

Kincardine & Mearns Area Committee Report 19 November 2019

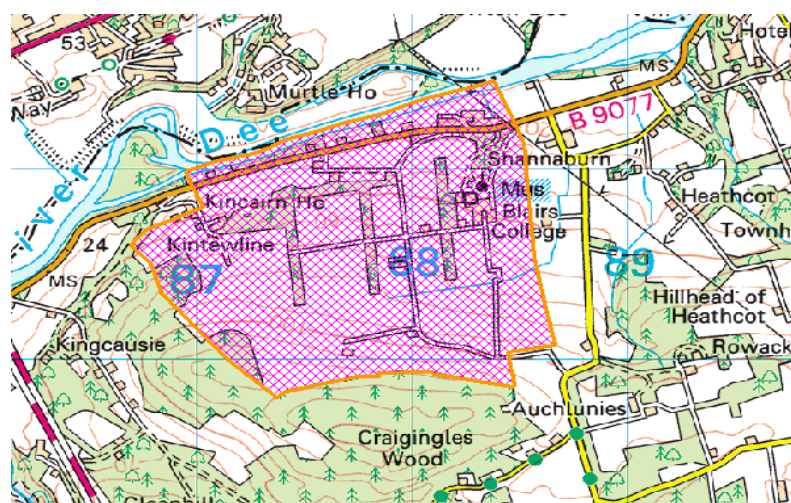
Reference No: APP/2019/1656

Full Planning Permission For Redevelopment of Residential Institution to Hotel Conference Centre and Ancillary Buildings and Steadings into Residential/Holiday Accommodation, Residential Development (220 Dwellings and 60 Affordable Dwellings), Formation of Golf Course, Equestrian Centre, all together with Associated Landscaping and Infrastructure Without Compliance with Condition 1 (Time) of Planning Permission APP/2006/4973 at Blairs College Development, Blairs, Aberdeen, Aberdeenshire,

Applicant: Mr David Scobbie, JW Muir Group Plc, Muir House, Belleknowes Industrial Estate, Inverkeithing, Fife, KY11 1HF

Agent: No Agent

Grid Ref: E:387676 N:800635
 Ward No. and Name: W17 - North Kincardine
 Application Type: Full Planning Permission
 Representations: 10
 Consultations: 2
 Relevant Proposals: Aberdeenshire Local Development Plan
 Map
 Designations: Greenbelt
 Complies with: Yes
 Development Plans:
 Main Recommendation: Delegated Grant



NOT TO SCALE

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1. Reason for Report

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1f of Part 2C Planning Delegations of the Scheme of Governance as there have been valid objections from six or more individuals or bodies with separate postal addresses or premises and in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1g of Part 2C Planning Delegations of the Scheme of Governance as there is an unresolved objection from a consultee.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

2. Background and Proposal

- 2.1 This application is made under Section 42 of the Town and Country Planning (Scotland) Act 1997 and seeks full planning permission for the variation of Condition 1 (Time) of previously approved application APP/2006/4973 related to redevelopment of a residential institution to hotel conference centre and ancillary buildings and steading into residential/holiday accommodation, residential development, formation of golf course, equestrian centre, with associated landscaping and infrastructure.
- 2.2 The redevelopment site area covers approximately 18Ha and starts to the south of the River Dee and runs up into agricultural land further to the south. Planning permission has been granted for a footbridge across the River Dee under application APP/2011/3837. Development is currently underway on the either side of the South Deeside Road, however no houses located further to the south have been developed yet.
- 2.3 A Matters Specified in Conditions (MSC) application was submitted and subsequently approved and this covered all areas of the whole proposed development and included details of all houses, site layout, and associated infrastructure. With the one MSC application submitted, this precludes any further applications to be submitted as outlined in Condition 1 of APP/2006/4973, which states:
- 2.4 *'Application for approval of all Matters Specified in Conditions (MSC) within each respective phase of development shall be made to the Planning Authority within 5 years of the date of this planning permission, or within 3 years of the date of the final approval of MSC in the preceding phase of the development, as identified in the phasing plan to be submitted to and approved by the Council in accordance with Condition 4 of this permission, whichever is the later.*
Reason: Pursuant to Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1992.

- 2.5 This application has been made in order to vary the time constraints of this condition in order to allow for further MSC applications to be submitted, which in turn would be submitted in order to reflect proposed changes to the site. The applicant considers that by allowing further applications to be submitted, MSC applications for different house types can be submitted to reflect the changing market since the time of the previous APP/2013/1291.

Planning history

- 2.6 The original planning permission in principle (PPP) application, APP/2006/4973, was for the redevelopment of a Blairs College to a hotel conference centre and ancillary buildings and steading into residential/holiday accommodation, erection of a residential development, formation of golf course, equestrian centre, with associated landscaping and infrastructure and was granted on 23 November 2010.
- 2.7 An application, APP/2011/3837, was submitted for the construction of a proposed bridge crossing and associated infrastructure and approved by Kincardine and Mearns Area Committee on 05 June 2012.
- 2.8 APP/2013/1292 Matters Specified in Conditions (MSC) for detailed design phase for APP/2006/4973 and was approved on 27 March 2014.
- 2.9 APP/2013/1291 A parallel application for the erection of 44 dwellinghouses, associated infrastructure and landscaping on a site traversing the South Deeside Road (B9077) to the north of the former Blairs College was approved by Kincardine and Mearns Area Committee on 29 October 2013. The purpose of the proposed dwellings was to provide funding to enable the development of the previously approved bridge crossing and associated works.

Supporting information

- 2.10 A supporting planning statement submitted on behalf of the developer, J W Muir Group Plc, advises that this application has been made as a result of unforeseen delays to a start on the Blairs enabling development and further MSC applications would allow for this. The statements outline that the delay in starting development is due to the depressed north east housing market as a result of the fall in the oil price in 2015 and priority given to the building of the houses at Blairs Hamlet, an enabling development for the footbridge across the River Dee.

3. Representations

- 3.1 A total of 10 valid representations (10 objection) have been received as defined in the Scheme of Governance. This does not include multiple representations from the same household which equate to 13 letters in total. All issues raised have been considered. The letters raise the following material issues:

- Footbridge has not been delivered.
- 15 years too long to extend and will have a negative impact on environment, residents and public.
- Longer development takes, the greater disrepair Blairs College falls into.
- Increase in population at Blairs will likely increase likelihood of serious incidents/accidents due to poor traffic calming.
- Question that the housing is for enabling development for the redevelopment of Blairs College.

4. Consultations

4.1 **Business Services (Developer Obligations)** has noted that there is an existing live consent on this site under APP/2006/4973. In this instance, a variation is considered reasonable to secure the existing level of developer obligations and affordable housing. The application will therefore warrant a variation to the existing Section 75 under APP/2006/4973 to incorporate this planning application reference into the legal agreement. This will allow for 'future-proofing' in order that should any further applications be received for change of house types, this single variation will cover such applications.

4.2 **North Kincardine Rural Community Council** object to the application for the following reasons:

- Viability of the original PPP needs to be questioned;
- Query whether the PPP has expired;
- Extension of 5-15 years considered too vague and should relate to specific delivery phases;
- Pedestrian/cycle links delivery appears to be failed to have been met within 3 years of APP/2011/3837;
- Concerned about slow rates of development but developers must be held accountable to meet their obligations.

