

# PRIVACY NOTICE

## LOCAL DEVELOPMENT PLAN

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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

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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.

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Not applicable.

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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.

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Not applicable.

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  - Consent; or
  - Performance of a Contract;
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# HALLIDAY FRASER MUNRO

CHARTERED ARCHITECTS & PLANNING CONSULTANTS

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 refer to Aberdeenshire Council's Privacy Notice at the end of this form for details of your rights under the Data Protection Act.

## Your Details

Date: 28 July 2020

Title:	Mr
Name:	Michael Westwater
Telephone Number:	[REDACTED]
Email address:	[REDACTED]
Postal Address:	[REDACTED]
Postcode:	[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?

**Mr John McIntosh**

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.*



**HALLIDAY FRASER MUNRO**  
CHARTERED ARCHITECTS & PLANNING CONSULTANTS

Your Comments (no more than 2000 words)

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):

Modify Appendices 6 and 7 in the proposed local development plan and allocate (GR118) Land south west of Meadow Croft, Kinmuck for up to 15 new homes serving the self and custom-build market.

Reason for change:

A detailed set of reasons is set out in our report "RESPONSE TO THE PROPOSED LOCAL DEVELOPMENT PLAN - LAND AT SUNNYSIDE, KINMUCK - GR118" and supporting information attached to this submission.



**HALLIDAY FRASER MUNRO**

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**ABERDEENSHIRE LOCAL DEVELOPMENT PLAN  
RESPONSE TO THE PROPOSED LOCAL DEVELOPMENT PLAN  
LAND AT SUNNYSIDE, KINMUCK**

**GR118**

**JULY 2020**

On behalf of

J McIntosh



HALLIDAY FRASER MUNRO  
CHARTERED ARCHITECTS & PLANNING CONSULTANTS



**HALLIDAY FRASER MUNRO**  
CHARTERED ARCHITECTS & PLANNING CONSULTANTS

1. Introduction and proposed modifications
2. Reasons for Change and Response to Proposed Local Development Plan
3. Conclusions

Appendix 1 – LDP Bid Submission

Appendix 2 – LDP MIR Submission

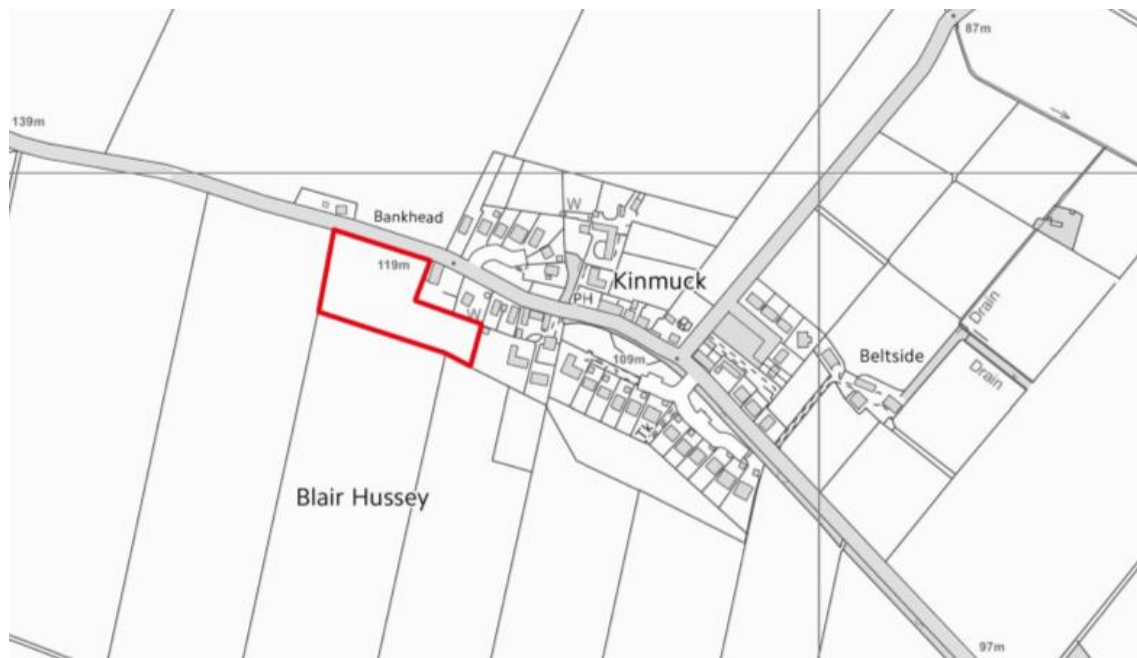


**HALLIDAY FRASER MUNRO**  
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**1. Introduction**

- 1.1 This report has been prepared by Halliday Fraser Munro, Chartered Architects and Town Planning Consultants, on behalf of Mr J McIntosh. It is written in response to the Aberdeenshire Proposed Local Development Plan 2020 (PLDP).
- 1.2 At the 'Call for Sites' stage in March 2018 a development bid was submitted for the land at Sunnyside to the southwest of the village of Kinmuck. This included justifications for the allocation of the site in the LDP including a concept development layout. At Main Issues Report stage, we also prepared a representation for the site - GR118, Land south west of Meadow Croft, Kinmuck for up to 15 new homes.
- 1.3 This report seeks to provide a reasoned and evidence-based justification for the allocation of the site within the proposed local development plan. Key considerations identified in this report include the specific merits of the site as a viable and deliverable development opportunity, key concerns relating to the officer's assessments of earlier submissions and highlighting concerns to the Council's preferred approach to their housing land strategy and policies going forward.

**Proposed Modifications**– Modify Appendices 6 and 7 in the proposed local development plan and allocate (GR118) Land south west of Meadow Croft, Kinmuck for up to 15 new homes serving the self and custom-build market.





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### 2. Reasons for Change and Response to proposed local development plan

2.1 Rural Aberdeenshire supports multiple small-scale settlements that are central to the area's character and context and a key reason why people choose to live in the area. Small scale extensions to these settlements will help to maintain the region's rural population and help maintain a mix of working age families as well as retired and older, usually smaller households. This particular site would be intended to support the delivery of self and custom build options promoted through Scottish Government policies. The site at Sunnyside provides the opportunity to deliver a proportionate and organic expansion of the existing hamlet and an excellent opportunity to deliver a high-quality residential development, ideally located to meet local housing needs. Kinmuck is a small established settlement near Inverurie in the Garioch area of Aberdeenshire. It is characterised by mature deciduous trees lining the main street and the category 'B' listed Friends Cottage. Predominantly, the village has grown in a linear nature over time. The proposed site is an area of flat land between the main road and agricultural land to the south of the village immediately adjacent to the Kinmuck settlement boundary. It is located in close proximity to the core path running through the settlement. Access to the site would be taken from the road to the north of the site via an existing and consented access point.

2.2 We consider the site to be in a sustainable location that benefits from rural services as well as having close proximity and access to Inverurie with its strategic rail and road network connections and range of local services and facilities. In terms of local facilities, the primary school (Keith Hall) is approximately 1 mile to the northwest. The need to travel long distances to access jobs, services and facilities therefore can be minimised. This is important, given people want to live and work in or from small rural communities. Supplement this with modern communication technology and it's easier than ever to make that a real and sustainable lifestyle opportunity; we understand that Kinmuck benefits from superfast (fibre) broadband connectivity. The overall scale of development in these areas is limited and the associated impact will also be limited. For example, 15 houses here would have a very limited impact on trips made by private car compared many of the larger allocations in Aberdeenshire. In considering impact the Council should take a proportionate approach and support more small rural communities. This is especially true of smaller settlements within the Accessible Rural Area.

