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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

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.

Which document(s) are you commenting on?	Main Issues Report	✓
	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.