5. Relevant Planning Policies

5.1 Scottish Planning Policy

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and
- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit

development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

5.2 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

From the 29 March 2019, the Strategic Development Plan 2014 went beyond its five-year review period. In light of this, for proposals which are regionally or strategically significant, or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

5.3 Aberdeenshire Local Development Plan 2017

Policy R1 Special rural areas

5.4 Other Material Considerations

Planning Circular 4/1998 – the use of conditions in planning permissions state that no condition should be imposed unless it meets the six tests: be necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other aspects.

6. **Discussion**

6.1 The main issue to consider in the determination of this application is in essence whether the variation of condition 1 would be appropriate, or whether it should still be applied to the consent.

6.2 As this report considers an application made under Section 42 of the Town and Country Planning (Scotland) Act 1997 to vary condition 1 (time) of

planning permission APP/2006/4973, only matters pertaining to this condition require be considered. The key planning issue is whether it is appropriate to allow this extension of time when regard is taken of any changes to material considerations. The main consideration is whether the proposal is still acceptable under the policy conditions of the Aberdeenshire Local Development Plan 2017 (ALDP 2017).

- 6.3 The principle of development has been previously established and works have commenced on site in relation to APP/2006/4973 and the subsequent MSC application APP/2013/1292. As such, there is no defined timescale in which to complete the entire development by.
- 6.4 The applicant has stated that due to the downturn in the oil industry, this has impacted upon the residential development market. As a result of the current economic climate, the developer considers that by allowing further MSC applications to be submitted the development proposal could be amended to better reflect the current market. The Planning Service considers that by allowing the time condition to be varied on the original PPP application, this would assist in allowing development to continue on the site and delivering development on site working towards the ultimate aim of refurbishing the Blairs College buildings. The layout, siting and design of the proposal was approved in 2014, however the single MSC application precludes any further applications to allow for changes in the development to occur. In the event that this variation is granted, details of any subsequent MSCs would be fully assessed in accordance with the current Local Development Plan 2017.
- 6.5 In relation to letters of representation, a number of concerns relate to the delivery of the footbridge. It is considered that by varying the condition to allow the submission of future MSC applications, this would facilitate in bringing forward the programme of the development which includes the delivery of the bridge. Most importantly, this would also assist in bringing forward the redevelopment of Blairs College. As a result of the number of dwellings consented and reasonable expectations for built-out rates, a timescale of 10 years would be considered pragmatic in this instance. It is highlighted that MSC applications would also be required for the remainder of the development proposals over and above the residential elements. It is noted that no MSC applications for other aspects of the development have been submitted to date.
- 6.6 In light of the scale of the development proposals, the Planning Service considers it appropriate to allow 10 years as a reasonable compromise for the submission of further applications. Further MSC applications would allow for a mix of housing to be developed on the site and would bring the development forward as previously intended. It should be noted that by allowing the time condition to be varied, this would not change the consented number of dwellings. Therefore, although amenity concerns have been raised in relation the scale of development through letters of representation, the scale of the proposal is not altered by this application. Any future application for further housing would require a new planning application to be submitted and would be assessed accordingly.

- 6.7 It is considered that should this variation of the time condition on the PPP not be allowed, development on site could stall and limit the development proceeding. The variation of the condition would allow for applications to be submitted to better reflect the current housing market and deliver the development on the ground. By facilitating future sales of the housing, this would in turn assist in funding works for the redevelopment of Blairs College. In the current set of circumstances, it is considered that the proposal meets the six tests of Circular 4/1998 and the condition can be adequately varied to ensure the continued delivery of previously consented development.
- 6.8 In recognition of the matters discussed above, the proposal is considered to be acceptable subject to the additional relevant conditions included on the previous consent notice APP/2006/4973. The principle of allowing further time for the submission of MSC proposals has been accepted in relation to other development elsewhere within Aberdeenshire. The variation of the time condition to effectively allow for MSC future applications to be submitted is considered to be acceptable in this instance and by allowing up to 10 years to submit further MSC applications, the proposed development will be able to adapt accordingly with changing economic and market conditions.

7. Area Implications

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

8. Implications and Risk

- 8.1 An equality impact assessment is not required because the proposal does not have a differential impact on any of the protected characteristics.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

9. Sustainability Implications

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

10. Departures, Notifications and Referrals

10.1 Strategic Development Plan Departures

None

10.2 Local Development Plan Departures

None

10.3 The application is not a Departure from the Local Development Plan (and/or) Strategic Development Plan and no departure procedures apply.

10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.

10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

11. Recommendation

11.1 **That authority to GRANT be delegated to the Head of Planning and Environment Service subject to:-**

(i) The completion of a variation to the existing Section 75 Legal Agreement;

(ii) The following conditions;

01. Application for approval of all Matters Specified in Conditions (MSC) within each respective phase of development shall be made to the Planning Authority within 10 years of the date of this planning permission, or within 3 years of the date of the final approval of MSC in the preceding phase of the development, as identified in the phasing plan to be submitted to and approved by the Council in accordance with Condition 4 of this permission, whichever is the later.

Reason: Pursuant to Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997.

02. The development hereby granted shall begin within two years from the date of approval by the Planning Authority of the last of the Matters Specified in Conditions (MSC) to be approved.

Reason: Pursuant to Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997.

03. No development in connection with each respective phase of the planning permission hereby approved shall take place until full details of the siting,

design, external appearance and landscaping within the relevant phase of the development and the means of access serving the relevant phase of development (hereinafter referred to as the MSC) have been submitted to and approved in writing by the Planning Authority. The MSC shall include:

- (a) Details of all cut and fill operations in the construction of the golf course;
- (b) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point;
- (c) Full details of the proposed means of disposal of foul and surface water from the development;
- (d) The siting design and external materials of all buildings or structures;
- (e) The details of all roads, footpaths and cycleways throughout the development;
- (f) Details of any screen walls/fencing to be provided;
- (g) Measures to maximise micro-climate improvements through design, orientation and planting or any other means; and,
- (h) Details of all landscaping, planting and screening associated with the development.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for subsequent MSC applications in accordance with Sections 58 and 59 of the Town and Country Planning (Scotland) Act 1997.

04. That concurrently with the submission of the first application for the approval of MSC, plans shall be submitted for the consideration and written approval of the Planning Authority showing the proposed phasing of the development in relation to the erection of numbers of houses, open space, other relevant development within the specified areas and the rehabilitation of the associated Listed Buildings in the Blairs College complex.

Reason: To ensure the timeous provision of different, inter-related parts of the development.

05. Prior to the submission of any MSC application, a comprehensive and detailed conservation plan shall be submitted for the approval of the Planning Authority in consultation with Historic Environment Scotland. Such plan will be based upon A Guide to the Preparation of Conservation Plans published by the formally named Historic Scotland (2000).

Reason: In order to effectively and efficiently manage the Built Heritage assets within the site.

Other than any dwellinghouses agreed with the Planning Authority as required to finance the River Dee Footbridge and associated infrastructure works referred to in Condition 37, no more than 280 dwellinghouses shall

be built under the permission hereby granted, unless otherwise agreed in writing with the Planning Authority.

