

PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020 RESPONSE FORM

As part of the production of the Local Development Plan, a 'Main Issues Report' was published in January 2019. The responses from these consultations have helped to inform the content of the Proposed Local Development Plan ("the Proposed Plan").

The Aberdeenshire Local Development Plan will direct decision-making on land-use planning issues and planning applications in Aberdeenshire for the 10-year period from 2021 to 2031. The Proposed Plan was agreed by Aberdeenshire Council in March 2020 as the settled view of the Council. However, the Proposed Plan will be subjected to an independent examination and is now open for public comment.

This is your opportunity to tell us if anything should be changed in the Proposed Plan, and why.

When writing a response to the Proposed Plan it is important to specifically state the modification(s) that you would wish to see to the Plan.

This is the only remaining opportunity to comment on the Proposed Plan. The reasons for any requested changes will be analysed and reported to Scottish Ministers. They will then appoint a person known as a Reporter to conduct a public examination of the Proposed Plan, focusing particularly on any unresolved issues and the changes sought.

Ministers expect representations (or responses) to be concise (no more than 2000 words) and accompanied by limited supporting documents. It is important to ensure that all of the information that you wish to be considered is submitted during this consultation period as there is no further opportunity to provide information, unless specifically asked.

Please email comments to ldp@aberdeenshire.gov.uk or send this form to reach us by 17 July 2020.

We recommend that you keep a copy of your representation for your own records.



ACCESSIBILITY

If you need information from this document in an alternative language or in a Large Print, Easy Read, Braille or BSL, please telephone 01467 536230.

Jeigu pageidaujate šio dokumento kita kalba arba atspausdinto stambiu šriftu, supaprastinta kalba, parašyta Brailio raštu arba britų gestų kalba, prašome skambinti 01467 536230.

Dacă aveți nevoie de informații din acest document într-o altă limbă sau într-un format cu scrisul mare, ușor de citit, tipar pentru nevăzători sau în limbajul semnelor, vă rugăm să telefonați la 01467 536230.

Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

Ja jums nepieciešama šai dokumentā sniegtā informācija kādā citā valodā vai lielā drukā, viegli lasāmā tekstā, Braila rakstā vai BSL (britu zīmju valodā), lūdzu, zvaniet uz 01467 536230.

Aberdeenshire Local Development Plan
Woodhill House, Westburn Road, Aberdeen, AB16 5GB