2.3 The delivery of this site could also support the ongoing vitality of Kinmuck helping to sustain local population and the services in this rural area. Future housing would address the falling school roll at Keithhall Primary School and other local services, in line with settlement objectives for Kinmuck in the current Local Development Plan. The National Planning Framework 3 recognises the need to support vibrant and successful rural areas and to help retain local populations in rural areas to sustain local services. A limited development on the fringe of the existing settlement would complement and be consistent with the patterns of growth in and around the settlements in the area and particularly Kinmuck. The Covid pandemic has also shown that it is possible to work from home and access services sustainably without the absolute need to travel helping to reduce Co2 emissions and the carbon impact of new





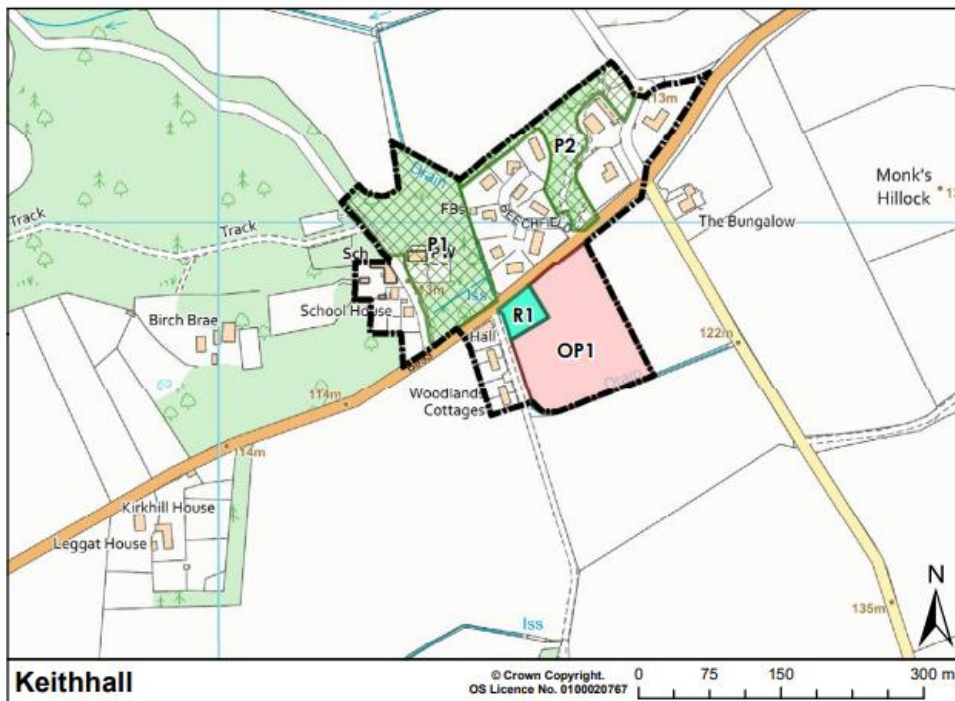
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development. This site in Kinmuck however also has excellent access to transport connections that make it a more sustainable location for limited new housing.

2.4 The landowner is aware of the national priority placed on self-build and custom-build housing and is aware there is a strong local demand for this type of development. Section 8 ‘Homes and Housing’ on page 36 of the Proposed Local Development Plan states that **“other models of housing provision, such as self-build or co-housing are promoted”**. However there does not appear to be any policy support reflecting that statement in the PLDP or significant allocations for self-build. Since this site was discussed at Garioch Area Committee in September 2019, Mr McIntosh has received 16 expressions of interest from local people looking to self-build, from areas such as Kemnay, Inch, Fintray, Inverurie, Dyce, Bridge of Don, Keithhall, and Parkhill, proving there is demand and unmet need for this type of housing site.

2.5 The PLDP also seems to be inconsistent in its approach as it also includes allocations that adopt a more positive approach to small rural settlements elsewhere in Aberdeenshire that have reasonable access to larger neighbouring settlements. These include:

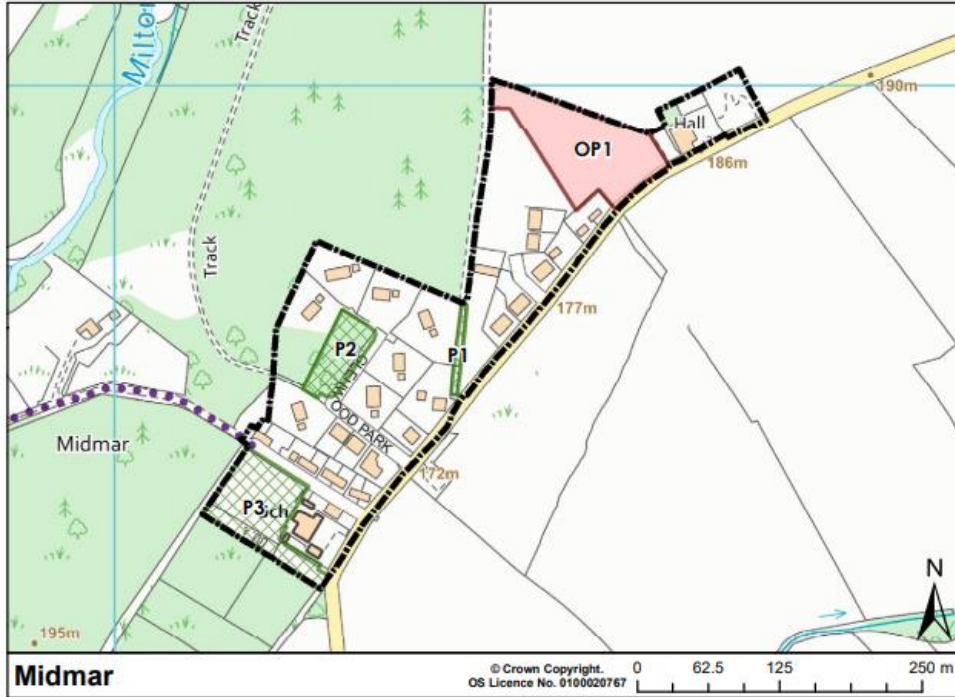
- **Keithhall** – 36 homes supported – in order to support the local primary school and recognising the site can be delivered without significant constraint.