Reason: For the avoidance of doubt, in order to comply with the currently agreed level of enabling development.

06. No works in connection with each respective phase of the development hereby approved shall take place until a scheme of hard and soft landscaping works, linked to the agreed phasing plan pursuant to Condition 4 above, has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:

- (i) Existing and proposed finished ground levels relative to a fixed datum point;
- (ii) Existing landscape features and vegetation to be retained;
- (ii) Existing and proposed services including cables, pipelines and substations;
- (iii) The location of new trees, shrubs, hedges, grassed areas and water features;
- (iv) A schedule of plants to comprise species, plant sizes and proposed numbers and density;
- (v) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;
- (vi) An indication of existing trees, shrubs and hedges to be removed; and;
- (viii) A programme for the completion and subsequent long-term maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

07. Prior to the commencement of each respective phase of the development, a tree survey shall be carried out identifying existing tree species, an estimation of their height and spread of branches, and their location within the site accurately plotted to the satisfaction of the Planning Authority. Those trees which it is proposed to retain or to fell or remove shall be separately identified.

Reason: In the interests of visual amenity and to safeguard as many trees as possible on the site.

08. No development of any phase shall take place until all existing trees, bushes and hedges to be retained within that phase have been protected by appropriate fencing, to be approved in writing by the Planning Authority, erected around each tree or group of vegetation at a distance from each tree trunk commensurate with the tree crownspread or such distances as may be agreed in writing by the Planning Authority. Within the areas so fenced off, the existing ground level shall neither be raised or lowered and no material, temporary buildings, plant, machinery or surface soil shall be placed or stored and no fires shall be lit thereon without the prior written approval of the Planning Authority. Details of any trenches or services required in the fenced off areas shall be submitted to and approved by the Planning Authority prior to any such works being carried out.

Reason: To ensure the retention and maintenance of trees and vegetation which are an important feature of the area.

09. Prior to the commencement of works in relation to the golf course hereby authorised, details of the seed mixes to be used for the planting of the golf course shall be submitted to and approved in writing by the Planning Authority and the works when undertaken shall accord with the details as approved.

Reason: To ensure that a satisfactory seed mix is used in the interests of habitat enhancement.

10. Within 3 months of the date of this consent, full details of a waste management plan incorporating on-site disposal shall be submitted for the further approval of the Planning Authority. The waste management plan shall be carried out in complete accordance with the approved scheme.

Reason: In the interests of the sustainable disposal of waste.

11. No works in connection with the construction of the golf course shall take place until a turf management plan including full details of fertilisers, herbicides and pesticides has been submitted to and approved in writing by the Planning Authority.

Reason: In the interest of protecting the environmental sensitivity of the site.

12. As part of any application related to the formation of the golf course, a full topographical survey including all engineering works, site levelling etc required for the formation of the course shall be carried out and details of the proposed levels shall be submitted for the further written approval of the Planning Authority in consultation with Scottish Natural Heritage.

Reason: In the interest of protecting the environmental sensitivity of the site.

13. No development in connection with any phase of the permission hereby approved shall take place until details of all of the proposed means of enclosure to be provided in the proposed development have been submitted to and approved in writing by the Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

14. The details to be submitted pursuant to Condition 3 for each respective phase of the development shall also include details of the proposed site lighting. All site lighting shall be so designed and installed so as not to cause undue light pollution.

Reason: In the interests of the amenity of the area.

15. Prior to the submission of any MSC application, an access strategy and plan shall be prepared which shall include details of how public access shall be catered for, and of paths and tracks within the golf course and housing areas to the satisfaction of the Planning Authority. The plan should clearly show all existing access land, paths, tracks and desire lines within the site, together with the existing and potential links to other networks outwith the site and how public access will be protected and enhanced. In any event, no public right of way or public footpath shall be obstructed without the prior written consent of the Planning Authority, except where necessary on a temporary basis for construction and/or health and safety purposes.

Reason: In order to promote public access and maintain appropriate pedestrian links into and out of the estate in the interests of a sustainable form of development.

16. The details to be submitted pursuant to Condition 3 for each respective phase of development shall include (unless already submitted in respect of the whole development) a biodiversity action plan.

Reason: To ensure the enhancement of the biodiversity of the site.

17. The details to be submitted pursuant to Condition 3 for each respective phase of development shall (unless already submitted in respect of the whole development) include a sustainability statement which will address the following principles:

- quality in layout, building and landscaping design;
- design of inclusive, healthy and safe environments;
- reduction of pollution and improvement in recycling; and,
- sustainable construction and operation.

The sustainability statement must demonstrate how the proposals address the principles and how they will be implemented, or identify those which

cannot, with reasons setting out what other aspects of sustainability have been substituted in their place.

Reason: To ensure a sustainable form of development.

18. No watercourse or ditch within the site shall be culverted or otherwise altered without the prior written consent of the Planning Authority in consultation with the Scottish Environment Protection Agency (SEPA). Furthermore, provision shall be made for a 10 metre (minimum) buffer zone, either side of any watercourses and ditches, unless otherwise agreed in writing with the Planning Authority in consultation with SEPA.

Reason: To safeguard and enhance the biodiversity of the site.

19. Prior to the commencement of the relevant phase of works hereby authorised, details of any electricity sub-station or gas governor kiosks shall be submitted to and approved in writing by the Planning Authority and the works when completed shall accord with the details as approved.

Reason: To ensure that any electrical sub-station or gas governor kiosks are to be sited in appropriate locations and are of appropriate materials for the natural environment of the site and the setting of the former Blairs College buildings.

20. No work shall be carried out on any phase of the development unless and until an effective vehicle wheel washing facility has been installed in accordance with details to be submitted to and approved by the Planning Authority prior to its installation if required for that phase. When required, such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud on their wheels in such a quantity which causes a nuisance or hazard on the road system in the locality.

Reason: In the interests of road safety.

21. During the construction phase, the normal hours of operation shall be between 0700 to 1900 hours Monday to Friday and, 0700 and 1200 hours on Saturday with no working on Sundays, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of the amenity of residential properties in the vicinity.

22. All services to any buildings and to the golf course will be routed underground unless otherwise agreed by the Planning Authority.

Reason: In order to safeguard the visual amenity of the area and the setting of the former Blairs College listed buildings.

23. The details to be submitted pursuant to Condition 3 for each respective phase of the development shall show the means to provide a water supply and include for a development impact assessment and detailed methodology statement, all to the satisfaction of SEPA and the Planning Authority. In any event, all water supplies to the site, excluding the golf course which has its own on-site spring source, will be provided by the water main from the existing reservoir at Clochandighter, or such other alternative source as may be agreed with SEPA and the Planning Authority. All works when undertaken shall accord with the details as approved.

Reason: To ensure that a satisfactory and appropriate water supply is available.

24. The details to be submitted pursuant to Condition 3 for each respective phase of the development shall show the means of disposal of foul drainage and surface water drainage within the form of a Sustainable Urban Drainage System (SUDS) and include for a development impact assessment and detailed design and methodology statement, which must explicitly identify measures for the containment and treatment of all surface and waste water arising from the construction process, including the sewer river crossing, before discharge to the River Dee, all to the satisfaction of SEPA, SNH and the Planning Authority. In any event, the development shall connect to the public sewer and no new building shall be occupied until a connection is made to the mains drainage which is of an adoptable standard. Furthermore, the SUDS system should be designed to a standard that guarantees there will be no unacceptable level of chemical or particulate contamination of the River Dee SAC. All works when undertaken shall accord with the details as approved.

