

RMB DEVELOPMENTS LTD, ANDERSON & SPENCE

Development Bid for Land at Northern Road, Kintore



November 2008

Ryden Property Consultants
25 Albyn Place
Aberdeen
AB10 1YL
Tel; 01224 588866
Fax; 01224 589669

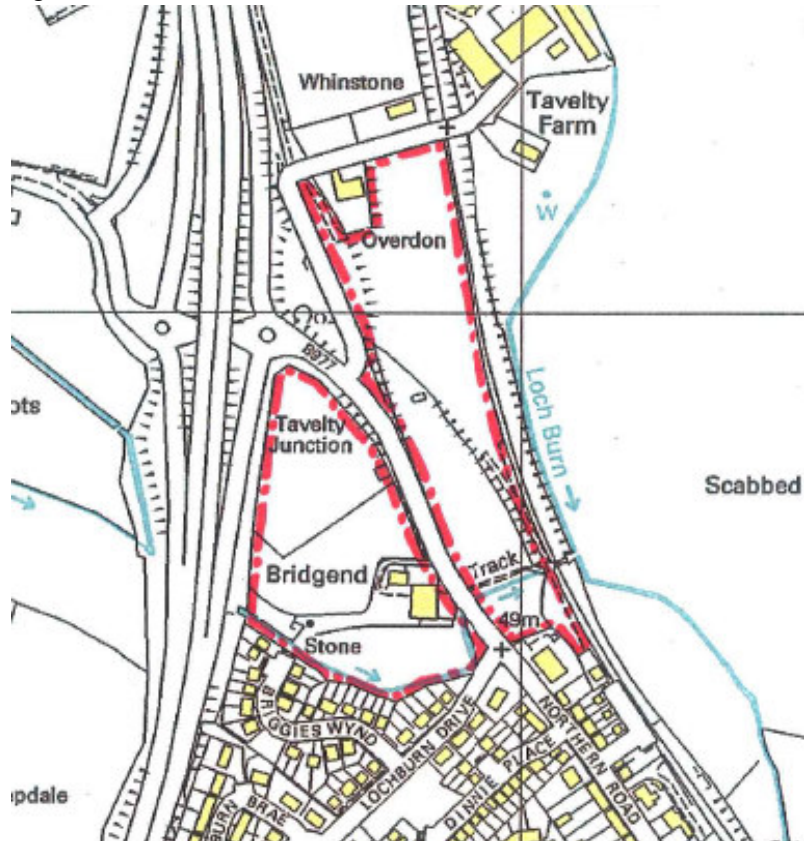
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1.0 INTRODUCTION

1.1 This development bid is submitted in response to an invitation by Aberdeenshire Council to come forward with development proposals for consideration for inclusion within the next Aberdeenshire Local Development Plan. The land which is the subject of this development bid lies to the north of Kintore, straddling the former A96, Northern Road. The two areas of land between them total approximately 8.9 hectares.

Figure 1; Site Location Plan



1.2 The development bid is submitted on behalf of RMB Developments Ltd, Mrs T Anderson, Mr & Mrs A Anderson and Mr Spence. RMB Development's interests lie to the west of Northern Road whilst Mr Spence's interests lie to the east. Mrs Anderson owns land on either side of Northern Road. Jointly, they are seeking to promote the entire area for residential development.

1.3 The site is identified in the extant Aberdeenshire Local Plan as falling within the defined settlement boundary of Kintore. It is currently identified as a site

suitable for appropriate employment use. A footnote to the Local Plan advises that it may accommodate mixed use, including residential, subject to a Masterplan. A project area is also identified within the site to provide a transport interchange related to a new rail halt. A planning application for mixed use development on the site remains pending.

- 1.4 It is considered that the site should now, more appropriately, be identified for residential development. Circumstances have changed significantly in the intervening period since the adoption of the Aberdeenshire Local Plan and it is respectfully requested that the site be identified for residential development in the forthcoming Local Development Plan.