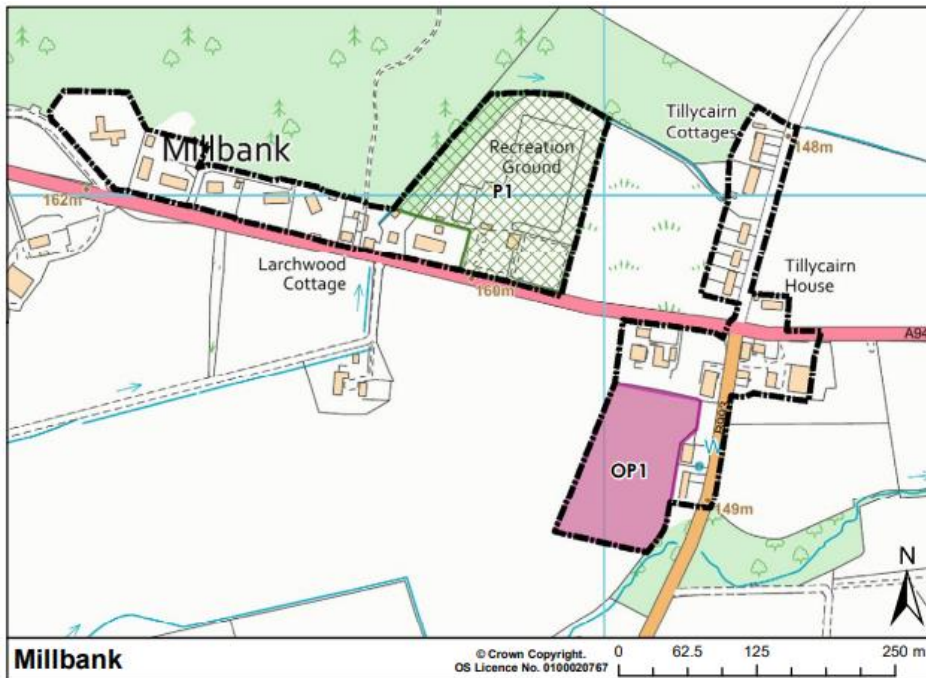


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- **Midmar** – 12 homes supported despite being protected land for public open space and supporting the local primary school.



- **Millbank** – 30 homes supported but the site area reduced as the original bid was too low density.





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- 2.6 In each of these the extension of a small rural settlement has been considered acceptable, often despite constraints. The site at Sunnyside has no significant development constraints and is of a scale that would support infrastructure upgrades on-site. It offers the opportunity to increase housing mix, increase housing diversity locally and offer self & custom build housing plots to meet local needs. This part of Aberdeenshire is a popular search area for potential self-builders and Kinmuck may be suitable for a limited number of bespoke houses to help satisfy that specific demand.
- 2.7 Aberdeenshire Council has adopted that self-build experimental approach elsewhere. In Laurencekirk the Council have proposed that site OP7 is allocated for 15 self-build homes, 8 of which are new – see extract below. We suggest that the site at Little Goval could take a similar approach to fulfil the self-build need in this part of the Shire. The landowner has already been approached on multiple occasions seeking self-build plots.

### **OP7: Land West of Fordoun Road**

#### **Allocation: 15 homes**

This is a newly allocated site. This site provides an opportunity for self-build homes, subject to planning permission being granted for the development site as a whole, not as separate individual plots. Planning permission for 7 homes has already been granted on the southern half of the site.

For self-build plots, the landowner would be responsible for ensuring that all infrastructure to service the plots is in place prior to any homes being constructed. This is to include waste water treatment, road access through the site to an adoptable standard and open space provision. In addition, all necessary site surveys and assessments deemed to be required through the planning process must also be carried out on the development site as a whole. A Flood Risk Assessment may also be required.

The development will require footway works to Fordoun Road, which may require widening of the existing railway bridge. Access to the site must work in conjunction with site OP1.

A buffer strip will be required adjacent to the watercourse, which should be integrated positively into the development.

It is expected that the site will contribute towards affordable housing in line with Policy H2 Affordable Housing. This should be delivered as part of the early phases of development and be integrated into the design of the development to provide a mix of house types and sizes to meet local need.



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- 2.8 Scottish Planning Policy 2014 (SPP) identifies that affordable housing includes plots for self-build (paragraph 126) and requires (paragraph 134) that **“Planning authorities should also consider the housing requirements of ... and sites for people seeking self-build plots”**. The LDP has only allocated 8 new self-build plots on a single site in a location to the very south of the region. We believe that this is simply not enough, is not in line with Government policy and that additional self-build allocations are required across the whole region to increase choice.
- 2.9 We note the officer’s concerns regarding drainage infrastructure, however we believe that private treatment is both possible and viable. In relation to the last housing development to take place in Kinmuck at Carpenters Croft, correspondence from Scottish Water confirmed that Invercarnie Water Treatment Works had capacity to service that proposed development in 2015. SEPA, in relation to the same application, approved a new wastewater outfall to the Newmill Burn serving the 7 new properties and 5 existing properties. Waste water in that instance was to be treated by a proposed Klargester NG BioDisc via a partial soakaway prior to discharge to the Newmill Burn. The intention would be for provision of sustainable flooding and drainage infrastructure on the site including rain gardens which will be designed into scheme. However, if further mitigation is required the landowner is in control of a much broader land area around the site which could allow for connections either to a ditch to the south of the site or to the Denmill Burn. This would allow for offsite solutions to be found if required to ensure drainage issues could be addressed and mitigated and the full engagement with SEPA and Scottish Water would take place to identify and mitigate any concerns around drainage and wastewater treatment for the new development.
- 2.10 The development concept layout submitted within the Bid document at Appendix 1 has been carefully considered against a range of issues and is thoughtful and realistic in its design solution for the site which could accommodate up to 15 units. This includes making allowances for onsite drainage, internal roads and open space provision to address the setting and proximity to the nearby listed building. The layout also shows an indicative mix of terraced, semi detached and detached homes that would be fully in line with the context of the settlement and provide choice of housing. The landowner is looking to make plots available for self or custom build units for people looking to build their own homes. The site already benefits from a consented access from the public road.



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*Figure 1 - Indicative development layout in context of Kinmuck*

- 2.11 Regarding potential impacts on the setting of the B-listed Friends Meeting House and Friend's Cottage adjacent to the site. We believe that through careful design, impacts on the setting of the listed building can be addressed. The layout on the concept diagram (Figure 1) for the site submitted in the Bid document identified green space and landscape allowances to provide visual separation between the new build elements of the site and the listed building. Development on the site will protect the setting of the listed Friend's Cottage with sensitive design and strategic landscaping ensuring that this is not a constraint to the development of the site. We therefore believe that this can be meaningfully addressed at the detailed design stage and should not preclude allocation of the site in the LDP.
- 2.12 The PLDP Strategic Environmental Assessment (SEA) incorrectly identifies potential negative effects on water and cultural heritage post-mitigation. We believe that through careful design, impacts on the nearby listed building can be appropriately mitigated and a robust and quality landscape solution could be adopted for the site to create a quality and attractive entrance to the village. Equally, with regards to water treatment, drainage and environment concerns we believe that there are suitable drainage solutions that could be adopted in and around the site to address those concerns as outlined in paragraph 2.8 of this report.
- 2.13 We note that there has only been one third party objection to development bid GR118, suggesting that the vast majority of local residents are not opposed to the development.



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### 3. Conclusions

- 3.1 The site at Sunnyside in Kinmuck presents the opportunity to deliver a small-scale development appropriate to the rural setting. We continue to see this bid as offering a distinct, deliverable and worthwhile opportunity. Perceived technical constraints associated with the site can be addressed through careful design and engagement with relevant authorities.
- 3.2 The Planning (Scotland) Act 2019 includes a provision for planning authorities in Scotland to “prepare and maintain” a list of anyone interested in acquiring land for self-building in the authority’s area. As well as requiring planning authorities to hold such lists, the Act provides for local plans to need to have regard to the list below in policy making and for masterplan consent areas (which give planning permission to a designated area/zone), to include self-build housing development.
- 3.3 In February 2019, RICS Scotland published “Assisting Self-Build and Custom Building in Scotland”. That document concluded that self-build and custom building had a valuable role in Scotland to help alleviate the housing crisis, by creating an additional supply of homes. The PLDP does not directly reflect those findings or the changes in national planning direction on self-build in any real manner. We believe that it should and that it should allocate more sites for self-build where they are being proposed for that type of development.
- 3.4 Development on the subject site will have a minimal impact but would make an important contribution to meeting housing needs in Kinmuck and helping to sustain the local populations and services in this rural setting.