Reason: To ensure that the site is adequately drained and the interests of the River Dee SAC are safeguarded, particularly the conservation objectives of Atlantic salmon and freshwater pearl mussels.

25. The details to be submitted pursuant to Condition 3 for each respective phase of the development shall also include a detailed maintenance programme for the SUDS facility. The programme should apply to the construction of the facility and the development and operation on completion of the development, all to the satisfaction of SEPA, SNH and the Planning Authority.

Reason: To ensure maintenance of the SUDS facility does not compromise the conservation objectives of freshwater pearl mussels.

26. Immediately prior to the location of the SUDS outfall being identified, an additional pearl mussel survey of the River Dee will be undertaken. The location of the outfall should be placed as such that it minimises disturbance of pearl mussel population concentrations identified by the survey, all to the satisfaction of SNH and the Planning Authority.

Reason: To avoid any compromise of the conservation objectives of freshwater pearl mussels by the inappropriate location of the outfall.

27. The sewer construction work adjacent to the River Dee must only take place between the 1st June and 15 October in any year.

Reason: To avoid unacceptable disturbance of Atlantic salmon at this time and avoiding the time of year when flooding is most likely.

28. Any construction works specifically associated with the riverbank/bed of the River Dee will not start until two hours after sunrise and will stop two hours before sunset.

Reason: To protect the undisturbed movement of Atlantic salmon and otters up and down the river.

29. Prior to the commencement of development, an otter survey will be undertaken and the findings used to determine the location of the SUDS outfall and the need for effective mitigation of the impacts of the proposals, all to the satisfaction of SNH and the Planning Authority.

Reason: To ensure effective mitigation of any disturbance to otters.

30. Prior to the commencement of development, a spring and summer bat emergence survey shall be undertaken to the satisfaction of SNH and the Planning Authority.

Reason: To ensure no damage to the conservation objectives of a European protected species.

31. Within 3 months of the date of this consent, the details of the completed archaeological standing building survey Prior to development commencing, the developer shall secure the implementation of an archaeological standing building survey will be submitted to the Planning Authority for approval.

Reason: To record features of the historic environment of the area.

32. Within 3 months of the date of this consent, details of a programme of archaeological work in accordance with a written scheme of investigation has been submitted to and approved by the Planning Authority.

Reason: To ensure that any archaeological remains in the area are properly identified, protected and recorded.

33. All archaeological discoveries resulting from work carried out in respect of the approved development will be reported to the Planning Authority within two working days from the date of discovery. No archaeological artefacts or other discoveries will be removed from the site of the find without the

prior approval of the Planning Authority. All archaeological discoveries will be protected from damage by whatever means made by the applicant and approved by the Planning Authority. The subsequent disposal or treatment of archaeological finds will be carried out in accordance with the instructions of the Planning Authority.

Reason: To ensure that discoveries of archaeological importance are protected and adequately recorded.

34. Within 3 months of the date of this consent, a detailed construction method statement to include details of management of waste water and sediment, buffer zones, public access arrangements during construction, signage details and car parking, shall be submitted to the Planning Authority to be agreed in writing in consultation with the Scottish Environment Protection Agency and Scottish Natural Heritage and once agreed all construction works on site shall comply with the approved method statement.

Reason: In the interests of protecting the environmental sensitivity of the site, especially with reference to the River Dee SAC.

35. Sixty dwellinghouses within the site shall be affordable housing as defined in the glossary contained within Scottish Planning Policy (February 2010). These dwellinghouses shall be integrated within the residential development hereby approved.

Reason: To help address the shortage of affordable housing in the housing market area and interests of social inclusion.

36. In accordance with the provisions of the agreed phasing plan submitted and approved under Condition 4 above, the following shall be completed to the satisfaction of the Planning Authority in consultation with Transport Scotland Trunk Road Network Management Directorate:

- a) pedestrian / cycle links between the site and the North Deeside Road incorporating a new crossing of the River Dee;
- b) bus stops, boarding platforms and shelters with related footpaths and hardstandings to Aberdeenshire Council's current specifications comprising two complete installations, the specific location of which to be agreed with the Planning Authority within the relevant MSC; and
- c) shared use paths to link the proposed pedestrian / cycle bridge (referred to in a) above) to the B9077.

Reason: To be consistent with the requirements of Scottish Planning Policy (2014); in the interests of promoting sustainable transport and enhancing the accessibility of the site; and, in the interests of road safety and in particular to provide a safe means to crossing the B9077.

37. Within 3 months of the date of this consent, a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car shall

be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland Trunk Road Network Management Directorate. The Travel Plan shall identify measures to be implemented; the systems of management, monitoring, review and reporting; and, the duration of the plan.

Reason: To be consistent with the requirements of Scottish Planning Policy (2014).

38. A residential travel pack will be provided to all occupants within the site, as each dwellinghouse is occupied (The content of the pack will be agreed within the travel plan for the site).

Reason: In the interests of promoting sustainable transport and enhancing the accessibility of the site.

39. All internal roads, service areas and car parking areas which are to be adopted, shall meet with the current Aberdeenshire Council standards. Prior to the commencement of each phase of the works hereby authorised, details of the surfacing materials proposed to be used for the site access roads, associated visitor car parking spaces and footpaths, shall be submitted to and approved by the Planning Authority and the works when undertaken shall accord with the details so approved.

Reason: To ensure that adequate road access, service areas and car parking areas are proposed to serve the development in the interests of highway safety.

40. The details to be submitted pursuant to Condition 3 above shall show the site accessed from the B9077 with the junction of such access road(s) to be positioned so as to achieve a visibility splay to the standard required by the Roads Authority in both directions from the site access onto the public highway and there shall be no obstruction to visibility exceeding 1.00 metres in height within the splayed area measured from the adjacent carriageway level. The works when undertaken shall be completed in accordance with the details as approved, prior to the commencement of the use of any elements of the development hereby permitted.

Reason: To ensure that the standard of access layout complies with current standards and that the safety of traffic on the B9077 is not diminished.

41. All construction traffic serving the development hereby approved shall access the site from the B9077 unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of road safety, there are no other suitable points from which vehicular access can be taken.

42. The existing football pitch within the site shall be retained in situ unless appropriate alternative provision is made elsewhere within the site, in accordance with details that have been submitted and approved by the Planning Authority.

Reason: To prevent the loss of a facility which is of importance to the local community and help promote sport and recreation in line with Government and Council policies and aspirations.

43. In association with condition number 1 above, following the completion of each individual phase, as specified within the approved phasing scheme, a notification of the completion of that said phase and the completion of each phase thereafter, other than the last phase of development, shall as soon as practicable, and prior to the commencement of each phase following, be submitted to the Planning Authority. Such notification shall contain the information set out in the 'Notification of Phased Completion of Development' Notice as appended.

Reason: Pursuant to Section 27B(2) of the Town and Country Planning (Scotland) Act 1997.