2.0 CONTEXT AND DESCRIPTION OF SITE

- 2.1 Northern Road, Kintore as the name would suggest, lies to the north of the town, straddling either side of the former A96 (Northern Road). The land is broadly triangular in shape, being formed by the existing built up area to the south, the A96 dual carriageway to the west and the Aberdeen to Inverness rail line to the east.
- 2.2 Kintore lies some 15 miles to the north west of Aberdeen. It is a popular town within commuting distance of Aberdeen and as such, has been the subject of significant new residential development in recent years. Much of that development, particularly to the north west of the site has only recently been completed.
- 2.3 Concomitant with the expansion of residential development significant employment land has also been developed and much of this lying to the south east of the town has been taken up. A new primary school and other facilities have been constructed as part of the ongoing development and the town centre contains a range of shops and businesses. The town enjoys good road links with its larger neighbour, Inverurie, and with Aberdeen, all of which are linked by the A96 dual carriageway. Frequent bus services also operate between Inverurie and Aberdeen via Kintore. A new rail halt and transport interchange is due to be provided to the north of the town at Northern Road as part of the Aberdeen Crossrail Proposals.
- 2.4 The development bid site is sub-divided into two distinct parts by Northern Road, which runs north - south. The land to the west, extending to 3.1 hectares, is bound to the south by the Loch Burn with a residential development immediately beyond that. The west and east boundaries are

formed by the A96 slip roads and the B977 Northern Road, which tapers to a point at the northern most limit of the site. An existing farmhouse, steading building and cattle court lie to the south east of the site. The farmhouse and steading was listed as Category "C(s)" on 11 June 2004.

- 2.5 The land to the east of Northern Road extends to approximately 5.8 hectares. It is bound to the south by commercial premises currently operating as a garage; to the east by the Aberdeen to Inverness railway line; and, to the west by Northern Road and its continuation northwards along the old A96. To the north it is bound by a private Nursing Home and by the access road leading to Tavelty Farm. A railway embankment to the east forms the barrier to the River Don flood plain beyond.
- 2.6 Both sites were formerly in agricultural use farmed by the property at Bridgend. However, Bridgend no longer functions as a farm following its isolation from its wider land holding by the A96 dual carriageway. The land is presently let to a neighbouring farmer on a short term tenancy, but its detachment from the main agricultural units severely limits its value. None of it is prime agricultural land. Indeed, part of the site to the east was formerly railway sidings and is now only used for occasional grazing purposes.
- 2.7 In topographic terms the site to the west rises very gradually from the Loch Burn towards a relatively flat plateau beyond Bridgend Farm to the north of the site. The only trees on the site are those in the immediately vicinity of Bridgend. The site to the east of Northern Road is formed by a long narrow triangle. At the south the land falls from the garage towards Loch Burn. Beyond the burn to the north the land is relatively flat and prone to flooding before rising to the east and north. The railway is in a slight embankment to the south of the site, but drops to a lower level towards the north. An embankment bounds the north of the site rising steeply to the public road and overbridge leading to Tavelty Farm.

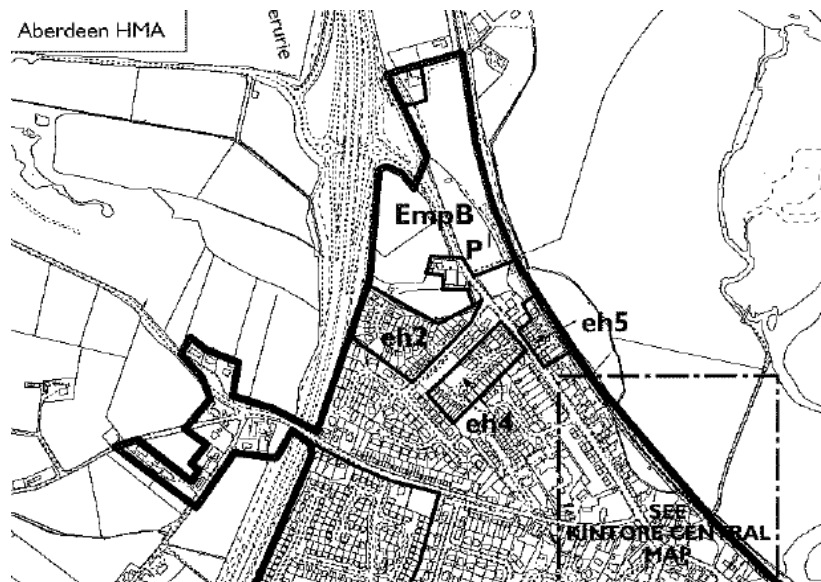
3.0 PLANNING HISTORY

- 3.1 The principle of developing this land has long been established. Indeed, the land was previously safeguarded in the Consolidated Aberdeenshire Local Plans for future development. At the Inquiry into that Plan, Stewart Milne Homes argued for its inclusion as a housing site. The Reporter accepted that the land was suitable for future development, but concluded that it should continue to be safeguarded for development as the Structure Plan housing allocation to Kintore at that time had been taken up. The nature of that

development was unspecified and discussions were embarked upon with the Planning Authority prior to publication of the finalised Aberdeenshire Local Plan in order to secure a favourable designation.