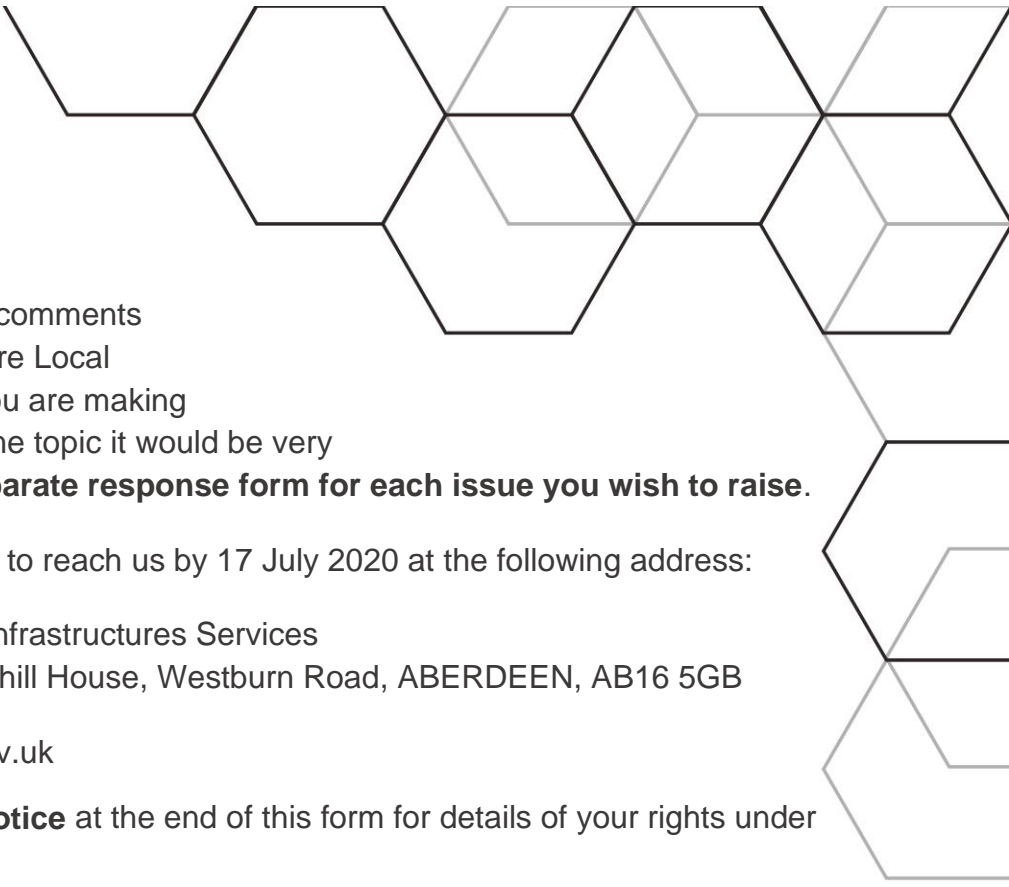
Tel: 01467 536230

Email: ldp@aberdeenshire.gov.uk

Web: www.aberdeenshire.gov.uk/ldp

Follow us on Twitter [@ShireLDP](https://twitter.com/ShireLDP)

If you wish to contact one of the area planning offices, please call 01467 534333 and ask for the relevant planning office or email planning@aberdeenshire.gov.uk.



Please use this form to make comments on the Proposed Aberdeenshire Local Development Plan 2020. If you are making comments about more than one topic it would be very helpful if you could fill in a **separate response form for each issue you wish to raise**.

Please email or send the form to reach us by 17 July 2020 at the following address:

Post: Planning Policy Team, Infrastructures Services
Aberdeenshire Council, Woodhill House, Westburn Road, ABERDEEN, AB16 5GB

Email: ldp@aberdeenshire.gov.uk

Please refer to our **Privacy Notice** at the end of this form for details of your rights under the Data Protection Act.

YOUR DETAILS

| | |
|-------------------|--|
| Title: | |
| First Name: | John |
| Surname: | Buchan |
| Date: | 18 June 2020 |
| Postal Address: | ████████████████████ |
| Postcode: | ████████ |
| Telephone Number: | ██████████ |
| Email: | ██ |

Are you happy to receive future correspondence only by email? Yes No

Are you responding on behalf of another person? Yes No

If yes who are you representing? John Barclay

Tick the box if you would like to subscribe to the Aberdeenshire LDP eNewsletter:

An acknowledgement will be sent to this address soon after the close of consultation.

YOUR COMMENTS

Please provide us with your comments below. We will summarise comments and in our analysis will consider every point that is made. Once we have done this we will write back to you with Aberdeenshire Council's views on the submissions made. We will publish your name as the author of the comment, but will not make your address public.

Modification that you wish to see (please make specific reference to the section of the Proposed Plan you wish to see modified if possible, for example Section 9, paragraph E1.1):

Change to settlement statement for Newmachar to allocate 1.6ha of employment land at Redwood Cottage (bid reference GR075) independently of the wider OP3 allocation, and without reference to the need for development to adhere to the principles of the Development Framework for Newmachar, approved in 2012, nor any suggestion that delivery of the site is contingent upon the delivery of the proposed distributor road.

Reason for change:

The Draft Proposed Local Development Plan published alongside the Main Issues Report (MIR) in 2019 showed the allocation of bid reference GR075 for 1.6ha of employment land independently of any surrounding land, as recommended by officers. At the same time, surrounding land covered by the existing OP3 allocation in the extant Local Development Plan (LDP) 2017 was shown as a future opportunity site.

In response to the consultation on the MIR, our client welcomed that allocation, and the fact that the Main Issues Report made no reference to the need for the site to adhere to the principles of the Development Framework for Newmachar, or for the delivery of the site to be contingent upon the delivery of the proposed distributor road. Our client did though object to the wording in the Draft Proposed Local Development Plan which stated that:

“A Development Framework showing how this site and site OP1 will be linked by a new distributor road was approved in December 2012. Future development proposals must adhere to the principles set out within this document.”

In the Proposed Local Development Plan 2020 (PLDP), bid reference GR075 has once again been subsumed into a wider allocation, identified as OP3, for 11.1ha of employment land. This includes the OP3 allocation in the extant Local Development Plan 2017, but covers an increased area. The proposed allocation also continues to refer to the Development Framework that was approved in 2012, and for the need for a masterplan for the site.

It is understood that this change resulted from the decision to no longer show future opportunity sites on settlement statement maps, and a desire to meet a community aspiration for greater opportunities for employment within the village. As such, the Garioch Area Committee agreed to extend the OP3 allocation to the north east to provide additional

land for employment uses to come forward, with that subsequently being endorsed by the Infrastructure Services Committee.

