

## **Submission to Public Inquiry**

### **Outline Planning Application - Menie House**

#### **1. Summary**

The planning details and technical aspects of this application will be well argued by many others. I wish, in this submission, to emphasise the role and decision of the Formartine Area Committee (FAC) in determining this application.

After a lengthy site visit and public meeting on the 27<sup>th</sup> of September, the local area committee determined this application on the 20<sup>th</sup> of November. The committee accepted the planning officer's recommendations and approved the application seven votes to four. This decision then sent the application to the Infrastructure and Services Committee (ISC) for further determination.

#### **2. Site Visit and Public Meeting – Formartine Area Committee 27 September 2007**

On 18<sup>th</sup> September, The Formartine Area Committee deferred a decision on the application to allow a site visit to take place. This was completed on the 27<sup>th</sup> of September and was followed by a lengthy public meeting in Balmedie School. We heard submissions from many interested parties on both sides of the argument.

This included the Belhelvie Community Council who had conducted an extensive consultation with local residents. The Community Council put forward a very balanced assessment of the views they had received but did not make any judgement on the application one way or another. (In fact, they objected strongly when the initial report to the area committee stated that they had objected to the application when they had actually not stated any opinion.)

### **3. Special Meeting – Formartine Area Committee 20 November 2007**

The report to the FAC on 20 November detailed all aspects of the application and in addition highlighted all of the associated problems.

During the debate on the application, the committee added several additional conditions that addressed most of these concerns. Many members took the attitude that all of the problems identified could be turned to our advantage. We could develop opportunities that would advantage both the local and wider Aberdeenshire areas.

For example, we insisted that a new grade separated road junction would service both the resort and the north end of Balmedie village. This would have not only have kept traffic away from existing roads but would have given the village a second access junction which is currently missing from the plans to re-align the A90.

The 500 houses that were proposed was a major issue. Whilst we had no plans for any housing in this area, we were at the time of this meeting also discussing the initial stages of the new Strategic Plan for the area. That plan showed that we had a requirement for upwards of 35,000 houses in Aberdeenshire over the next 25 years. It was suggested during the discussion that this development would go a long towards that target if it gave us the kinds of houses that we required. We therefore insisted that the housing complex would be subject to a developer brief and that it would be a sustainable, mixed community rather than what was referred to as “a gated community of executive houses”.

We insisted that sustainability would feature highly in all aspects of the construction work. Conditions included at least 50% of all power produced on-site, all waste management to be executed on-site, higher than current standards for energy efficiency to be included in all buildings, no soil to be removed from site and no sand to be removed from the dunes.

We stipulated that full public access would be available in accordance with current guidelines.

We specified that both golf courses should be completed within the programme of the project, not just the championship course as originally stated.

In all 62 planning conditions were attached to the application.

The decision that the FAC had to make was a balance between the accepted breaches of many planning policies and guidelines and the potential economic benefit that the development would bring to the area. That balanced judgement meant that the committee accepted the recommendation of the planning officers and approved the application seven votes to four.

It is interesting to note that the 7-4 vote matched almost perfectly stated public opinion at the time. Leading up to the vote by the area committee, submissions were split 24% to 76% against and for respectively. By the time the planning report went to ISC on the 29<sup>th</sup> of November, the split was 35% - 65% and that equates to exactly 4 votes to 7 on a committee of 11 people!

Who says that the democratic process doesn't work?

#### **4. Infrastructure and Services Committee 29 November 2007**

Having been approved at area committee, the application was referred to ISC on the 27<sup>th</sup> of November. The whole debate was re-visited during which several conditions were amended and added to those already attached by the area committee. After a split vote, the application was rejected on the casting vote of the Chairman.

It is my personal opinion that this final decision was wrong.

The council's own Economic Development Priorities to 2011 were approved by the ISC on 12<sup>th</sup> October 2006. This document states among other things that by 2011 Aberdeenshire will - **“Have acquired a world-class reputation for recreational tourism and creative industries.”** Also - **“Have appropriate supply of marketable industrial land ..... to attract businesses from elsewhere.”**

The final paragraph of the decision of the area committee supports those statements:

**“The reason for departing from the Development Plan with regard to the environmental and housing policies as being the extenuating economic circumstances to assist in diversifying the economy and supporting the development of tourism.”**

Having already voted to reject the application, the Chairman of ISC had a different role to play. The wider economic implications for the whole area should have been considered. The decision on the application should have been deferred for further discussion.

Furthermore, it is accepted practice, as I have seen on several occasions in other committees, that in a tied vote situation, the Chairman follows the recommendations of the council's officers.

For either of those reasons, the casting vote of the Chairman was incorrect.

## **5. Summary**

The decision of the Formartine Area Committee on 20 November was a balanced and considered view. The decision reflected almost perfectly, stated public opinion in terms of the representations received by the Planners at that time.

In terms of local democracy, the final committee vote of seven to four in favour of supporting the planning officer's recommendation to approve the application was absolutely correct.

The judgement between economic development and planning policy guidelines is what this inquiry is all about. I just wanted to emphasise that the most local committee associated with the decision making process made their opinion quite clear and that should not be ignored in the wider picture of this inquiry.