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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

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- Mr Andrew Lawson, Data Protection Officer, Aberdeenshire Council, Business Services, Town House, 34 Low Street, Banff, AB45 1AY

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Which document(s) are you commenting on?	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

Please see attached response relating to:

- KN063 Mains of Luther - site specific response
- Policy R2 – Housing and Employment Uses Elsewhere in the Countryside
- Main Issue 4 – Policy B3 – Tourist Facilities

Your comments (continued)

KN063 – Mains of Luther MIR Response – April 2019

Farm Diversification – Farm Shop/Cafe

1. Introduction

Halliday Fraser Munro lodged an LDP bid for the above site on behalf of Luther Farm Services. That bid included a wider range of uses than is now proposed. During the bid review process Aberdeenshire Council officers have suggested that the site should not be allocated for the following reasons:

- HGV and Coach access and the current junction arrangements;
- Location;
- Economic impact;
- Demand/need for the full set of uses; and
- Reliance on the private car.

An application and planning appeal related to the original proposals (2018) has helped distil these issues further and ruled out many. The proposal is also now proposed at a significantly reduced scale and the concerns set out above are no longer valid. The proposed altered development now meets fully with the Council's aspirations for sustainable economic development and offers a new opportunity for a high-quality food and drink related tourism development. It is at a scale that respects its context in an Accessible Rural Area. The bid as lodged has now been reduced in scale and site size but still offers an opportunity for a rural-based farm diversification business.

2. Amended Bid

The original bid included a range of uses. These are outlined in the table below together with the proposed new uses:

	<i>Original bid (March 2018)</i>	<i>Revised Bid (March 2019)</i>
Petrol Station	Yes	No
Small Hotel	Yes	No
Rustic Restaurant	Yes	No
Artisan Studio Space	Yes	Yes (significantly more limited)
Farm Shop	Yes	Yes
Café	Yes	Yes
Shop – convenience goods for travellers	Yes	No
Showers	Yes	No
Toilet facilities	Yes (public)	Yes (associated with café)

