

ROADS (SCOTLAND) ACT 1984
ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT
1947

STATEMENT OF CASE

for

Banchory and Leggart Estates

in the

PUBLIC LOCAL INQUIRY

Into the Draft Scheme and Orders for the Aberdeen Western Peripheral Route

Directorate for Planning and Environmental Appeals Reference: C620707

Dundas & Wilson CS LLP
Saltire Court
20 Castle Terrace
Edinburgh
EH1 2EN

Statement of Case

Banchory and Leggart Estates

1. This Statement of Case relates to the Southern Leg of the proposed Aberdeen Western Peripheral Route (AWPR).
2. Banchory and Leggart Estates have land interests around the location of the proposed Charleston junction, where the proposed Southern Leg of the AWPR meets the existing A90.
3. Banchory and Leggart Estates are actively engaging in the emerging Structure Plan process within Aberdeen City and Aberdeenshire and are concerned to ensure that the AWPR is constructed to a suitable standard for strategic purposes with regard to the likely outcomes of the forthcoming Structure Plan, which appears to concur with several time horizons for the delivery of the road.
4. It is noted that within Transport Scotland's Statement of Case dated 17 June 2008 several references are made to the strategic role of the road and to the ability of the road to support the effective operation of the strategic road network in the North East of Scotland.
5. These objectives can only be attained by ensuring that ample capacity is built into the AWPR at the outset and Banchory and Leggart Estates are concerned that Charleston junction in its presently proposed format does not achieve this aim.
6. Should that prove to be the case, the junction would then act as a choke on future development and fail to maintain the strategic traffic benefits which are the key driver for the scheme as a whole.
7. Banchory and Leggart Estates are therefore promoting the adoption into the overall scheme of an alternative junction layout for Charleston. No detailed plans of this alternative junction have been provided by Banchory and Leggart Estates as the alternative has already been designed by Transport Scotland as part of the earlier AWPR process – a copy of the earlier Transport Scotland layout is attached to this Statement of Case.
8. Taking the above into account, expert evidence will be led regarding the development of the Charleston junction proposals, the traffic modelling associated with the presently proposed scheme and the strategic planning policy which sets the background for major infrastructure decisions such as the development of the AWPR.
9. Evidence will also be led in relation to side road alignments which potentially prejudice the strategic release of ground around Charleston junction.

10. The promoters' proposals prejudice the continued viability of agricultural operations on the estate by dislocating the principal tenant's farming base, at Rigifa, from the bulk of the farm land which lies north west of the Charleston Junction. In order to mitigate the effects of the scheme it would be appropriate to provide a general purpose shed at Tillyhowes.
11. It is the intention of Banchory and Leggart Estates to continue dialogue with Transport Scotland with a view to resolving outstanding objections.

List of Documents

1. Traffic modelling report – Banchory and Leggart Estates.
2. Emerging Aberdeen and Aberdeenshire Structure Plan.

List of Witnesses

1. Rupert Lumsden – Banchory and Leggart Estates
2. Alex Sneddon – Savell, Bird and Axon (Traffic and Transport)
3. Neil Sutherland – PPCA (Strategic Planning)
4. Andy Follis – PPCA (Landscape)

The Objectors reserve the right to amend their document and witness lists in response to the case to be presented by the Promoter.

Legal Representation - Dundas and Wilson

Presentation of the case – Malcolm Thomson QC

Charleston Junction layout as previously proposed