LAND AT SUNNYSIDE, KINMUCK

LOCAL DEVELOPMENT PLAN BID

MARCH 2018

PREPARED BY HALLIDAY FRASER MUNRO FOR J MCINTOSH



JUST  
EAT

Boar's Head Tandoori Restaurant  
A Quality Indian Restaurant  
100 BOAR'S HEAD ROAD

Boar's Head  
THE PIZZA PEOPLE OF GREAT BRITAIN

Y489 KNL



## VISION

The purpose of this document is to support the Local Development Plan bid submission for Land at Kinmuck, which has been prepared on behalf of Mr J McIntosh by Halliday Fraser Munro Architects and Planning Consultants.

The site at Kinmuck offers an excellent opportunity to deliver a high quality residential development, ideally located to meet the local housing needs of Kinmuck.

This document outlines how the design process has developed following a thorough analysis of the site and its unique opportunities and constraints.



*The Sunnyside site offers an opportunity to enlarge the long established and well connected community of Kinmuck in a sensitive and well considered manner*

## BACKGROUND

Kinmuck is a small established settlement near Inverurie in the Garioch area of Aberdeenshire. It is characterised by mature deciduous trees lining the main street and the category 'B' listed Friends Cottage. Predominantly, the village has grown in a linear nature over time from west-east .

This development bid proposes the allocation of land for new housing on the west side of the Friends Cottage, adjacent to the minor road which running through the village .

It connects to the B979 road to Inverurie. Kinmuck is well connected to other Garioch settlements and is well served by public transport due to its location between two main roads.

The bid site is an area of flat land between the main road through Kinmuck and greenfields to the south of the village. The site is presently outwith the Kinmuck settlement boundary.

The bid site is located in close proximity to the core path running through the settlement. Access to the site would be taken from the road to the north of the site.





Entrance to Kinmuck from the road to the North



Meadow Croft dwelling houses at north east of the site



View into the site from west



B category listed Friends Cottage adjacent to the site

# PLANNING CONTEXT

## Planning History

The site was identified by the council in the May 2009 Main Issues Report, as a site that is technically possible but not preferred for development.

Site OP1 at east of the settlement has been allocated for housing since the 2012 Aberdeenshire Local Development Plan. In 2013, the site was granted planning permission for up to 7 houses on the site and now all the plots have been built out.

## Aberdeenshire Local Development Plan 2017

The allocated OP1 site of Kinmuck in the 2012 LDP has been carried into the 2017 LDP and is now built out.

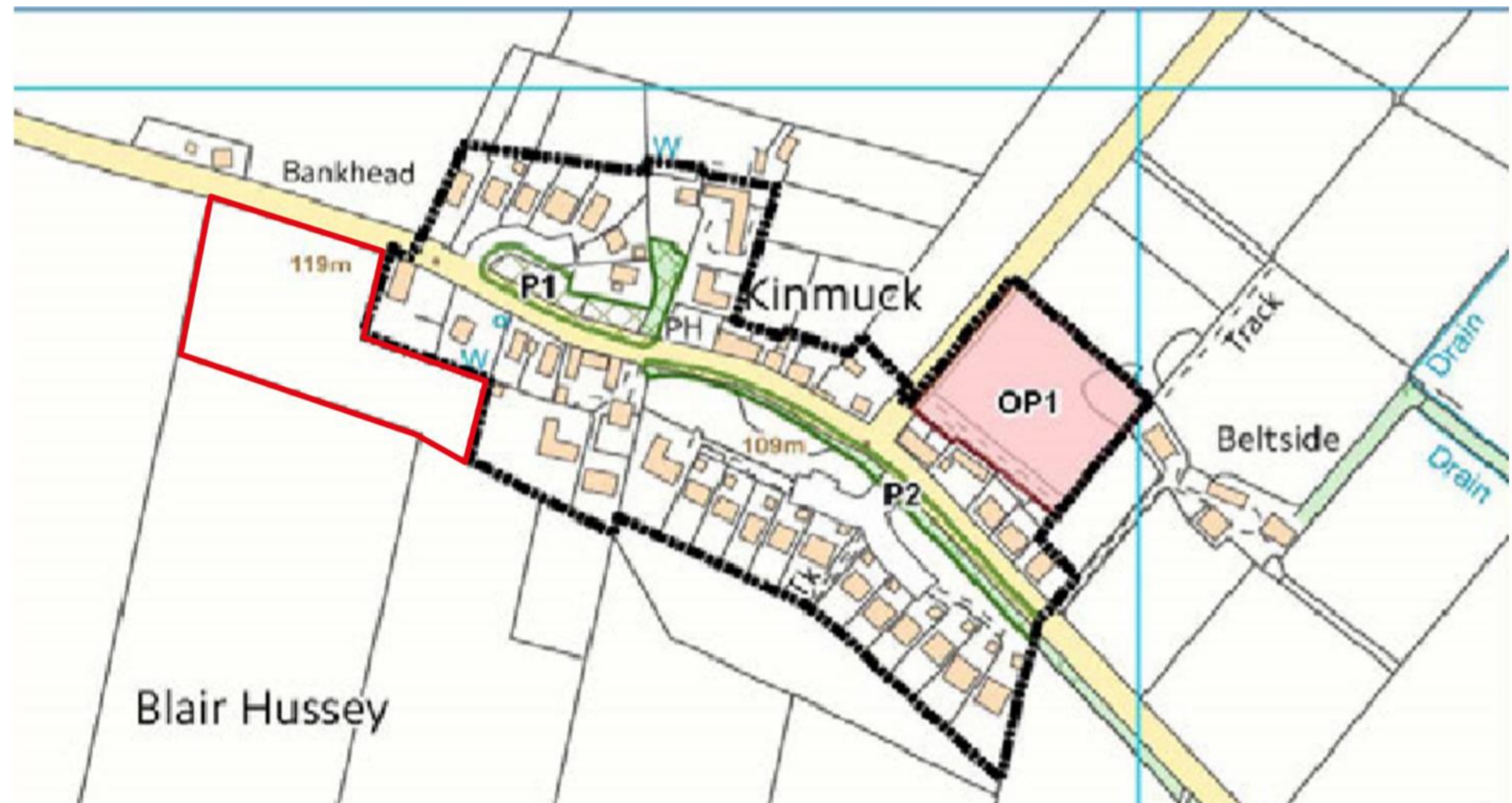
## Wider Landscape

The settlement is located on the south side of a hill and is surrounded by rolling agricultural land and dispersed woodland.

## Development of Kinmuck

The settlement has grown gradually since 19th century. The growth of the village has principally been in a linear pattern.

The road is an established element of the settlement. The current bid area presents the opportunity to consolidate this growth to the west and creating a strong defensible boundary to the village.