- 3.2 Those initial discussions related only to the land owned by Mrs Anderson and an application was subsequently lodged for 14 units on land adjacent to Bridgend Farm. Following submission of that application, discussions continued with the Planning Authority in respect of the wider area and that culminated in the preparation of an indicative land use plan in March 2002, prior to the publication of the finalised Local Plan in August 2002. Notwithstanding the fact that the majority of the site was identified for residential uses, Planning Officials chose to identify the site in the finalised Local Plan for employment uses. This was despite that fact that at the time there was no apparent demand for additional employment uses following the identification of land to the south of Kintore.

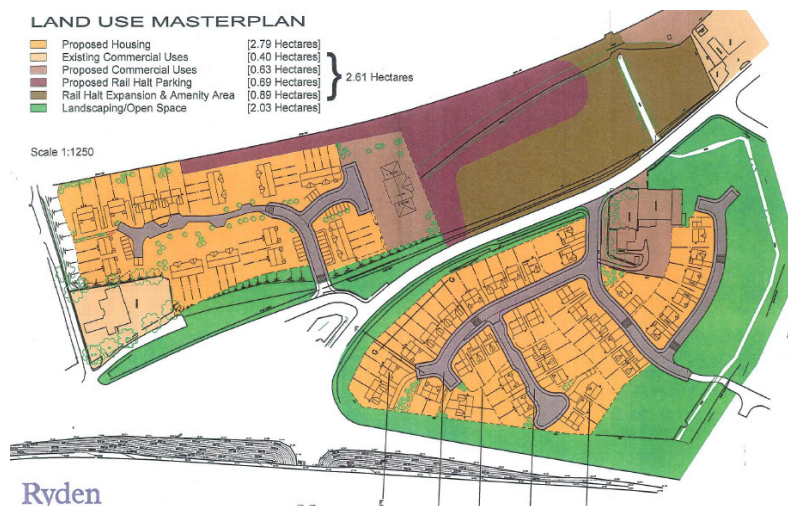
Figure 2: Extract from Aberdeenshire Local Plan



- 3.3 The land owners and the preferred developer of the land at Northern Road, Kintore took objection to the designation of the land as Employment Site B within the finalised Aberdeenshire Local Plan. Whilst they welcomed the inclusion of the site within the settlement envelope, their primary objection was to the employment designation imposed on it.

- 3.4 It was argued that there was no demand for employment uses on this site, as there as already adequate provision of employment land within the Inverurie corridor. In addition, due to the high profile and its location on a main gateway into the town, it was contended that this land was inappropriate for employment uses and that the designation in the Plan should identify the preferred use as residential. Aberdeenshire Council subsequently modified the Local Plan to acknowledge that the site could accommodate a mixed use development, including residential, subject to a Masterplan. Accordingly, the objection was withdrawn on this basis.
- 3.5 A planning application was subsequently lodged by the preferred developer, Stewart Milne Homes, in December 2003. Following analysis of the flood risk assessment and discussions on land use issues, amendments to the planning application for the proposed development were submitted in late November 2004. The amended proposals comprise 93 houses covering the sites on either side of Northern Road extending to approximately 2.79 hectares. A further 2.61 hectares was made available for commercial uses and rail halt parking with the remaining 2.03 hectares set aside for landscaping/open space provision. A copy of the masterplan is provided below at figure 3.

Figure 3: SMH Indicative Masterplan



- 3.6 Aberdeenshire Council's Garioch Area Committee, at their meeting in July 2005 subsequently resolved to delegate approval of the application to the Head of Planning & Building Control subject to, among other things, the conclusion of a Section 75 Agreement and the satisfactory conclusion of negotiations

regarding the rail halt location and the working area for construction. That permission remains unissued.