11.2 Reason for Decision

The variation of condition 1 of APP/2006/4973 is considered reasonable as this would allow further MSC applications to be submitted to allow the development to adapt with market conditions. This would assist to facilitate the continued delivery of the previously consented development, including the redevelopment of Blairs College.

Stephen Archer
Director of Infrastructure Services
Author of Report: Jenny Ash
Report Date: 5th November 2019

For noting:-

Part 2C (Planning Delegations) states at Section C.3.2b for Local Development, that following consultation with the Chair and Vice-Chair of the determining Committee, the Head of Planning and Environment Service can refuse planning applications for which Section 75 Agreements are not completed within four months from the date of the Committee at which the application is determined. Local Ward Members shall be notified of any such refusal.

Please note that this power may be exercised in respect of the application which is the subject of this report if the application is approved by the Committee.”

North Kincardine Rural Community Council (NKRCC) would like to object to approval of APP/2019/1656 at this time. The basis of this objection arises from the following apparent conflict with planning guidelines (which NKRCC request be clarified by Aberdeenshire planning) and consideration of the performance of the Developer to date to honour their commitments to planning conditions:-

1. If as outlined in the supporting planning statement (on behalf of the J.W. Muir Group plc – “the developer”), it is not possible to bring forward further MSC (Matters Specified to Conditions) due to expiry of the 3 year time constraint, the viability of the original Planning Permission in Principle (PPP) surely needs to be questioned.
2. If the original PPP is no longer considered extant on the basis outlined above, then it is not clear that Section 42 of the Town and Country Planning (Scotland) Act 1997 is the appropriate vehicle to approve extension of the time constraints on the original PPP. Aberdeenshire Council Development Management Manual 2016 (V1) Appendix 4 Section 42 process map indicates that S42 cannot be accepted for an expired planning permission.
3. The requested extension of timescales between 5 – 15 years for submission of MSC application is considered too vague. Any extension of timeframe needs to be related to delivery of specific development phases. Considering that the Developer has yet to commence build out of the identified Blair’s Development phases and the not unreasonable expectation that full reversal of the economic downturn related to the Oil and Gas Industry, which is key to the Developers reasoning for the delay in build out, may never happen, there can only be low confidence in the ability of the Developer to deliver the proposed build without being encouraged to work to a more defined timeframe.
4. The developer already appears to have failed to meet the timeframe for delivery of the Pedestrian/Cycle links between the site and the North Deeside Road incorporating a new crossing of the River Dee (condition 40 a) of approval of APP/2006/4973). Planning application APP/2011/3837 was approved in 2012 with condition 1 stating that the works shall have begun before expiry of 3 years of approval having been granted.
5. The reference in the supporting planning statement that delays by the Developer in completing the Blairs’ Hamlet build out should not be considered relevant to their inability to deliver the works under APP/2006/4973 or the pedestrian/cycle path links and River Dee crossing outlined in Condition 40 a) of the granted PPP which for the avoidance of doubt also states that the “works shall be completed”.
6. Approval for the Blairs’ Hamlet development as a Section 75 enabling development to finance delivery of Condition 40 a) (APP/2006/4973) does not appear at any time to have been identified as an initial phase of APP/2006/4973. It is an enabling development to help finance development approval condition 40 a) but not a necessary precursor to meeting the conditions specified. The pace of sales at Blairs’ Hamlet should not therefore be considered to be an impediment to the failure of the Developer to meet their obligations to satisfy conditions related to

approval of APP/2006/4973 or their ability to deliver a development of the scale at Blair's.

NKRCC are concerned that the slow rate of build out of the various developments across Aberdeenshire resulting from recent challenges to the economic climate will result in pockets of unsightly half completed developments which do not meet the promised amenities of residents or the wider "benefits" to the location often promised by Developers. While some understanding of the challenges that Developers continue to face should be reflected in reasonable attempts by the local planning authority to work constructively with them to maintain the "live" status of existing developments in preference to a proliferation of new development locations, it is key that Developers be held to account to meet their obligations and to ensure that land identified to meet the local housing demand is in the hands of Developers capable of delivery. For that reason NKRCC object to APP/2019/1656 and request that if approval by the Area Committee is granted that careful thought be given to imposing appropriate time constraints and conditions to ensure that the developer progresses the works in a timely manner and to the required standard notwithstanding their existing obligations set out in approval of APP/2006/4973.

From: [Mandi Dorward NKRCC](#)
To: [Planning Online](#)
Cc: [Rod Farquhar](#); [Henry Irvine-Fortescue](#); [Graham Norrie](#); [Ann Grant](#)
Subject: Re: APP/2019/1656 -Section 42 Variation to APP/2006/4973
Date: 15 August 2019 12:21:17

Good afternoon,

North Kincardine Rural Community Council hereby wish to lodge a holding objection to planning application APP/2019/1656 submitted on behalf of the Muir Group seeking a Section 42 variation to APP/2006/4973 for the development at Blairs. The holding objection will enable NKRCC to consider our formal response to the application following our scheduled public meeting on 19th August which will provide the opportunity to solicit the views of the community and determine the agreed view of the community council members. We will endeavour to respond to the council planning department as soon as possible following the meeting on the 19th so as not to delay further processing of the application.

May I ask that you confirm receipt of this mail and that our holding objection is permitted.

With thanks and regards

Mandi Dorward

Secretary

On behalf of North Kincardine Rural Community Council

Comments for Planning Application APP/2019/1656

Application Summary

Application Number: APP/2019/1656

Address: Blairs College Development Blairs Aberdeen Aberdeenshire

Proposal: Redevelopment of Residential Institution to Hotel Conference Centre and Ancillary Buildings and Steadings into Residential/Holiday Accommodation, Residential Development (220 Dwellings and 60 Affordable Dwellings), Formation of Golf Course, Equestrian Centre, all together with Associated Landscaping and Infrastructure Without Compliance with Condition 1 (Time) of Planning Permission APP/2006/4973

Case Officer: Gregor Spence

Customer Details

Name: Mrs A Dorward (Secretary of NKRCC)

Address: Mid Ardoe Banchory Devenick Aberdeen

Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: North Kincardine Rural Community Council (NKRCC) would like to object to approval of APP/2019/1656 at this time. The basis of this objection arises from the following apparent conflict with planning guidelines (which NKRCC request be clarified by Aberdeenshire planning) and consideration of the performance of the Developer to date to honour their commitments to planning conditions:-

1. If as outlined in the supporting planning statement (on behalf of the J.W. Muir Group plc - "the developer"), it is not possible to bring forward further MSC (Matters Specified to Conditions) due to expiry of the 3 year time constraint, the viability of the original Planning Permission in Principle (PPP) surely needs to be questioned.
2. If the original PPP is no longer considered extant on the basis outlined above, then it is not clear that Section 42 of the Town and Country Planning (Scotland) Act 1997 is the appropriate vehicle to approve extension of the time constraints on the original PPP. Aberdeenshire Council Development Management Manual 2016 (V1) Appendix 4 Section 42 process map indicates that S42 cannot be accepted for an expired planning permission.
3. The requested extension of timescales between 5 - 15 years for submission of MSC application is considered too vague. Any extension of timeframe needs to be related to delivery of specific development phases. Considering that the Developer has yet to commence build out of the identified Blair's Development phases and the not unreasonable expectation that full reversal of the economic downturn related to the Oil and Gas Industry, which is key to the Developers reasoning for the delay in build out, may never happen, there can only be low confidence in the

ability of the Developer to deliver the proposed build without being encouraged to work to a more defined timeframe.