# SITE ANALYSIS: OPPORTUNITIES AND CONSTRAINTS

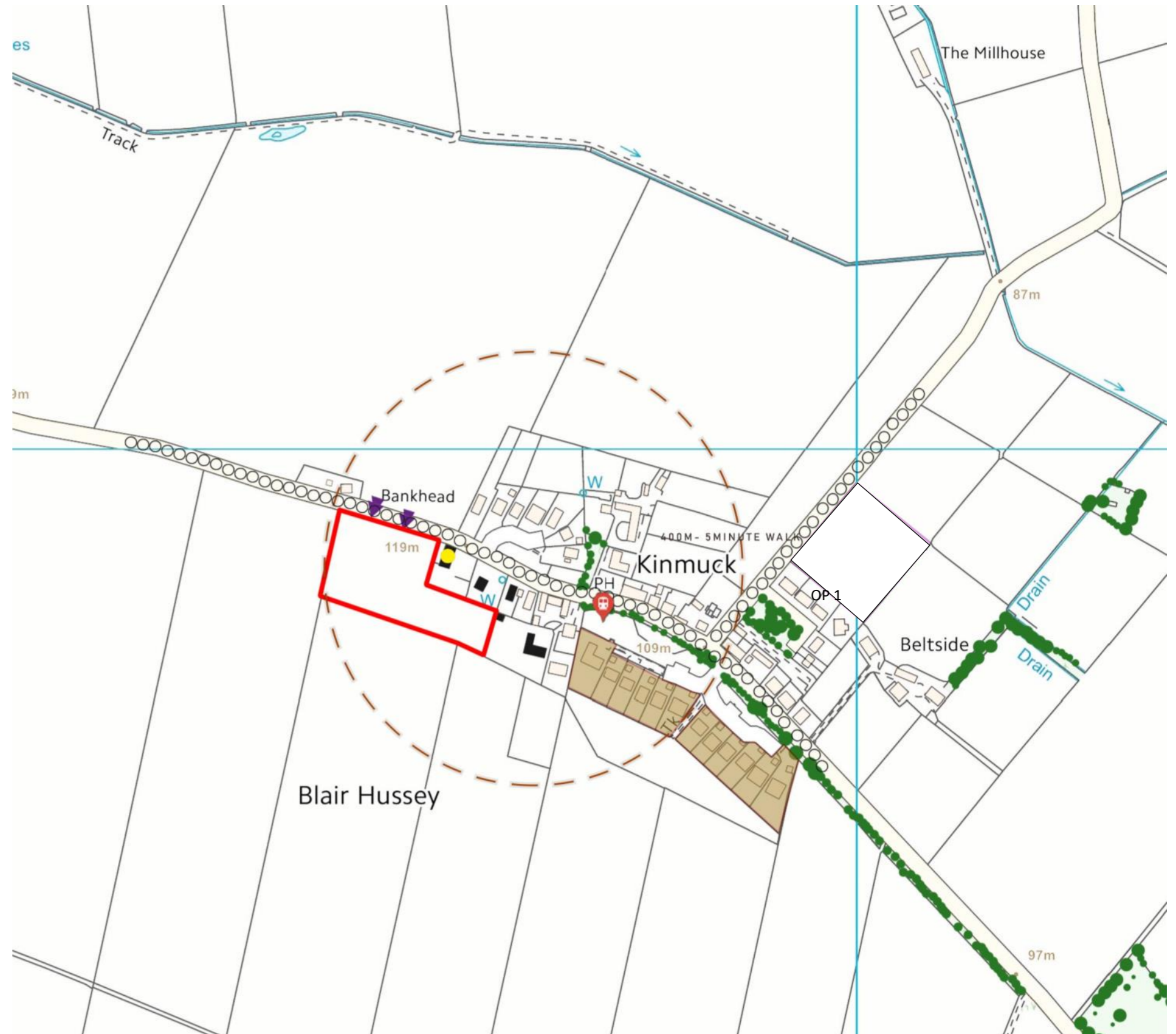
## Opportunities Key

1. **Existing Road and Path Network** The site is adjacent to B979, with pavements and bus stops
2. **Defensible boundary of the settlement** existing housing on the north side of the road.
3. **Site connectivity** The site is well connected to the settlement
4. Services and Facilities including bus stations, local shops and pub
5. No current existing housing land supply

## Constraints

1. **Site OP1** allocation already developed
2. **Listed buildings to the west of the site** 'B' Category Friends cottage

- Adjacent Dwelling houses
- Recent Developments
- Existing Tree Belts
- Site Connectivity
- Existing road and path network
- Listed Buildings



# DESIGN CONCEPT

The Sunnyside site, at Kinmuck represents a deliverable, measured extension to the western side of the established village of Kinmuck.

The bid site is in advanced discussions with a local developer and is available for development. Access can be taken into the site from the existing consented access to the north.

The site comprises flat open agricultural land and is surrounded by a road to the north, 'B' category listed Friends Cottage on entrance to Kinmuck to the west and open agricultural land farms to the west and south. The new development creates the opportunity for a strong defensive boundary to the west, creating a gateway to the village. Footpath provision to the greenfield could also be improved as a result of the development of the bid site.

There is an existing bus service in Kinmuck. New residential development in the village will also help support the existing local services.

The scale of development proposed will ensure that the site is viable, and there are no constraints to development delivery.

In summary we would request that the following is included as an allocation in the forthcoming Aberdeenshire Local Development Plan 2021:

**'Land at Sunnyside, Kinmuck – suitable for 15 houses.'**

- **New Western Settlement edge;**
- **Continuing to respect settlement setting;**
- **Defensible boundary;**
- **Frontage onto Kinmuck Road;**
- **Landscaped corridor and public open space around Friends Cottage;**
- **Scope for circa 15 houses at appropriate density.**









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**ABERDEENSHIRE LOCAL DEVELOPMENT PLAN**

**RESPONSE TO THE MAIN ISSUES REPORT**

**LAND AT SUNNYSIDE, KINMUCK**

**GR118**

**APRIL 2019**

On behalf of

J McIntosh



HALLIDAY FRASER MUNRO  
CHARTERED ARCHITECTS & PLANNING CONSULTANTS



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1. Introduction
2. Bid and MIR Summary
3. Main Issues Report and SEA Comments
4. Housing Land Strategy
5. Sustainability
6. Conclusion

Appendix 1 – LDP Bid Submission



# HALLIDAY FRASER MUNRO

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## 1. Introduction

- 1.1. This report has been prepared by Halliday Fraser Munro, Chartered Architects and Town Planning Consultants, on behalf of Mr J McIntosh. It is written in response to the Aberdeenshire Local Development Plan Main Issues Report 2019 (MIR).
- 1.2. At the 'Call for Sites' stage in March 2018 a development bid was submitted for the land at Sunnyside to the southwest of the village of Kinmuck. This included justifications for the allocation of the site in the LDP including a concept development layout.
- 1.3. This representation specifically relates to MIR site:
  - GR118 – Land south west of Meadow Croft, Kinmuck for up to 15 new homes.
- 1.4. This report seeks to provide a reasoned and evidence-based justification for the allocation of the site within the proposed plan. Key considerations identified in this report include the specific merits of the site as a viable and deliverable development opportunity, key concerns relating to the officer's assessment of the earlier BID submission and highlighting concerns to the Council's preferred approach to their housing land strategy and policies going forward.