Table 1 – Comparison of Facilities between original bid and revised proposal

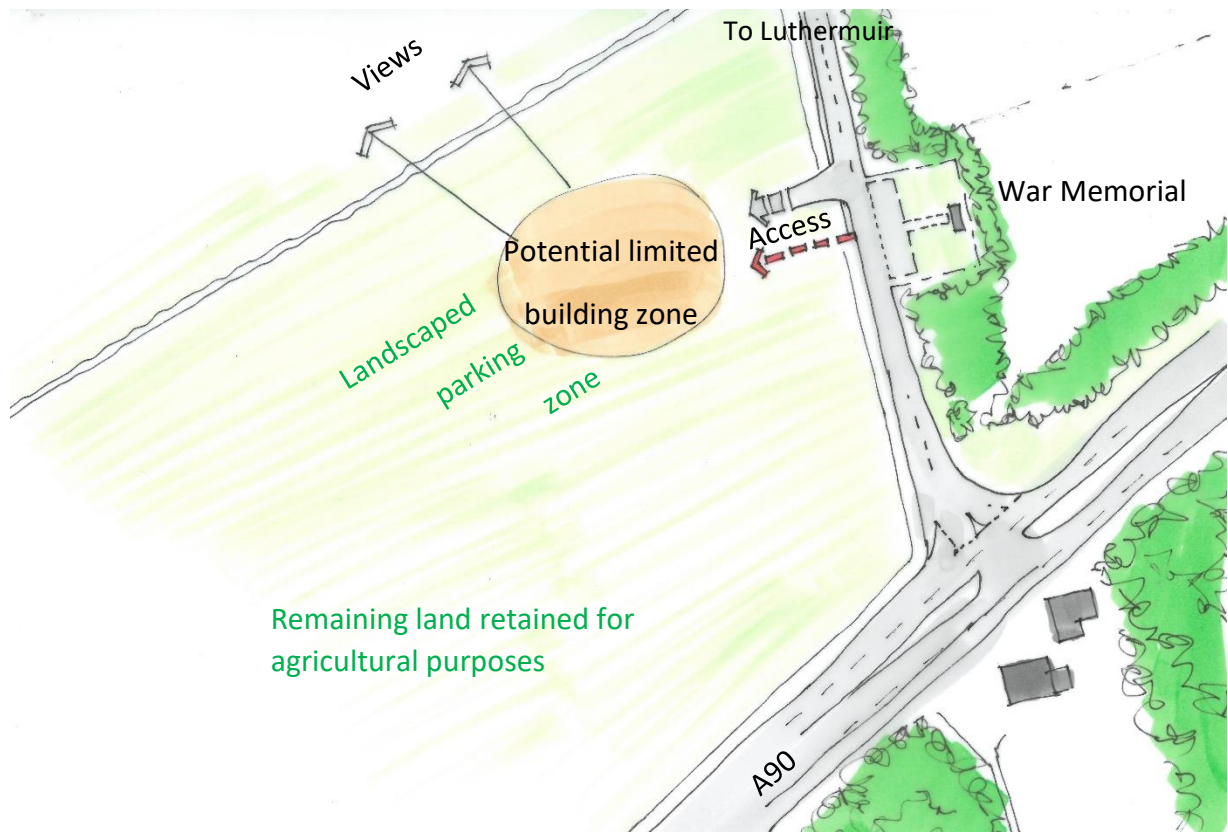


Figure 1 – Indicative Sketch proposal/analysis

The new proposal is now substantially smaller – site size approximately 1.4Ha (3.5acres), (a 75% reduction from the previous proposal) with a consequential reduction in indicative floorspace. It also avoids areas of Prime Agricultural Land.



Figure 2 – Extract from Land capability for agriculture (partial cover) available at <http://soils.environment.gov.scot/maps/capability-maps/land-capability-for-agriculture-partial-cover/> Prime land is shown as light green. Darker green areas are not prime agricultural land. (Note: *The Land capability for agriculture (partial cover) map provides information at a greater resolution than the national map on the types of crops that may be grown in different areas dependent on the environmental and soil characteristics*).

2.1 HGV and Coach access

The revised scale and type of facility now proposed is significantly different from that previously proposed. Any historic concerns over access by HGVs and coaches has therefore effectively been removed as those types of vehicles will simply not be attracted to this type of development. With the new proposed use as a farm shop and café, and with the absence of fuel and convenience food, the attraction for HGV and coaches to use this proposal, is no longer there.

2.2 Location

This site is located in an Accessible Rural Area as set out in the Government's 6-fold classification for Scotland's rural areas (proposed to be adopted by Aberdeenshire Council in the Proposed Local Development Plan). It is also located on the farm proposing to diversify, close to a local point of interest (the War Memorial), close to Luthermuir and on a rural bus route. It is also located within easy cycle access to a number of local settlements. This is similar to most of the Mearns where accessibility can be limited at times when compared to a very urban situation. It is not, however, appropriate to apply the same very strict accessibility rules to rural areas, a point demonstrated by a

recent planning decisions (e.g. Dowrieburn - APP/2017/1165 and Little Burnthill, APP/2017/3230) and comments by Councillors at recent Area Committees. The MIR strategy of centralisation is effectively abandoning opportunities in rural areas that would support these communities, both socially and economically, into the future.

From/Source	Distance (miles)	Journey Time (minutes)	Source location population
Laurencekirk	6.3	34	2,900
Edzell	8.1	40	900
Marykirk	2.1	12	160
Montrose	6.6	32	12,000
Luthermuir	1.2	6	300
Fettercairn	4	21	440
			16,700

Table 2 – Cycle Accessibility (Source – Google route finder, non-trunk road)

Given the proposed development, this type of accessible rural location is ideal to serve the local area. The scale is also not unusual for this type of development across Aberdeenshire with similar facilities at Castleton, Kellockbank, etc.

2.3 Economic impact

The issue of impact on town centres and other similar local businesses has been examined in detail through the 2018 planning application for the larger proposed development. Councillor officers confirmed that town centre impact (for the larger proposal) and competition with other local facilities were not issues of concern and the latter not a planning issue at all. These were confirmed by the Reporter during a subsequent appeal process. The Kincardine & Mearns Area Committee also discounted these as significant planning concerns when recommending approval of the 2018 planning application and referring it to ISC. Rejecting the bid on this basis is therefore not appropriate.