4. The developer already appears to have failed to meet the timeframe for delivery of the Pedestrian/Cycle links between the site and the North Deeside Road incorporating a new crossing of the River Dee (condition 40 a) of approval of APP/2006/4973). Planning application APP/2011/3837 was approved in 2012 with condition 1 stating that the works shall have begun before expiry of 3 years of approval having been granted.

5. The reference in the supporting planning statement that delays by the Developer in completing the Blairs' Hamlet build out should not be considered relevant to their inability to deliver the works under APP/2006/4973 or the pedestrian/cycle path links and River Dee crossing outlined in Condition 40 a) of the granted PPP which for the avoidance of doubt also states that the "works shall be completed".

6. Approval for the Blairs' Hamlet development as a Section 75 enabling development to finance delivery of Condition 40 a) (APP/2006/4973) does not appear at any time to have been identified as an initial phase of APP/2006/4973. It is an enabling development to help finance development approval condition 40 a) but not a necessary precursor to meeting the conditions specified. The pace of sales at Blairs' Hamlet should not therefore be considered to be an impediment to the failure of the Developer to meet their obligations to satisfy conditions related to approval of APP/2006/4973 or their ability to deliver a development of the scale at Blair's.

NKRCC are concerned that the slow rate of build out of the various developments across Aberdeenshire resulting from recent challenges to the economic climate will result in pockets of unsightly half completed developments which do not meet the promised amenities of residents or the wider "benefits" to the location often promised by Developers. While some understanding of the challenges that Developers continue to face should be reflected in reasonable attempts by the local planning authority to work constructively with them to maintain the "live" status of existing developments in preference to a proliferation of new development locations, it is key that Developers be held to account to meet their obligations and to ensure that land identified to meet the local housing demand is in the hands of Developers capable of delivery. For that reason NKRCC object to APP/2019/1656 and request that if approval by the Area Committee is granted that careful thought be given to imposing appropriate time constraints and conditions to ensure that the developer progresses the works in a timely manner and to the required standard notwithstanding their existing obligations set out in approval of APP/2006/4973.

Comments for Planning Application APP/2019/1656

Application Summary

Application Number: APP/2019/1656

Address: Blairs College Development Blairs Aberdeen Aberdeenshire

Proposal: Redevelopment of Residential Institution to Hotel Conference Centre and Ancillary Buildings and Steadings into Residential/Holiday Accommodation, Residential Development (220 Dwellings and 60 Affordable Dwellings), Formation of Golf Course, Equestrian Centre, all together with Associated Landscaping and Infrastructure Without Compliance with Condition 1 (Time) of Planning Permission APP/2006/4973

Case Officer: Gregor Spence

Customer Details

Name: Mr Ewan Booth

Address: 17 The Walled Gardens Stoneywood Aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the extension and the developer being granted permission to build on greenbelt over a longer period of time, including the negative impact this will have on the environment, residents and public. Also the developer has not delivered on their promise to install a footbridge over the River Dee at Blairs.

Comments for Planning Application APP/2019/1656

Application Summary

Application Number: APP/2019/1656

Address: Blairs College Development Blairs Aberdeen Aberdeenshire

Proposal: Redevelopment of Residential Institution to Hotel Conference Centre and Ancillary Buildings and Steadings into Residential/Holiday Accommodation, Residential Development (220 Dwellings and 60 Affordable Dwellings), Formation of Golf Course, Equestrian Centre, all together with Associated Landscaping and Infrastructure Without Compliance with Condition 1 (Time) of Planning Permission APP/2006/4973

Case Officer: Gregor Spence

Customer Details

Name: Mr Graham Wilson

Address: 18 Menzies Park Riverside of Blairs Aberdenshire

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As a house owner in part of the Blairs Development by Muir Homes, I am interested in the all planning applications.

I object to this planning application submitted for the development to Blairs until such time as the original Blairs Hamlet planned 45 houses (44 +1) with bridge crossing the Dee are complete. The developer continues to apply for and receiving approval for various planning with respect to this site but only partially completes namely APP/2016/2909 APP/2016/2911 APP/2016/3105.

Menzies Park has been totally abandoned with poor ground maintenance, incomplete riverside walk and roads, damaged pavements and is used as a storage yard by the developer with incomplete roads and site fencing.

The developers to date do not appear to have upheld their commitment to a footbridge/ cycle bridge as part of the enabling development of 45 houses at Blairs Hamlet or to providing the living environment for the current home owners with access to shops, medical facilities and schools.

Since the original Blairs application and associated South Deeside road survey in 2006 traffic has increased, the recent completion of the AWPR has also increased the traffic through Blair Hamlet and South Deeside road. Access to and from the Blairs College Development could be a major safety issue and should be reviewed and restrictions applied on the construction traffic movement and the NONE use of Blair Hamlet for the storage of equipment or material prior to any approval of this request.

Comments for Planning Application APP/2019/1656

Application Summary

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Case Officer: Gregor Spence

Customer Details

Name: Mrs Rochelle Sanders

Address: 3 Menzies Park Riverside of Blairs Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Planning consents (APP/2013/1291 and APP/2017/0216) have been granted by aberdeenshire council for 45 houses at Blairs Hamlet, beside the South Deeside Road and River Dee. These planning consents were described as an enabling development which is necessary to finance and deliver the River Dee footbridge/cycle bridge and associated infrastructure works required as part of the wider Blairs College development. The development at Blairs Hamlet is now well under way with over 25 houses now completed, sold and occupied. The 25 plus residents (including myself) have all been promised the delivery of the River Dee footbridge/cycle bridge by the developer and felt reassured that aberdeenshire council would be able to protect this promise by insisting that the River Dee footbridge/cycle bridge be delivered before the commencement of the residential development (220 dwellings and 60 affordable dwellings). The Blairs Hamlet residents are currently cut off from civilisation (no shops, restaurants, pubs, cafes and no where to walk). The River Dee footbridge/cycle bridge would provide a much needed connection to the neighbouring Bieldside (which has shops, restaurants, pubs, cafe etc.) and was one of the main reasons we bought the property, like many of the residents. To date, the developer has not provided the Blairs Hamlet residents with an update on delivery of the River Dee footbridge/cycle bridge despite several requests from myself and others. We are all (residents, public and council) keen to see the beautiful Blairs College restored/repurposed and in a timely manner, however the residents of Blairs Hamlet have a higher priority need that must come first. As a resident of the Blairs Hamlet, please can I request the council to reject this extension and ask the developer to deliver River Dee footbridge/cycle bridge first? In addition I consider 15 years to be too long of a period for anyone to live on a building site and would also

request the council to consider granting a consent no greater than 5 years, and post delivery of River Dee footbridge/cycle bridge.

