primary school and also the senior school pick-up as the corner at Lawrence Road has been seen as being too dangerous for them to walk around. We understand that this taxi has

been paid for by the Council. Why not select a site with clean, direct access to the Village of Old Rayne as it seems very strange that a site putting people in danger has taken precedence over other sites in the village of Old Rayne.

- 7) The final issues document indicates that there are five possible sites in Old Rayne. It is difficult to comment on the assessment as it appears to be contradictory when discussing each proposal, although it is telling that all discussion leads to the preferred site of GR 067 which has been proposed by [REDACTED] and a clear conflict of interest.
- 8) The final issues document also implies that no additional land should be allocated in Old Rayne in addition to the existing OP2 and bid GR067, does this mean that no extra land will be identified until 2031?
- 9) It is noted that three committees have agreed to these proposals, 3/09/2019, 3/10/2019 and 5/03/2020 and yet this is the first time we are privy to these documents.
- 10) As there was a council call for sites in 2018, why were we not invited to put forward a bid. Our house, the designated [REDACTED], is actually a 300 year old, coaching inn, listed in 1985, with attendant supporting buildings, a cottage and stables with living quarters above. These buildings, once renovated, will not only enhance the built heritage but also satisfy the development plan with respect to sustainability of the historic environment.

For the record, our objections to the site designated OP1, (formerly GR067) site are:

- 1 There is not an impartial process being applied.
- 2 To facilitate and support [REDACTED]
[REDACTED] is not only ethically wrong but may also be grounds for a judicial review.
- 3 The increase of only 6 residencies is not in line with the development plan to provide 10 dwellings to support the local school.
- 4 The increase in dwellings on the A96 and the attendant increase in families will increase the number of cars which will increase the risk of collisions on the A96.
- 5 The children from such families will need to be transported to school by taxi, to get around the corner at Lawrence road, whatever age they are.
- 6 There is nowhere in Pitmachie for the children of such families to play and again they will be at risk walking up to the park which is situated in Old Rayne.
- 7 The view of the proposed houses will definitely detract from the houses already in the Hamlet of Pitmachie.
- 8 An estate of houses at the preferred site will detract from the access drives already on the A96 and will increase the hazards for everybody.

Yours Sincerely

Alan Newell