Given the much smaller scale and differing nature of this new bid proposal these issues are even less appropriate or valid.

2.4 Demand/need for the full set of uses

Need and demand for facilities are not a planning issue and sequential testing only relates to much larger commercial developments. Indeed, VisitScotland gave evidence during the 2018 planning application stating that competition and diversity have positive impacts on the local economy. The Council's adopted Economic Development Strategy also supports diversity, particularly in the food and drink sectors and should be reflected much more closely in the MIR allocations and policies.

The MIR also suggests the proposed hotel at Stracathro and the proposed roadside facilities at Laurencekirk as alternative locations similar to the original bid proposal. Given the reduction in scale, use and format of the proposal at Mains of Luther, these comparisons are no longer appropriate. In any event the proposed hotel at Stracathro does not have consent and the services at Laurencekirk are closely tied to the delivery of the Grade Separated Junction so are many years away.

2.5 Reliance on the private car

This issue is dealt with at 2.2 above. Many of the users of this proposed development will already be on the road network already. 16,000 cars a day travel up and down the A90. A Transport Assessment agreed with Aberdeenshire Council and Transport Scotland officials (during the 2018 planning application) identified that a significant proportion of the users of the then proposed roadside facilities would be passing traffic and only a small proportion of users would create new trips.

This site is, however, accessible by bike and on a bus route and therefore offers choice for future customers. It would not be fully reliant on the private car but would be very similar to other similar tourism facilities in Aberdeenshire where the balance between car accessibility and other forms of accessibility need to be balanced against the positive impacts that tourism and economic development projects can have on the Shire's economy.

2.6 Revised Bid Site Conclusion

The bid has now been reduced in scale and represents a smaller-scale farm diversification scheme that includes a farm shop and café, potentially with some small-scale support to local artisan producers (small pop-up shop). The reduction in scale not only deals with many of the previous concerns and removes any suggestion of access being required for larger vehicles, it also presents a development that will support local farm diversification and the Council's adopted Economic Development Strategy for tourism and food & drink related uses.

The bidder is quite clear that this proposal aims high and will deliver a quality and sustainably focussed development to support local producers and the local economy. It should be identified as an allocation for the proposed uses with the site boundary shown below:



Figure 3 – Proposed Revised Site Boundary

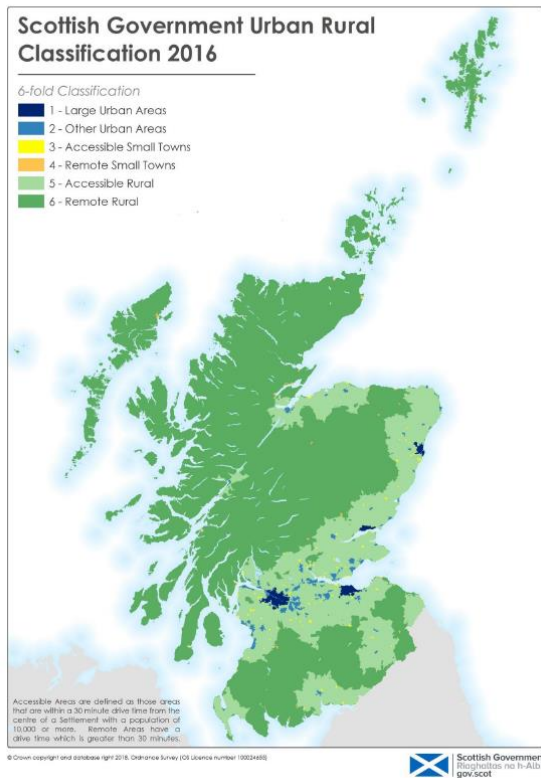
3. MIR Page 12 – Policy R2 Housing and Employment Uses Elsewhere in the Countryside.

The MIR suggests that Policy R2 Housing and Employment Uses Elsewhere in the Countryside is not a main issue. We suggest that it is, especially the balance between supporting rural areas by allowing appropriate development versus the centralisation of services that forces the rural population to travel further to reach services and facilities. This needs greater clarity and a more flexible and balanced approach to development that supports rural settlements and rural businesses, rural jobs and rural opportunities.