Comments for Planning Application APP/2019/1656

Application Summary

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Proposal: Redevelopment of Residential Institution to Hotel Conference Centre and Ancillary Buildings and Steadings into Residential/Holiday Accommodation, Residential Development (220 Dwellings and 60 Affordable Dwellings), Formation of Golf Course, Equestrian Centre, all together with Associated Landscaping and Infrastructure Without Compliance with Condition 1 (Time) of Planning Permission APP/2006/4973

Case Officer: Gregor Spence

Customer Details

Name: Mr Mark Sanders

Address: 3 Menzies Park Riverside of Blairs

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Since the original planning permission in principle consent APP/2006/4973 which was for the development at Blairs College for 280 homes, a golf course, equestrian centre, hotel and holiday accommodation the Aberdeen Western Peripheral Route (AWPR) has opened and the traffic driving through Riverside of Blairs has increased significantly.

Unfortunately the traffic calming measures which were introduced pre-AWPR opening including 30mph signs and an electronic speed detection warning signs at both ends of the Riverside of Blairs are ineffective.

I witness hundreds of vehicles (cars and HGV's) per day totally ignoring the speed limit and continue through Riverside of Blairs at high speed.

I have raised these concerns with Aberdeenshire Council, the North Safety Camera Unit and the Roads Policing Department and unfortunately I received the following response "the collision history does not meet the requirement for camera enforcement therefore the North Safety Camera Unit will not be enforcing at this time".

As the AWPR has increased the traffic through Riverside of Blairs and as the current traffic calming measures are ineffective, I would like to object to the new planning application on the grounds that increasing the population at Blairs will likely increase the likelihood of a serious incident / accident due to poor traffic calming.

Let's not wait for someone to get hurt and proactively address this concern?

Comments for Planning Application APP/2019/1656

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Case Officer: Gregor Spence

Customer Details

Name: Mr Mark Sanders

Address: 3 Menzies Park Riverside of Blairs Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Planning consents (APP/2013/1291 and APP/2017/0216) have been granted by aberdeenshire council for 45 houses at Blairs Hamlet, beside the South Deeside Road and River Dee. These planning consents were described as an enabling development which is necessary to finance and deliver the River Dee footbridge/cycle bridge and associated infrastructure works required as part of the wider Blairs College development. The development at Blairs Hamlet is now well under way with over 25 houses now completed, sold and occupied. The 25 plus residents (including myself) have all been promised the delivery of the River Dee footbridge/cycle bridge by the developer and felt reassured that aberdeenshire council would be able to protect this promise by insisting that the River Dee footbridge/cycle bridge be delivered before the commencement of the residential development (220 dwellings and 60 affordable dwellings). The Blairs Hamlet residents are currently cut off from civilisation (no shops, restaurants, pubs, cafes and no where to walk). The River Dee footbridge/cycle bridge would provide a much needed connection to the neighbouring Bieldside (which has shops, restaurants, pubs, cafe etc.) and was one of the main reasons we bought the property, like many of the residents. To date, the developer has not provided the Blairs Hamlet residents with an update on delivery of the River Dee footbridge/cycle bridge despite several requests from myself and others. We are all (residents, public and council) keen to see the beautiful Blairs College restored/repurposed and in a timely manner, however the residents of Blairs Hamlet have a higher priority need that must come first. As a resident of the Blairs Hamlet, please can I request the council to reject this extension and ask the developer to deliver River Dee footbridge/cycle bridge first? In addition I consider 15 years to be too long of a period for anyone to live on a building site and would also

request the council to consider granting a consent no greater than 5 years, and post delivery of River Dee footbridge/cycle bridge.

Comments for Planning Application APP/2019/1656

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Case Officer: Gregor Spence

Customer Details

Name: Mr Michael Mya

Address: Blairs Post Office House Blairs Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It was my initial impression that the developers were allowed to create Riverside of Blairs on condition they also created a bridge over the River Dee. Do they have a deadline for building the bridge? If so what is it? What are the sanctions if they do not build the bridge?

Comments for Planning Application APP/2019/1656

Application Summary

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Case Officer: Gregor Spence

Customer Details

Name: Mr Paul Muir

Address: 1 Oaklands Way Banchory

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I commute to work through Riverside of Blairs and regularly get stuck behind site traffic. The road is also constantly dirty from mud from the Muir homes compound / development. The term increase is too long and not acceptable to me as a member of the public.

Comments for Planning Application APP/2019/1656

Application Summary

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Case Officer: Gregor Spence

Customer Details

Name: Mrs Moira Wood

Address: 17 Menzies Park Riverside of Blairs Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I refer to APP/2013/1291 and APP/2017/0126 and permissions granted which are noted as an enabling development (44 dwellings at Riverside of Blairs) for the construction of pedestrian/cycle bridge on the River Dee.

As with many of the residents I have asked on numerous occasions when the bridge will be installed only to be told that this will not occur until the remaining eight/nine dwellings have been constructed and sold .

I would strongly urge you to consider not granting this application until the applicants have completed on the Riverside of Blairs development in its entirety.

Comments for Planning Application APP/2019/1656

Application Summary

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Case Officer: Gregor Spence

Customer Details

Name: Mr Richard Manning

Address: Blairs Steading Blairs Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am not against the development however planning consents (APP/2013/1291 and APP/2017/0216) have been granted by aberdeenshire council for 45 houses at Blairs Hamlet, beside the South Deeside Road and River Dee. These planning consents were described as an enabling development which is necessary to finance and deliver the River Dee footbridge/cycle bridge and associated infrastructure works required as part of the wider Blairs College development.

As it stands we have been living in a building site now for what is already a significant period, and to extend this to what could potentially be another 5 to 15 years along with the uncertainty this brings to the existing residents is unacceptable.

The footbridge should not be delayed as this would ultimately add to the desire for people to buy the remaining properties to be built. The bridge that would allow access to North Deeside and the amenities there as was promised/sold not only to the people who have already bought these homes but to all the neighbouring properties as well by the developer.

The longer this development takes the greater disrepair the Blairs college falls into and it is to the benefit of all that this is restored as part of the wider development of the Blairs estate.

Comments for Planning Application APP/2019/1656

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Case Officer: Gregor Spence

Customer Details

Name: Mr Henry Irvine-Fortescue

Address: Kingcausie Maryculter Kincardineshire

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As a neighbour of the Blairs Estate, I have been interested in the various planning applications that have been submitted for development at Blairs over many years, and as the Muir Groups proposals have evolved, I have been involved in the Public Enquiries and the Public Hearing relating to Blairs as a member of the public.

I object to any material changes in any proposed MSC planning applications to be submitted for Blairs if it departs from the original approved planning permission granted under APP/2006/4973 and the conditions attached thereto.

At Para 1.2 in the Supporting Planning statement it says "It is also important that development at Blairs is not delayed unnecessarily any longer in order to ensure the conservation and future viability of the listed buildings at Blairs."

There is considerable confusion in the mind of the public -and perhaps others - about the issues at Blairs. I wish to respectfully remind the Council Officers that the only listed buildings that we are concerned with for these planning matters are the Menzies House and the Theatre, as it is only these two buildings that are the reasons for the enabling development granted under APP/2006/4973, and not the College Buildings which form the main bulk of the existing listed buildings at Blairs. In addition for clarification the A listed Chapel is to my understanding entirely separate from this whole matter as it is under the ownership of the Catholic Church.

Many wish to see the College Buildings restored and the estate in general improved and in good heart, and while this is relevant in general terms, these elements should be ignored in the context of the permissions granted and the matters under consideration. Para 1.3 says that "alternative use of the site for residential and leisure uses" was sought by the Muir Group, which is correct, - and the College Buildings were to be part of the hotel/conference centre/golf/leisure complex at Blairs, unrelated at least in part to the 220 plus 60 new houses surrounding the College.