## 2. Bid and MIR Summary

- 2.1. Bid GR118 is not currently a 'preferred' development option. The Officers' view and associated issues will be examined in more detail in section 3 of this report, however we are particularly concerned that there is a reluctance to allow for appropriate development in rural parts of Aberdeenshire, despite the strong demand for new housing development in the area and slower than required rates of housing delivery across Aberdeenshire.
- 2.2. The site at Sunnyside provides the opportunity to deliver a proportionate and organic expansion of the existing hamlet and an excellent opportunity to deliver a high-quality residential development, ideally located to meet local housing needs. Kinmuck is a small established settlement near Inverurie in the Garioch area of Aberdeenshire. It is characterised by mature deciduous trees lining the main street and the category 'B' listed Friends Cottage. Predominantly, the village has grown in a linear nature over time. The bid site is an area of flat land between the main road and agricultural land to the south of the village immediately adjacent to the Kinmuck settlement boundary. The bid site is located in close proximity to the core path running through the settlement. Access to the site would be taken from the road to the north of the site via an existing and consented access point.
- 2.3. The MIR *"aims to support a long-term sustainable pattern of development that balances needs and aspirations for development in rural areas."* It identifies that *"there will be*



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*particular limited situations where development cannot be directed to settlements and will need to occur in the wider countryside. Where the latter is promoted it is essential that development does not cause an adverse impact, such as suburbanisation of the countryside or contribute towards social isolation.” Policy R2 aims to “support a long-term sustainable pattern of development that takes a measured approach to development in rural areas, generally directing development to our towns and villages and restricting development in the wider countryside to a small number of circumstances in order to meet local needs.” We believe that this should also be viewed in the context of Kinmuck’s location within a defined Strategic Growth Area and the Aberdeen housing market area. We believe that the Kinmuck extension would not cause any adverse impact, would not result in suburbanisation of the countryside but rather form a sustainable expansion of an existing hamlet and would thereby contribute to social inclusion by providing essential new housing in that context.*

### 3. Main Issues Report and SEA Comments

3.1. In this section we consider the officers summary and assessment of the BID which states:

*“The proposed site is situated adjacent to the settlement boundary. The settlement lacks facilities and drainage infrastructure is constrained. The proposal constitutes an underdevelopment of land and it is considered that the site is capable of accommodating up to 30 homes, a scale of development that would be difficult for the existing settlement to absorb. The site is situated within the Health and Safety Executive’s pipeline consultation zone and may negatively affect nearby B-listed buildings.”*

3.2. The submitted bid (attached as Appendix 1 to this report) considered the character and context of the site and Kinmuck. It also identifies some planning history to the site and the development history of the existing settlement.

3.3. We consider the site to be in a sustainable location that benefits from rural services as well as having close proximity and access to Inverurie with its strategic rail and road network connections and range of local services and facilities. In terms of local facilities, the primary school (Keith Hall) is approximately 1 mile to the northwest. The need to travel long distances to access jobs, services and facilities therefore can be minimised. This is important, given people want to live and work in small rural communities. Supplement this with modern communication technology and it’s easier than ever to make that a real and sustainable lifestyle opportunity; we understand that Kinmuck benefits from superfast (fibre) broadband connectivity. The overall scale of development in these areas is therefore limited and the associated impact will also be limited. For example, 15 houses here would have a very limited impact on trips made by private car compared many of the larger allocations in Aberdeenshire. In considering impact the Council should take a proportionate approach and support more small rural communities. This is especially true of smaller settlements within the Accessible Rural Area.



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- 3.4. The delivery of this site could also support the ongoing vitality of Kinmuck helping to sustain local population and the services in this rural area. Keith Hall primary school is currently operating at only 66% but the school role is projected to increase gradually in the coming years. We understand that a village pub/restaurant within short walking distance of the site closed in January 2019 demonstrating the fragility of providing such local services in the rural area. The National Planning Framework 3 recognises the need to support vibrant and successful rural areas and to help retain local populations in rural areas to sustain local services. A limited development on the fringe of the existing settlement would complement and be consistent with the patterns of growth in and around the settlements in the area and particularly Kinmuck.
- 3.5. We have noted what appears to be inconsistencies in approach by the MIR as it also includes allocations that adopt a more positive approach to small rural settlements elsewhere in Aberdeenshire that have reasonable access to larger neighbouring settlements and could be considered comparable to the circumstances of the subject site. For example:
- Keithhall – 32 homes supported and 36 reserved – in order to support the local primary school and recognising the site can be delivered without significant constraint.
  - Midmar – 20 homes supported despite being protected land for public open space with the allocation considered to support the local primary school.
  - Millbank – 30 homes supported but the site area reduced as the original bid was too low density.
  - Kirkton of Rayne – 8 homes supported as a logical extension of the village with no significant impact on landscape setting or sense of place. That site is constrained (waste water) but is considered surmountable due to the scale of development. Loss of prime agricultural land is considered acceptable to support the community and provide housing choice in a rural location.
- 3.6. In each of these the extension of a small rural settlement has been seen to be acceptable, often despite constraints. The site's location in the Countryside should therefore not be a justification to discount it. Most of the land area in Aberdeenshire is countryside and other bids have been supported within the countryside with similar contexts.
- 3.7. Regarding the officer's concerns on drainage infrastructure, we believe that private treatment would be possible/ viable. In relation to the last housing development to take place in Kinmuck at Carpenters Croft, correspondence from Scottish Water confirmed that Invercarnie Water Treatment Works had capacity to service that proposed development in 2015. SEPA, in relation to the same application, approved a new wastewater outfall to the Newmill Burn serving the 7 new properties and 5 existing properties. Waste water in that instance was to be treated by a proposed Klargester NG BioDisc via a partial soakaway prior



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to discharge to the Newmill Burn. The intention would be for provision of sustainable flooding and drainage infrastructure on the site including rain gardens which will be designed into scheme. However, if further mitigation is required the landowner is in control of a much broader land area around the site which could allow for connections either to a ditch to the south of the site or to the Denmill Burn. This would allow for offsite solutions to be found if required to ensure drainage issues could be addressed and mitigated and the full engagement with SEPA and Scottish Water would take place to identify and mitigate any concerns around drainage and wastewater treatment for the new development.

- 3.8. We have serious concerns on the officer opinion that the site can accommodate up to 30 units. The application by officials of very generalised density assumptions seem to set aside the rural nature or character of the settlement or the individual circumstances of the site. The development concept layout submitted within the Bid document at Appendix 1 has been carefully considered against a range of issues and is thoughtful and realistic in its design solution for the site which could accommodate up to 15 units. This includes making allowances for onsite drainage, internal roads and open space provision to address the setting and proximity to the nearby listed building. The layout also provides an indicative mix of terraced, semi detached and detached homes that would be fully in line with the context of the settlement and provide choice of housing. The landowner has also expressed an interest in making plots available for self or custom build units for people looking to build their own homes. Plot sizes shown on the indicative layout (Figure 1) are also shown to be smaller than other recent developments that are less sensitive to the settlement context. Therefore, we do not believe it is fair or relevant to reject the allocation of this site on the basis of a generalised and flawed application of densities that do not account for the local setting or character of Kinmuck.