4.0 DEVELOPMENT PLAN CONSIDERATIONS

- 4.1 The extant Structure Plan, approved by Scottish Ministers in 2001 identified Kintore as a key main centre enjoying a third tier position in the hierarchy of settlements with Aberdeen City as the first tier. Kintore was considered a main centre for a balance of rural services, population and employment, and driving force of the local economy. Kintore continues to perform a key role in the replacement draft Structure Plan prepared for the City and Shire and published in June 2008 for consultation.
- 4.2 The draft Structure Plan identifies a requirement for around 72,000 dwellings within the Structure Plan area over the next 20-25 year period. Three strategic growth areas (SGAs) are identified, which will be the main focus for development. These areas are expected to accommodate 75%-80% of growth. Around half of new development is likely to be located in Aberdeenshire, with significant development expected to take place in the Huntly to Aberdeen and Aberdeen to Laurencekirk road and rail corridor; and, the Aberdeen to Peterhead corridor. Additional allocations are made outwith these areas, in local growth and diversification areas.
- 4.3 It is envisaged that the identification of SGAs will result in a sustainable and well connected region, fostering the confidence of partner organisations to invest in physical and community infrastructure to meet the growth identified within these areas. The Plan commits to support strategic growth within the area through strategic improvements to public transport facilities to “make these services an even more attractive choice”. Indicative housing allocations proposed for the Inverurie area, to include the settlements of Inverurie, Kintore and Blackburn, are: 1,000 units for the period 2007-2016; 1,500 units for the period 2016-2023; and, 4,000 units for the period 2024-2030.
- 4.4 The “sustainable development and climate change” objective of the Structure Plan aims to reduce the amount of carbon dioxide released into the air, adapt to the effects of climate change and limit the amount of non-renewable resources used. Land is viewed as a finite resource and as such, the draft Plan sets a target for all housing development of over 1 hectare in SGAs to be in line with approved supplementary guidance and generally have no less than 30 dwellings per hectare.

5.0 JUSTIFICATION

- 5.1 It is considered by the land owners that there is no sound reason for the continued allocation of this land for employment purposes through the Aberdeen Local Development Plan. In the period since its initial allocation in 2002 there has been no interest whatsoever expressed in the land for business and industrial, or indeed, commercial use. The planning application submitted by Stewart Milne Homes made provision for employment uses, but this was necessitated by the requirement to comply with the Local Plan rather than satisfy any demand in the area. Since the initial identification of the land in 2002 for employment uses there have been a number of changes in circumstances which would warrant the site's identification for residential use rather than employment use.
- 5.2 Notwithstanding the land owners wishes to see the site reallocated from employment use to residential use, the requirement for a new rail halt and transport interchange continues to be recognised. The land owners remain committed to the provision of this and believe that residential use, particularly high density, would be perfectly compatible with the rail halt and interchange proposals.
- 5.3 The principle of development, including residential, has been firmly established on the site, both through the adopted Local Plan and the subsequent resolution of Aberdeenshire Council to delegate the grant of planning permission to the Head of Planning & Building Standards.
- 5.4 The site occupies an important gateway to the north of Kintore and is considered inappropriate to accommodate employment uses. The A96 dual carriageway to the west is elevated and affords views into the site; traffic entering the town travels through the site and it is contended that if business and/or industrial scale development was sited at this location it would significantly detract from the setting of Kintore. Business and industrial uses would also be incompatible with the Nursing Home to the north and the listing of Bridgend Farm and steading buildings contrary to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. On the other hand, residential development would respect and relate better to those properties in terms of scale and design. This is particularly important in order to safeguard the setting of the listed buildings.

- 5.5 The overriding justification for the allocation of this site for residential use is the requirement for a significant release of land for housing. The priority of Scottish Planning Policy is to release brownfield or infill sites for residential development prior to the allocation of greenfield sites. The site would fully satisfy the criteria of that guidance. Scottish Planning Policy also recognises the need for significant amounts of new housing. The Scottish Government have set a target of 35,000 per annum by 2015. The draft Structure Plan recognises this and highlights a requirement for 72,000 new homes in the period to 2030. To address this will require substantial land release and the land at Northern Road, Kintore is considered a sustainable and attractive location to contribute to this.
- 5.6 Specifically, the draft Structure Plan allocates 6,500 houses to the Inverurie-Blackburn area over the period to 2030. This is in the context of the overall Structure Plan requirement and the Scottish Government commitment to increase build rates by 2015. It will, therefore, require the substantial release of land in the area and the site at Northern Road is capable of accommodating an element of that requirement within the confines of the existing settlement boundary.
- 5.7 The most recent 2008 Housing Land Audit demonstrates a considerable shortfall in the 5 year housing land supply when that supply is measured against the three most recent relevant requirements including the 2007 Strategic Forecasts, Comparison with Table 3 of NEST and past completion rates. When measured against Structure Plan Table 3, the maximum supply is 4.8 years whereas, if measured against the 2007 Strategic Forecasts the supply drops very significantly to 2.7 years. This, taken together with the Scottish Government's objective will dictate the need for a substantial and early release of land.
- 5.8 The scale of land release proposed at Northern Road would provide for a mix of house types, sizes and densities. It could also include affordable housing to meet the requirements specified at the time by the Council's Housing Needs Assessment. Accordingly, there should no impediment to the early release of this land for housing development.
- 5.9 The availability of a range of services and facilities locally, and certainly within the threshold walking and cycling distance specified in PAN75, is a major factor in identifying sites for development. The land identified at Northern Road would meet that criteria and also that of SPP17, wherein public transport provision would be available within 400m walk distance of the site. Indeed, the