The claim in the statement at 2.14 that "The development is after all an enabling development to help safeguard the future of the Blairs Estate and the listed buildings within it" is, to my mind, not, strictly speaking, correct. The plan was always to involve an outside hotel/leisure operator in redeveloping the College Buildings; the difficulty is to see how, exactly, this is linked inevitably with the building of the 220 plus 60 houses. This is reiterated in the statement at the Conclusion - "avoiding delays on development at Blairs in terms of safeguarding the future of the listed buildings at Blairs" - yes, if by this the developer is specifically referring to the Menzies Building and the Theatre, the Buildings at Risk.

In the meantime the roof has been removed from the Menzies Building for safety reasons, which will probably exacerbate the deterioration of the structure of the building, the retention and restoration of which is the reason for the original planning permission being granted in the first place.

I note that while the original permission was granted in November 2010, the downturn due to the impact in oil prices only started in 2014/15 which seems to have given the Muir Group at least 4 years to make a start on the original development. Other developers, for example at Chapleton, Ury, Loanhead and Cults have continued to build houses during the period which seem to have been selling, albeit perhaps at a slow rate. I would wish to seek further clarification on this point as to why there has been a delay beyond the original permitted timescale for the 2006 application. This does not appear wholly to be because of the developer focusing on the Riverside of Blairs development which is a separate application with a separate enabling development condition attached to it, namely the Bridge crossing. As a result, I do not think a review of the original application is justified.

Finally, as a caveat, I would seek to apologise in advance for any misunderstanding I may be guilty of in my above objection. The Blairs saga has been long, complicated and confusing, and also highly technical in planning terms to members of the general public. I would therefore seek your indulgence for any errors made.

Comments for Planning Application APP/2019/1656

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Case Officer: Gregor Spence

Customer Details

Name: Mrs Susan Hutton

Address: 22 Menzies Park Riverside of Blairs Aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Planning consents (APP/2013/1291 and APP/2017/0216) have been granted by aberdeenshire council for 45 houses at Blairs Hamlet, beside the South Deeside Road and River Dee. These planning consents were described as an enabling development which is necessary to finance and deliver the River Dee footbridge/cycle bridge and associated infrastructure works required as part of the wider Blairs College development. The development at Blairs Hamlet is now well under way with over 25 houses now completed, sold and occupied. The 25 plus residents (including myself) have all been promised the delivery of the River Dee footbridge/cycle bridge by the developer and felt reassured that aberdeenshire council would be able to protect this promise by insisting that the River Dee footbridge/cycle bridge be delivered before the commencement of the residential development (220 dwellings and 60 affordable dwellings). The Blairs Hamlet residents are currently cut off from civilisation (no shops, restaurants, pubs, cafes and no where to walk). The River Dee footbridge/cycle bridge would provide a much needed connection to the neighbouring Bieldside (which has shops, restaurants, pubs, cafe etc.) and was one of the main reasons we bought the property, like many of the residents. To date, the developer has not provided the Blairs Hamlet residents with an update on delivery of the River Dee footbridge/cycle bridge despite several requests from myself and others. We are all (residents, public and council) keen to see the beautiful Blairs College restored/repurposed and in a timely manner, however the residents of Blairs Hamlet have a higher priority need that must come first. As a resident of the Blairs Hamlet, please can I request the council to reject this extension and ask the developer to deliver River Dee footbridge/cycle bridge first? In addition I consider 15 years to be too long of a period for anyone to live on a building site and would also

request the council to consider granting a consent no greater than 5 years, and post delivery of River Dee footbridge/cycle bridge.

Comments for Planning Application APP/2019/1656

Application Summary

Application Number: APP/2019/1656

Address: Blairs College Development Blairs Aberdeen Aberdeenshire

Proposal: Redevelopment of Residential Institution to Hotel Conference Centre and Ancillary Buildings and Steadings into Residential/Holiday Accommodation, Residential Development (220 Dwellings and 60 Affordable Dwellings), Formation of Golf Course, Equestrian Centre, all together with Associated Landscaping and Infrastructure Without Compliance with Condition 1 (Time) of Planning Permission APP/2006/4973

Case Officer: Gregor Spence

Customer Details

Name: Mr Duncan Hutton

Address: 22 Menzies Park Aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Planning consents (APP/2013/1291 and APP/2017/0216) have been granted by aberdeenshire council for 45 houses at Blairs Hamlet, beside the South Deeside Road and River Dee. These planning consents were described as an enabling development which is necessary to finance and deliver the River Dee footbridge/cycle bridge and associated infrastructure works required as part of the wider Blairs College development. The development at Blairs Hamlet is now well under way with over 25 houses now completed, sold and occupied. The 25 plus residents (including myself) have all been promised the delivery of the River Dee footbridge/cycle bridge by the developer and felt reassured that aberdeenshire council would be able to protect this promise by insisting that the River Dee footbridge/cycle bridge be delivered before the commencement of the residential development (220 dwellings and 60 affordable dwellings). The Blairs Hamlet residents are currently cut off from civilisation (no shops, restaurants, pubs, cafes and no where to walk). The River Dee footbridge/cycle bridge would provide a much needed connection to the neighbouring Bieldside (which has shops, restaurants, pubs, cafe etc.) and was one of the main reasons we bought the property, like many of the residents. To date, the developer has not provided the Blairs Hamlet residents with an update on delivery of the River Dee footbridge/cycle bridge despite several requests from myself and others. We are all (residents, public and council) keen to see the beautiful Blairs College restored/repurposed and in a timely manner, however the residents of Blairs Hamlet have a higher priority need that must come first. As a resident of the Blairs Hamlet, please can I request the council to reject this extension and ask the developer to deliver River Dee footbridge/cycle bridge first? In addition I consider 15 years to be too long of a period for anyone to live on a building site and would also

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Comments for Planning Application APP/2019/1656

Application Summary

Application Number: APP/2019/1656

Address: Blairs College Development Blairs Aberdeen Aberdeenshire

Proposal: Redevelopment of Residential Institution to Hotel Conference Centre and Ancillary Buildings and Steadings into Residential/Holiday Accommodation, Residential Development (220 Dwellings and 60 Affordable Dwellings), Formation of Golf Course, Equestrian Centre, all together with Associated Landscaping and Infrastructure Without Compliance with Condition 1 (Time) of Planning Permission APP/2006/4973

Case Officer: Gregor Spence

Customer Details

Name: Mr Raymond Cowan

Address: Hillcrest Kincairn, Blairs Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to the extension of the planning permission for 280 houses, etc. at Blairs. The Supporting Planning Statement states the "economic circumstances have changed since approval in 2014" and there has been "a depressed North East housing market" which are indeed true. These statements would however suggest that the current application should fall and a new one, based around the circumstances existing today and foreseen in the future, should be made.

The developers to date do not appear to have upheld their commitment to a footbridge/ cycle bridge as part of the enabling development of 45 houses at Blairs Hamlet. This suggests that their claim that the planning permission for 280 additional houses is an enabling development for the redevelopment of Blairs College is questionable at best.