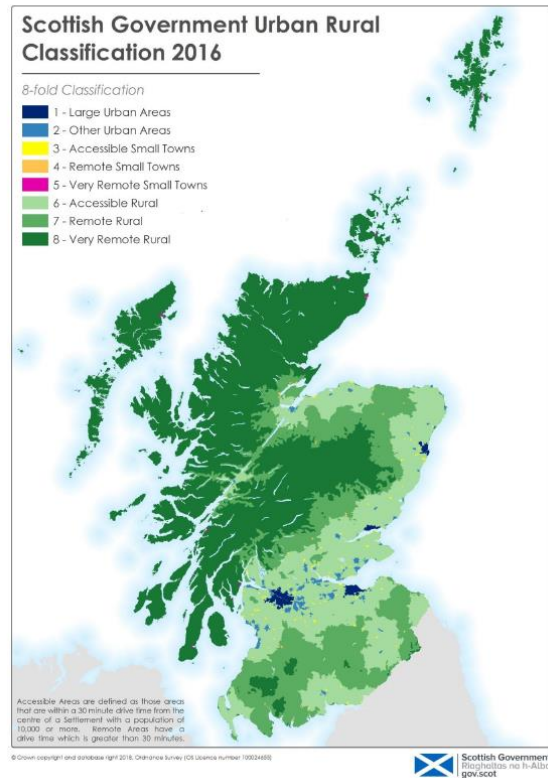
Limited accessibility is not unusual in rural areas but is not a justification to abandon opportunities in rural communities and favour a fully centralised approach to development. People want to live and work in small rural communities and modern communication technology, as well as more sustainable automotive technology, make it easier than ever to make that a real and sustainable opportunity. The overall scale of development in these areas is limited and the associated impact will also be limited. This proposed farm diversification scheme would have a very limited impact on trips made by private car compared to larger allocations in more centralised locations and offer the local community new and improved services, and choice that don't require them to travel longer distances to access these. In considering impact the Council should take a proportionate approach and not rule out continued support of small rural communities just because of their location. This is especially true of smaller settlements within the Accessible Rural Area (see below).

The MIR proposes to adopt the Scottish Government's 6-fold Urban Rural Classification. That classification essentially categorises all areas of Scotland depending on their location and accessibility. The maps ref 2.3 & 2.4 show the 6-fold classification and a more detailed 8-fold classification. Both indicate quite clearly that most of Aberdeenshire Council's area is included within the Accessible Rural classification. Accessible areas are those within a 30-minute drive time from the centre of a settlement with a population of more than 10,000. Luthermuir is well within that accessible area and is located just off of a trunk road junction.

Map 2.3: Scottish Government 6-fold Urban Rural Classification 2016



Map 2.4: Scottish Government 8-fold Urban Rural Classification 2016



In Aberdeenshire the scale of accessible rural areas is significantly greater than the Scottish average at 35% compared to 11.2%. Aberdeenshire’s scale of accessible rural areas is only comparable with island authorities of Nan Eilean Siar, Orkney Islands and Shetland Islands. Aberdeenshire therefore has a unique character on mainland Scotland with small towns and accessible rural areas set around a single large City that provides the main employment, service and civic centre for the region. The area provides good access to services on a wide-ranging basis and proposals such as that at Mains of Luther should be considered within that policy framework.

4. Policy B3 – Tourist Facilities – Main Issue 4

Officers consider this policy to be generally sound but our experience of it is that it is inconsistently applied. It needs clarity on some of the terms it uses such as “well-related to settlements and tourist routes” actually means and needs to be much more closely tied to the Council’s adopted Economic Development Strategy. We don’t agree that all developments need to be within established walking distance of a town boundary as that will rule out the vast majority of the Shire for any form of rural-based tourism or economic development opportunity. The policy as it stands does not provide enough support for bespoke tourism related uses and should be more flexible to help encourage economic development.

We support the alternative option to expand the policy text and include an opportunity for all new tourist developments in locations less related to settlements, not just major new tourist developments. We don’t support the preferred option (keeping the policy as is) or the further alternative option (further prohibition).