site would immediately adjoin a proposed rail halt and transport interchange for which Aberdeenshire Council already hold an element of funding provided by other developers in the Kintore area.

- 5.10 The case for the allocation of this site for employment use was, in any event, always a weak one. As intimated above, no interest was ever expressed to the land owners in the site for business or industrial use. Nor was the Council ever able to demonstrate a demand for employment use at Northern Road. Since 2002 there have also been a number of other sites released for employment use. This includes a site to the south of Kintore at Midmill, lying beyond the existing settlement boundary. A planning application is also pending for additional employment land at Crichton Farm, Inverurie. Both of these sites are more appropriately located to accommodate business and industrial uses.
- 5.11 There is also no justification for the land at Northern Road being retained for retail or commercial uses. Again, no demand has been demonstrated for these uses on this site. The site lies within 500m of an existing convenience store serving the north of the town. The town centre itself, with a range of services and shops is within 1km of the site. It is also relevant to note that planning permission was previously granted for a supermarket at Midmill, Kintore. This would serve new development to the south of the town and discussions with an operator are close to a conclusion. As such demand for additional retail provision in Kintore is now likely to be limited.

6.0 CONCLUSIONS

- 6.1 It is considered that the land at Northern Road, Kintore should more appropriately be designated for residential use through the Local Development Plan rather than employment use. The site occupies an important gateway location and residential development would better respect this. The requirement for the rail halt and transport interchange continues to be recognised by the land owners and residential use would be a sustainable development adjoining that.
- 6.2 Scottish Planning Policy encourages the release of infill sites, such as this, ahead of new greenfield sites. The aspiration of the Scottish Government for increased housing development by 2015 and the requirements of the draft Structure Plan would dictate a substantial and early release of land for housing development. The site is considered to be ideally placed to address some of that need and there should be no impediment to its early release for residential development.

- 6.3 There is no demand for employment use on this site. It is inappropriately located for employment use and would be better placed to accommodate residential development.
- 6.4 On the basis of all of the above, the land owners would respectfully request that this land be considered for inclusion in the forthcoming Local Development Plan as a site for residential use and the provision of a rail halt and transport interchange.

Aberdeenshire Local Development Plan 2008

Proposal for a site to be included in the Main Issues Report

Please use this form to provide details of the site that you would wish to have included in the Main Issues Report for consideration as a proposal for the Aberdeenshire Local Development Plan.

One of the purposes of this form is to inform a public debate on the merits of the different sites being proposed. All information submitted will therefore be made available to the public to promote a transparent and open process.

Please feel free to provide any further information you feel appropriate to support your submission. Please ensure your proposal is with us by 6 November 2008.

N1 Name of proposer: RMB Developments / Anderson / Spence Date:06/11/08
Postal Address: c/o Ryden LLP
25 Albyn Place
Aberdeen
AB10 1YL

N2 Name of landowner (if known): [REDACTED]
Postal address of landowner: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

To comply with the data protection Act1998 this information will not be made public

The site and your proposals

S1 Under what name would you like the site to be identified? Northern Road, Kintore

Have you any information on the internet which promotes your aspirations for the site? If so please provide the URL :

The site name could be descriptive ("Site north of") or an address (Site at Westburn Road , Aberdeen)

S2	Have you provided a map showing the exact boundaries of the site you would like considered?	Please provide the National Grid reference of the site NJ 789 170
S3	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

S4

What is the current use of the site? Agriculture / Vacant Land

Has the land been built upon before (Brownfield Land)? Yes No

Is there any suspicion that the land is contaminated? Yes No

If yes Please provide a statement of the nature and extent of the contamination suspected
Statement attached

S5

What use(s) do you propose for your site?

Residential with Rail Halt and Transport Interchange

If you are proposing a mix of uses on your site please ensure that the area of each is noted on the site plan

S6

Are you proposing to phase your development? Yes No

If you are proposing phasing your development please provide additional details of what is anticipated to be built, and when.

