



**Helensdale
16 Contlaw Road
Milltimber
Aberdeen
AB13 0EJ**

14th April 2008

**Freepost RRHE-GBSA-BJLR
National Planning Framework Team
The Scottish Government Planning Directorate
Victoria Quay
Leith
Edinburgh
EH6 6QQ**

Dear Sir or Madam,

CBMCC - Comments on National Planning Framework 2 Discussion Draft

On behalf of Cults, Bielside and Milltimber Community Council (CBMCC), I wish to comment on the National Planning Framework for Scotland 2 Discussion Draft (NPF2) as follows:

1. National developments – lack of public consultation

The future designation of “national developments” would in the future be made by Scottish Ministers, according to six criteria. In the case of projects so designated, Ministers could intervene to ensure that decisions are made expeditiously. Any examination by public inquiry or hearing would not normally be concerned with the principle of development.

We have serious concerns about the inherent lack of public consultation and independent scrutiny in such an approach. There is a potential conflict of interest in that the promoters (central government) have a vested interest while the public would be denied the opportunity to object and challenge the scheme in an open, democratic manner.

Our concerns are heightened by the way that two major projects in the north east of Scotland have recently been dealt with; the Aberdeen Western Peripheral Route (AWPR) and Trump International’s application to build two golf courses, 950 holiday homes, 36 golf villas and 500 private houses on the Menie Estate.

In the former instance, five alternative route options were presented to the public during a series of exhibitions. One of these, the Murtle option, was accompanied by detailed drawings, technical information, graphics and visual simulations, while very little detail was available on the other options. The public quite naturally gained the impression that the Murtle option was the preferred choice and tended not to comment or object on the other options, particularly the Milltimber option.

The Minister eventually decided on a new sixth route, a variant of the Milltimber option, which had not been subject to public consultation.

In the latter instance, elected officials on the relevant planning committee decided to reject the application after detailed and careful consideration and after the applicant refused to compromise in order to prevent significant damage to a rare eco-system. The officials concerned were subsequently openly criticised by rich, powerful business groups with vested interests and politicians and vilified in the press. Even the First Minister was found to have acted unwisely by becoming involved and displayed "exceptionally poor judgment" and "a worrying lack of awareness about the consequences of his actions" by a committee of MSPs.

This raises fears that the NPF2 will open the planning system up to deliberate manipulation and interference. We conclude that a statutory requirement needs to be introduced to ensure appropriate public consultation on major development projects. The process should be externally monitored and audited by an independent organisation. Any relevant Acts should be amended and new guidance provided.

The carrying out of an Environmental Assessment is insufficient in this respect, as these tend to merely recommend measures to mitigate the adverse environmental impact and the level of public consultation in such exercises is often poor.

2. Greater dialogue between developer and community groups - false premise

The NPF2 and The Planning etc. (Scotland) Act 2006 are both based on the premise that there will be a greater dialogue in the future between developer and community groups, even though it may have already been decided in principle that a development of one sort or another will take place in the local area concerned. For example, the NPF2 states that local authorities will put forward proposals "for the creation of sustainable communities which demonstrate partnership with the development industry and have been the subject of discussion with local communities".

It is hard to see how the already stretched amateur, voluntary community groups will find the time to meet, discuss and negotiate with professional, full-time, highly well-paid, developer planning experts. The obvious result would seem to be that such voluntary community groups will be out-smarted and out-manoeuvred and most probably manipulated and pitted against each other.

It is clear that voluntary groups do not have the expertise and will be unable to spare the time to meet the intended additional demands. This whole premise needs to be reviewed and rethought.

3. Climate change / sustainable modes of transport – myths and fantasies

It is recognised in the NPF2 that one of the main challenges is to reduce atmospheric emissions. It is stated that transport (excluding aviation) is the biggest source of emissions, with emissions from transport having risen by 11% since 1990. It is admitted that heavy reliance on the private car is contributing to climate change, growing congestion and eroding the quality of the environment.

It is further stated that: the Scottish Government is strongly committed to promoting a shift to more sustainable modes of transport; there needs to be a greater emphasis on expanding the capacity of the rail network; planning policies should aim to maximise use of existing services before considering the need for new ones; light rail and buses are better-suited to commuter and other trips within urban areas.

These are fine-sounding words but unfortunately experience to date in the north east of Scotland indicates a lack of political will to develop and implement strategies to achieve these ends.

For example, there is a desperate need to deal with existing choke points in Aberdeen city, such as the Bridge of Dee and the Haudagain roundabout, and perform a proper regional, multi-modal

study. This would lead to a range of measures aimed at reducing the number of single occupancy motor car trips. Instead, the Minister has announced a costly AWPR which will do little to reduce congestion in Aberdeen city (according to Transport Scotland's own figures; see further comments below).

Furthermore, if the project is funded via a private finance initiative (PFI), residents in the north east of Scotland could end up paying for this grandiose road scheme over a 20-30 year timeframe. Funds would necessarily be drawn away from other potential transport infrastructure-improvement projects, while Aberdeen City finances are already in a perilous state with an independent audit planned.

Hence, there needs to be a stronger commitment in the NPF2 to truly "breaking the link between economic growth, increased traffic and increased emissions" (paragraph 192). This will not be achieved by continuing to implement discredited and out-dated approaches, such as building dual carriageways through the countryside instead of facing up to the current problems of the existing transport network.

4. AWPR – misleading statements

We are concerned that misleading statements related to the AWPR appear in a number of places in the NPF2.

It is referred to under the list of transport infrastructure commitments to 2012 in paragraphs 194 and 216. However, there is no mention that it is still to be subject to a public inquiry and final determination by the Minister (without prejudice to any possibility of a subsequent legal challenge).

These comments give the impression that a decision has already been made and that the outcome of the process is a mere formality. Furthermore, paragraph 216 includes the statement "The completion of the Aberdeen Western Peripheral Route in 2012 will relieve congestion in Aberdeen city centre ...". The authors concerned appear to have not taken note of the findings of Transport Scotland with respect to the effectiveness of the AWPR. The then Chief Project Engineer stated in an email in November 2005 that the selection of a hybrid route, which transmogrified into the current route, would do little to reduce traffic congestion in Aberdeen city centre.

Misleading statements of this nature undermine trust in the integrity of the planning system (see previous comments above).

In reality, construction of the AWPR will undoubtedly be accompanied by high levels of development sprawl and increased traffic levels, adding to overall levels of CO2 atmospheric emissions.

Yours faithfully,

Colin Cranfield
Planning Liaison Officer

On behalf of Cults, Bieldside and Milltimber Community Council

Copy to:

Nicol Stephen MSP
Councillor Marie Boulton
Councillor Aileen Malone

Councillor Alan Milne