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*Figure 1 - Indicative development layout in context of Kinmuck*

3.9. The concerns around the site being situated within the Health and Safety Executive’s pipeline consultation zone could be addressed at a detailed design stage. We made an enquiry with HSE to identify the site and to understand the location and nature of the pipeline consultation zone further as shown on Figure 2. The Council’s own planning advice (1/2017) acknowledges that “While a consultation zone is regarded as a constraint to development, a development proposal may be approved even if it is within a consultation zone, providing that:

1. full account has been taken of the advice provided by the Health and Safety Executive, and the facility’s owners and operators; and
2. it is demonstrated that there will be no increased risk to public safety.

The means by which this constraint can be overcome will depend on the level of risk posed to people, such as:

- the proposed use;
- the siting of buildings in proximity to the hazardous installation;
- cumulative impact (i.e. more of the same use within a consultation zone).”





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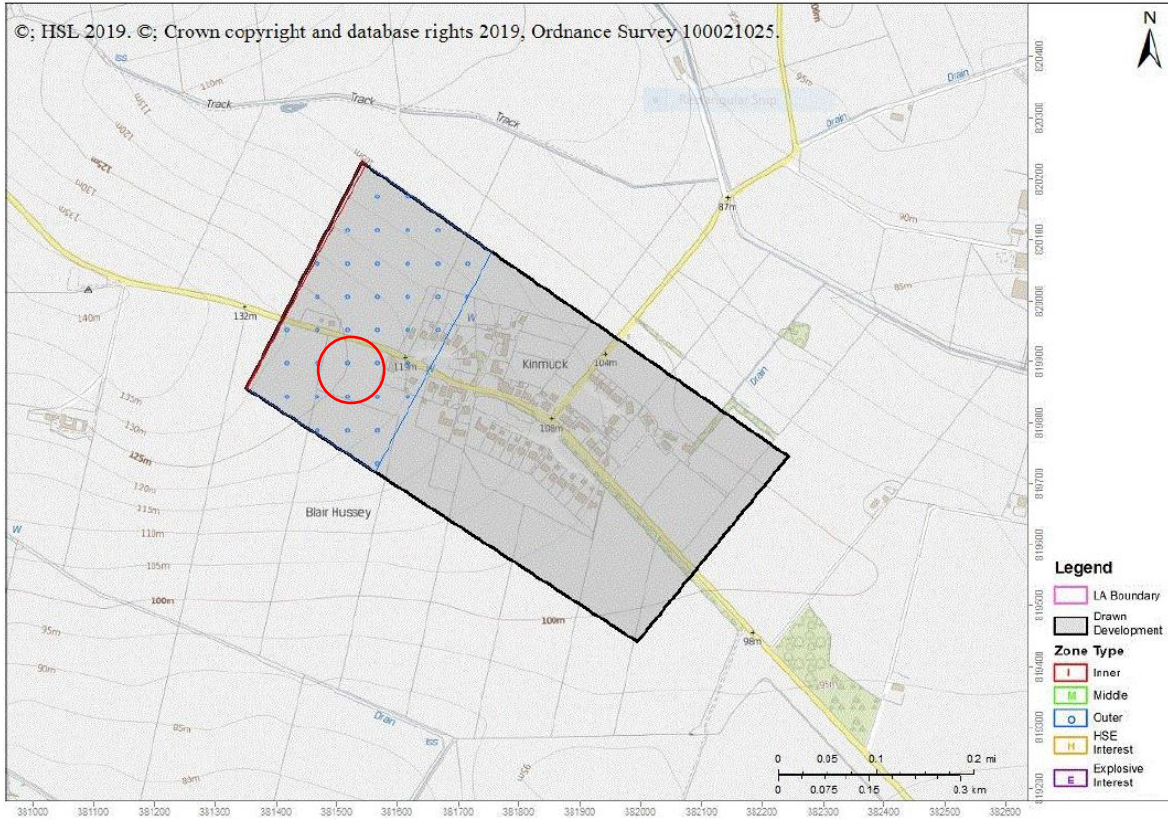


Figure 2 – HSE's Planning Advice Web App Enquiry – site (marked with red circle) identified in the outer zone



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**Decision matrix**

35. Having determined which consultation zone a Development Type falls into, after applying the straddling rule if necessary, and the Sensitivity Level of the development, the following matrix is used to decide HSE’s advice.

Level of Sensitivity	Development in Inner Zone	Development in Middle Zone	Development in Outer Zone
1	DAA	DAA	DAA
2	AA	DAA	DAA
3	AA	AA	DAA
4	AA	AA	AA

**DAA = Don't Advise Against development**

**AA = Advise Against development**

Figure 3 - HSE land use planning methodology – decision matrix

DEVELOPMENT TYPE	EXAMPLES	DEVELOPMENT DETAIL AND SIZE	JUSTIFICATION
<b>DT2.1 – HOUSING</b>	Houses, flats, retirement flats / bungalows, residential caravans, mobile homes	Developments up to and including 30 dwelling units <b>and</b> at a density of no more than 40 per hectare – <b>Level 2</b>	Development where people live or are temporarily resident. It may be difficult to organise people in the event of an emergency
	<b>Exclusions</b>		
	Very small developments including infill and backland developments	<b>DT2.1 x1</b> Developments of 1 or 2 dwelling units – <b>Level 1</b>	Minimal increase in numbers at risk
	Larger housing developments	<b>DT2.1 x2</b> Larger developments for more than 30 dwelling units – <b>Level 3</b>	Substantial increase in numbers at risk
		<b>DT2.1 x3</b> Any developments (for more than 2 dwelling units) at a density of more than 40 dwelling units per hectare – <b>Level 3</b>	High-density developments

Figure 4- HSE land use planning methodology - development categories



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- 3.10. It is clear from looking at HSE information (see figures 2, 3 and 4) that other new development on the site would be possible in this location as it is defined as a Level 2 development within the outer zone where HSE don't advise against development. Certainly any proposed development would be prepared in consultation with the Health and Safety Executive in line with their guidance and requirements. Therefore, although the site has been identified as within a pipeline consultation zone the potential safety impacts should not be a constraint to a development.
- 3.11. Regarding potential impacts on the setting of the B-listed Friends Meeting House and Friend's Cottage adjacent to the site. We believe that through careful design, impacts on the setting of the listed building can be addressed. The layout on the concept diagram (Figure 1) for the site submitted in the Bid document identified green space and landscape allowances to provide visual separation between the new build elements of the site and the listed building. Development on the site will protect the setting of the listed Friend's Cottage with sensitive design and strategic landscaping ensuring that this is not a constraint to the development of the site. We therefore believe that this can be meaningfully addressed at the detailed design stage and should not preclude allocation of the site in the LDP.
- 3.12. The Strategic Environmental Assessment (SEA) identifies potential negative effects on water and cultural heritage post mitigation. A number of these elements are already addressed earlier in this representation. We believe that through careful design, impacts on the nearby listed building can be appropriately mitigated and a robust and quality landscape solution could be adopted for the site to create a quality and attractive entrance to the village. Equally, with regards to water treatment, drainage and environment concerns we believe that there are suitable drainage solutions that could be adopted in and around the site to address those concerns as outlined in paragraph 3.7 of this report.