The site is in two parts and could be phased to coincide with provision of the rail halt. Alternatively, it could proceed as a single phase.

S7

If you are proposing housing on the site please provide us with details of what you think would be appropriate, both in terms of the number of dwellings, and their form (Flats, detached houses etc).

A range of house types, density, sizes and tenures could be accommodated.

If you have a design statement or other details about what you would like to see on the site, please include it.

S8

If you are proposing business land please provide us with details of what you would market the land for?

Businesses and offices (Use class 4)

General industrial land (Use Class 5)

Storage and distribution (Use Class 6)

Do you have a specific occupier in mind for the site? Yes No

Please make sure the area of land proposed for business use shown on the site plan.

S9

If you are proposing uses other than housing or business please provide us with as much detail as possible on what you propose.

Land would be available for the provision of a rail halt and transport interchange as part of the "Crossrail" proposals, should Aberdeenshire Council remain committed to the provision of such a facility at this location.

Please continue on additional sheets as required.

The wider area

A1

Please provide a statement on the siting and design of your proposal (how will the development fit in with the wider landscape, or complement the urban design of the area?)

Please refer to attached development bid statement.

If you have a landscape statement, a design statement or other details about what you would like to see on the site, please include it.

Statement attached

A2

If you have prepared any frameworks or masterplans showing a possible layout for the site, please include it with this form.

Framework attached

A3

Have you applied principles of sustainable siting and design to your site? Yes

No

If you have undertaken a site assessment please provide details

Statement attached

The Code for Sustainable homes or WWW.index21.org.uk provides guidance on this issue

Effect on the community

C1

Has there been any opportunity for local people to influence what you propose through local engagement?

Yes

No

Not Yet

If you have undertaken any community consultation please provide details of the ways in which engagement was conducted, its effectiveness and the way in which it has influenced your proposals. Please provide details of any engagement you may propose to undertake.

C2 At least 25% of all housing is likely to be required to be affordable. If applicable, are you considering providing more or less than this? More
25% or Less

C3 What community benefits arise from your proposals? What would the nature of these be, and how would they be delivered?

Development of this land would remove an area of vacant and underused land. It would also enable the provision of a rail halt and transport interchange for the benefit of the wider community.

Community benefits may be material, such as community facilities, or intangible, such as affordable housing or the ability to live locally. Include elements which you anticipate may be required as developer contributions from the development (although specifics will have to be negotiated with the Council on the basis of the development proposed)

C4 How easy is it for people using or living in the development you propose to access services? Are the following facilities within:

	400m	400m-1k	>1km
Local Shops	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community facilities (eg Hall)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sports facilities (eg playing fields)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Employment areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Residential areas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Transport networks	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Other (Please specify)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>

Please tick appropriate box

If you propose to provide any of these as a component of the development itself then please answer "yes". NA=Not Applicable

Servicing the site

C5 Have you undertaken any of the following studies to determine whether your site is capable of being developed, or what might be required by you to make it developable?

Flood Risk Assessment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Traffic Impact Assessment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Drainage Impact Assessment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Habitat / biodiversity Assessment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	NA <input type="checkbox"/>
Other as applicable (eg noise, dust, smell Retail impact etc)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input checked="" type="checkbox"/>

Rather than full studies it may be appropriate to undertake initial assessments to identify the scale of any works that might be required, as this will impact on the deliverability of the proposal. This assessment may be no more than an exchange of letters with appropriate agencies. Information on water and sewage capacity is available online at : http://www.scottishwater.co.uk/portal/page/portal/SWE_PGP_CONNECTIONS/SWE_CORP_CONNECTIONS/ASSET_CAPACITY_SEARCH

C6 What are the access arrangements you propose for the site. Does your site plan clearly show where you propose to access the road network? Yes No

Other information

O1 What other information would you like to be considered in support of your proposal? In order to comply with the Data Protection Act 1998 please do not include any personal information

Please refer to attached development bid statement.

Please return the completed form to the Policy Planning Team, Planning Policy and Environment Service , Woodhill House, Westburn Road, Aberdeen, AB16 5GB or e-mail to ldp@aberdeenshire.gov.uk.

Fair Processing Notice

- The Data Controller for this information is Aberdeenshire Council.
- The data will be used for the following purposes:
 - 1) to inform a public debate on the merits of the different sites being proposed,
 - 2) to evaluate submitted bids
- This data will potentially be disclosed worldwide (via publication on Internet)

By completing and submitting this form, you are consenting to the above processing.