

From: [David Berry](#)
To: [Bruce Strachan](#)
Cc: [Planning Online](#)
Subject: APP/2015/1107 - Land East of Greystone Rd, Kemnay
Date: 11 June 2015 16:33:16
Attachments: [Policy Comments APP-2015-1107.doc](#)

Bruce,

Please find attached, as requested, policy observations on the above planning application.

Feel free to contact me if you want to discuss any of the comments further.

Thanks,

Dave

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POLICY OBSERVATIONS ON PLANNING APPLICATION

PLANNING APPLICATION			
Application Ref:	APP/2015/1107	Target Date:	11 June 2015
Proposal:	Full Planning Permission – Major for Proposed Residential Development (Erection of 66 Dwellinghouses)	More Time:	
		New Target Date:	
Address:	Land East Of, Greystone Road, Kemnay	Date Sent:	11 June 2015
Grid Ref:	E: 373772 N: 815593		
Area:	Garioch		
DM Officer:	Bruce Strachan		

POLICY OBSERVATIONS	
Aberdeenshire Local Development Plan Commentary	
Settlement statement and/or Policy No.	Discussion
LDP Schedule1; New Housing Land Allocations, Table 5	<p>The application site is allocated as site H1 within Schedule 1 of the Local Development Plan for the development of up to 65 houses during the period 2017 to 2023.</p> <p>The general principle of housing development on the site is therefore established. However, there are issues regarding the release of the site for development prior to 2017. These are discussed further below.</p>
Policy 8 and SG LSD1: Master planning	<p>The Settlement Statement Supplementary Guidance for Kemnay states that a Masterplan will be required for the site, and that the site must integrate with the adjoining existing development.</p> <p>A Masterplan has been prepared for the site, and this was agreed by the Garioch Area Committee in September 2014. The Masterplan shows how the site will be integrated with the adjoining development through both pedestrian and vehicular links. The proposed development generally accords with the principles outlined in the Masterplan and therefore satisfies the requirements of policy 8 and SG LSD1 in this respect.</p>
Policy 5, SG Housing 1: Housing Land Allocations, and SG Housing 2: Housing Land Allocations 2017 to 2023 and Early Draw Down	<p>Policy 5 states that Aberdeenshire Council will support the development of housing in line with the spatial strategy of the structure plan.</p> <p>Policy SG Housing 1 states that we will approve new housing, subject to other policies, on land allocated for immediate housing development (2007-2016). It also states that only in exceptional cases, such as where there is an overriding public benefit to be derived from additional development, will approval be given for a number of units more than the site allocation shown in the settlement proposals maps. All such applications will have to be justified by an approved masterplan or design statement which has been through a robust process of public</p>

consultation.

Policy SG Housing 2 states that we expect to release land allocated for housing development for the period 2017-2023 during that period. It goes on to identify that if the housing land audit shows less than 7 years land that is effective, or if a 5 year effective housing land supply is unlikely to be maintained, this will trigger the early release of land allocated for delivery in the period 2017-2023, in locations in accordance with the Structure Plan spatial strategy and the settlement strategy. It notes that, until land is released by this mechanism, we will refuse all applications for its development, other than on a temporary basis.

As outlined above, the application site is allocated for the development of up to 65 houses. The proposed development exceeds the allocation figure, albeit by only 1 dwelling. However, the application site has been subject to a specific Masterplanning process and this has incorporated public consultation. This therefore generally satisfies the expectations of policy SG Housing 1 in cases where a level of development in excess of the allocated number of dwellings is proposed. The development would generally accord with the approved Masterplan and, as a consequence, there would be no overall policy objection on the grounds of the level of housing development proposed in this particular instance.

However, as also outlined above, the proposed development site is allocated for development during the period 2017-2023. Policy SG Housing 2 would therefore not support the granting of planning permission for the proposed development at this time unless there was a shortfall in the housing land supply. The 2014 housing land audit shows that there is no shortfall in the effective housing land supply. Rather, it shows that there is a five year effective land supply amounting to some 11,664 houses within the Aberdeen Housing Market Area. This equates to 6.2 years of the annual requirement when measured against the former Structure Plan, or some 7.3 years when measured against the now current Strategic Development Plan requirement. As such, the proposed development would be contrary to policy SG Housing 2.

Notwithstanding, it may be material to consider the rationale for the phasing applied to this site within the LDP. The site was identified in the 2010 Proposed LDP for development during the period 2017-2023. This was the subject of a specific objection, and a request was made to have the plan modified to identify the site for immediate development during the period 2007-2016. This objection was subsequently considered at the Local Development Plan Examination, when it was concluded that Kemnay Academy would be unlikely to have capacity to accommodate the immediate development of this site. At the time of the Examination, the issue of academy capacity was not expected to be resolved before 2016, and the site was therefore phased for development post 2017 (see para 4, pg 573 of the LDP Examination Report – note that the site is referred to as site H2 in the Examination Report owing to differences between the allocations in the Proposed and Final LDP). It is understood that the education service has not raised any objection to the proposed development, and has confirmed that the now extended Kemnay Academy is capable of

	<p>accommodating the pupils generated from the proposed development. This information is likely to be material in determining whether or not this particular site could be subject to early release as a departure to the development plan.</p>	
<p>NB The above comments relate to the key issues of policy principle in this case. All other relevant policies of the plan also apply. In particular, the requirements of policies SG Affordable Housing 1 (which requires that the development must contain 25% affordable housing), SG LSD5 (which states that 40% of the site should be set aside for public open space), and SG Developer Contributions 5 (in respect of the need for a package of developer obligations) will need to be satisfied.</p>		
<p>Other Observations and Policy Conclusion</p>		
<p>For the reasons outlined above, the proposed development would be contrary to policy SG Housing 2 on the grounds that the site is allocated for development during the period 2017-2023 and there is no shortage in the housing land supply to justify its early release. Notwithstanding, it is understood that the main reason the site was allocated for development during the period 2017-2023 was because, at the time the LDP was produced and subject to Examination, Kemnay Academy was not expected to have capacity to accommodate the pupils generated by the development until after 2016. The position of the Council's Education department in relation to current school capacity is therefore likely to be material to the determination of this application.</p>		
<p>ISC Automatically: YES / NO</p>	<p>ISC for Approval: YES / NO</p>	<p>Departure if Approved: YES / NO</p>
<p>Author: DB</p>		<p>Date: 11/06/2015</p>