#### **4. MIR Housing Strategy Response**

- 4.1 On a macro scale the strategy adopted by the Aberdeenshire Council Main Issues Report (MIR) for the scale and location of housing allocations does not reflect the facts or the character of the region. We understand why larger allocations are located closer to services and better public transport but a general removal of allocated opportunities for limited housing around existing rural settlements is not supported. The justification for the lack of allocated small sites seems to be based on two elements – sustainability and a lack of requirement to allocate additional sites.
- 4.2 The housing strategy contained within the MIR relies heavily on existing allocated sites, a generic densification across sites within the AHMA and some limited small-scale allocations across the area to meet expected Strategic Development Plan (SDP) housing requirement. This raises serious concerns on the range and scale of housing that can be delivered on the back of that do-minimum strategy, the practicality of delivering significantly increased densities on



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certain sites, and the relationship between that strategy, the SDP in its final form when approved later this year and national policy on delivering more housing more effectively.

- 4.3 The MIR itself, in respect of Policy H1, indicates that it sets out to comply with Scottish Planning Policy (SPP), "... especially paragraph 110 that requires development plans to identify a generous supply of land across all tenures and to maintain at least a 5-year supply of effective housing land at all times". More specifically the MIR is very clear that "a sharp focus on delivery is required" (p19). There is clear developer industry concern that the Plan as proposed does not provide that sharp focus and will not improve housing delivery across Aberdeenshire.
- 4.4 SPP 2014 relates closely to the requirements of the National Planning Framework 3 which aims to facilitate new housing development, particularly in areas within Scotland's cities network where there is continuing pressure for growth. Figures from the 2018 Aberdeenshire Housing Land Audit show that effective supply and combined housing land supply in the area are lower than anticipated (22,172 compared to 22,994 suggested in the MIR). This equates to over 800 units and it is therefore recommended that additional sites should at least be allocated to address this shortfall.
- 4.5 We are concerned that the blanket approach proposed by the Council to increase densities across allocated and preferred sites is often unrealistic and creates an artificially inflated housing land supply. The principle of the development bids was such that those making the bids considered their sites in some detail, considered context and constraints and, in some cases, provided indicative layouts that took all of these into account. Increasing densities across the board in that scenario is unlikely to be achievable and can only suggest, at best, a maximum development capacity which ignores context and site-specific circumstances. The actual development capacity is likely to be significantly less. This, therefore presents an unrealistic housing supply figure which overplays the impact of increasing densities as a policy response.
- 4.6 A review of housing trends across the last four HLAs in Aberdeenshire identified evidence of:
- Housing delivery on currently allocated sites falling below medium-term HLA predictions;
  - Over-optimism on housing delivery that becomes less accurate the further in the future it predicts; and
  - A need therefore for a greater supply and range of housing allocations to supplement existing allocated sites and help deliver more housing over the life of the Plan.
- 4.7 The proposed uplift in site capacity by increasing the site density on bid sites amounts to approximately 550 houses, an almost 50% increase in housing numbers over those that were proposed. We are concerned that such increases would be unrealistic. On reviewing these bid sites and the indicative bid layouts, it is unclear how the additional houses could be accommodated across these sites. It is also inappropriate that the work undertaken by prospective bidders has been set aside. This uplift in numbers is considered to be undeliverable, resulting in an artificially inflated housing land supply and consequently an artificially low set of housing land allocations. In that scenario the MIR housing allocations will



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not meet the requirement of the Strategic Development Plan. Between these basic criticisms of the MIR approach there seems to be a potential shortfall of around 4,000 homes based on:

- Difference in effective housing land supply between 2016 Housing Land Audit and 2018 Housing Land Audit = 800 homes;
- Shortfall in projected actual housing delivery when compared to historic trends in HLA medium-term predictions i.e. a realistic view of what will be achieved = 2,765 homes; and
- Impracticality of delivering the MIR proposed theoretical increase in housing density = 550 homes.

4.8 Even accepting that these figures are estimates there is clear evidence that the proposed MIR allocations are very unlikely to provide the sharp focus on delivery that the MIR sets out to achieve. The area clearly needs other credible development options if the Council is serious about addressing housing delivery shortfalls and meeting housing requirements in the area as required by NPF3, SPP and the Strategic Development Plan. The only solution as we see it is to allocate additional sites across the region, including within the Accessible Rural Areas and Aberdeen's Housing Market Area.

4.9 It is also of concern that the Council has added to the Chapelton new settlement allocation with a suggested Strategic Reserve allocation of an additional 4,000 new homes. This has implications for the delivery of housing across the whole Housing Market Area. The intention of this Strategic Reserve is of course to supplement housing supply should it slow down. However, allocating more houses on this large single site that is already failing to deliver will evidently not help address the continuing shortfalls in housing delivery across Aberdeenshire. The 2018 HLA shows that Chapelton only delivered 19 housing units for the year with no affordable housing delivery. Future HLA predictions, based on an average of around 80 units per annum being delivered as identified in the Aberdeen City and Aberdeenshire Housing Land Audit 2018, would take around 50 years to build out that development. Adding more housing allocations, strategic or otherwise, to Chapelton will make no difference to housing delivery possible until after 2070.

4.10 It would therefore seem that the ongoing reliance and concentration of development on Chapelton for the future of new homes at the pace required is inappropriate, as is the blanket approach to increasing site densities in the area. The area clearly needs other credible development options if the Council is serious about addressing housing delivery shortfalls and meeting housing requirements in the area as is required by NPF3, SPP and the Strategic Development Plan.

## 5. Sustainability

5.1 On sustainability the MIR strategy is simplistic. It relates sustainability to location and the need to travel to access services. Historically that approach may have had some credence but as the need to travel to access services becomes less important (with the advent of online services – banking, telephone and online medical consultations, viable tele-conferencing over the



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internet, high speed broadband and flexible working) the locational need is less important. Kinmuck for example benefits from access to fibre broadband services. Historically too the locational aspect of sustainability related to the use of the private car and substantially on its contribution to environmental pollution and congestion. Automotive technology has also moved on and with the advent of electric and hybrid cars short journeys can be supported on a non-polluting basis. Even petrol and diesel cars are significantly less polluting than in the recent past. Location then is less of a concern where the opportunity for this more sustainable lifestyle is available. In Aberdeenshire the Accessible Rural Areas provide this opportunity as the drive-time distances are less, as demonstrated in Table 1, to major centres and access to high-speed broadband is simpler. The Proposed Plan should rethink its strategy on these accessible rural areas and support housing allocations in or adjacent to settlements where the scale of the allocation is appropriate.

Destination	Travel time by car (minutes)	Travel time by bicycle (minutes)
Inverurie town centre	8	20
Inverurie railway station	10	19
Keith Hall Primary School	3	8
Port Elphinstone town centre	8	24
Inverurie Academy	9	25
Thainstone Business Park	10	25
Souterford Business park	10	20

**Table 1 – Example Travel times from Sunnyside, Kinmuck**

## 6. Conclusions

- 6.1 The site at Sunnyside in Kinmuck presents the opportunity to deliver a small-scale development appropriate to the rural setting. Perceived technical constraints associated with the site can be addressed through careful design and engagement with relevant authorities.
- 6.2 The Council's MIR strategy in relation to housing land relies heavily on the delivery of large-scale and strategic sites. The Council should take a more sensible and proactive approach to housing land allocation by identifying a range of alternative development areas, including in the rural context to help balance the impacts of development in the area, deliver a more sustainable pattern of communities and assist in speeding up the delivery of much needed housing.
- 6.3 Development on the bid site will have a minimal impact but would make an important contribution to meeting housing needs in Kinmuck and helping to sustain the local populations and services in this rural setting.