While the desire to meet a community aspiration for greater opportunities for employment in the village is welcomed by our client, it is submitted that this would be better done by identifying bid reference GR075 independently from the surrounding land, and without reference to the Development Framework, on the basis that:

- our client's site is capable of being developed independently of the other sites included in the Framework, with no environmental or infrastructure constraints on the development of this, and with this identified as part of the marketable employment land supply in the most recent Employment Land Audit;
- it is also of a scale commensurate with a Local Growth and Diversification Area (to which no changes are proposed in the Proposed Strategic Development Plan) and a settlement of the size of Newmachar, with this meaning that the level of traffic generated will not impact significantly on the village core, particularly given the improvements to the road network associated with the AWPR;
- delivery of development on this site is however currently constrained by the extant LDP requiring this to be brought forward as part of the Development Framework, such that this is reliant on other parties in a way that it would not be if the site was allocated independently;
- it is particularly important that any employment allocation is deliverable in the life time of the new LDP given that the PLDP states that: *"[t]he clear focus of the community is to transform Newmachar from a dormitory settlement to a sustainable mixed community, and for development to take place to allow people to not only live but also work in Newmachar"*;
- any requirement to adhere to the principles of the Framework or for our client's site to be brought forward together with surrounding land is accordingly artificially constraining the release of much needed employment land in Newmachar, contrary to the express aspirations for the settlement;
- the historic nature of the Development Framework means that it is no longer appropriate for reference to be made to it in the emerging LDP, and that it would be more appropriate for the Framework to constitute a material consideration in the determination of any future planning applications, rather than bringing an historic document into what is meant to be an up to date and relevant development plan, particularly when this plan is expected to remain in place for a period of 10 years;

- safe and convenient access to the site can be provided from Hillbrae Way/Kingseat (the suitability of which was confirmed through the preparation of the Development Framework and, while it is no longer considered appropriate for this to be referred to in the emerging LDP for the reasons set out above, the background work is still relevant and supports the access arrangements proposed); and
- improvement to the A947 where it crosses the AWPR will mean that there will be a movement of traffic from the Old Church Road to the A947 and that, along with the re-configured road at the junction of the Old Church Road and the former B997 crossroads, means that there will be less traffic travelling through the core of the settlement, hence allowing for small scale development without the need for the distributor road.

In light of the above, it is clear that our client's site could be delivered earlier - and thus be better able to contribute to the achievement of the settlement objectives for Newmachar - if it were to be developed independently of the surrounding land.

Accordingly, in order to ensure the delivery of much needed employment land in Newmachar in the period of the new LDP, it is submitted that:

- our client's site (bid reference GR075) should be allocated for 1.6ha of employment land at Redwood Cottage independently of the wider OP3 allocation; and
- in that allocation, there should be no reference to the Development Framework approved in 2012, nor any suggestion that delivery of the site is contingent upon the delivery of the proposed distributor road.

Copies of our client's responses to the call for sites and consultation on the Main Issues Report are also annexed here-to for reference.

PRIVACY NOTICE

LOCAL DEVELOPMENT PLAN PUBLIC COMMENT

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: dataprotection@aberdeenshire.gov.uk

Your information is being collected to use for the following purposes:

- To provide public comment on the Aberdeenshire Local Development Plan. The data on the form will be used to inform Scottish Ministers and individual(s) appointed to examine the Proposed Local Development Plan 2020. It will inform the content of the Aberdeenshire Local Development Plan 2021.

Your information is:

| | |
|--|---|
| Being collected by Aberdeenshire Council | X |
|--|---|

The Legal Basis for collecting the information is:

| | |
|-------------------|---|
| Personal Data | |
| Legal Obligations | X |

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

It is a Statutory Obligation under Section 18 of the Town and Country (Scotland) Act 1997, as amended, for Aberdeenshire Council to prepare and publish a Proposed Local Development plan on which representations must be made to the planning authority within a prescribed period of time. Failure to provide details requested in the 'Your Details' section of this form will result in Aberdeenshire Council being unable to accept your representation.

Your information will be shared with the following recipients or categories of recipient:

Members of the public are being given this final opportunity to comment on the Proposed Aberdeenshire Local Development Plan. The reasons for any changes that the Council receives will be analysed and reported to Scottish Ministers. They will then appoint a person to conduct a public examination of the Proposed Plan, focusing particularly on the unresolved issues raised and the changes sought.

Your name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your

submission) will be published alongside a copy of your completed response on the Proposed Local Development Plan website (contact details and information that is deemed commercially sensitive will not be made available to the public).

In accordance with Regulation 22 of the Town and Country (Development Planning) (Scotland) Regulations 2008 where the appointed person determines that further representations should be made or further information should be provided by any person in connection with the examination of the Proposed Plan the appointed person may by notice request that person to make such further representations or to provide such further information.

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

Not applicable.

The retention period for the data is:

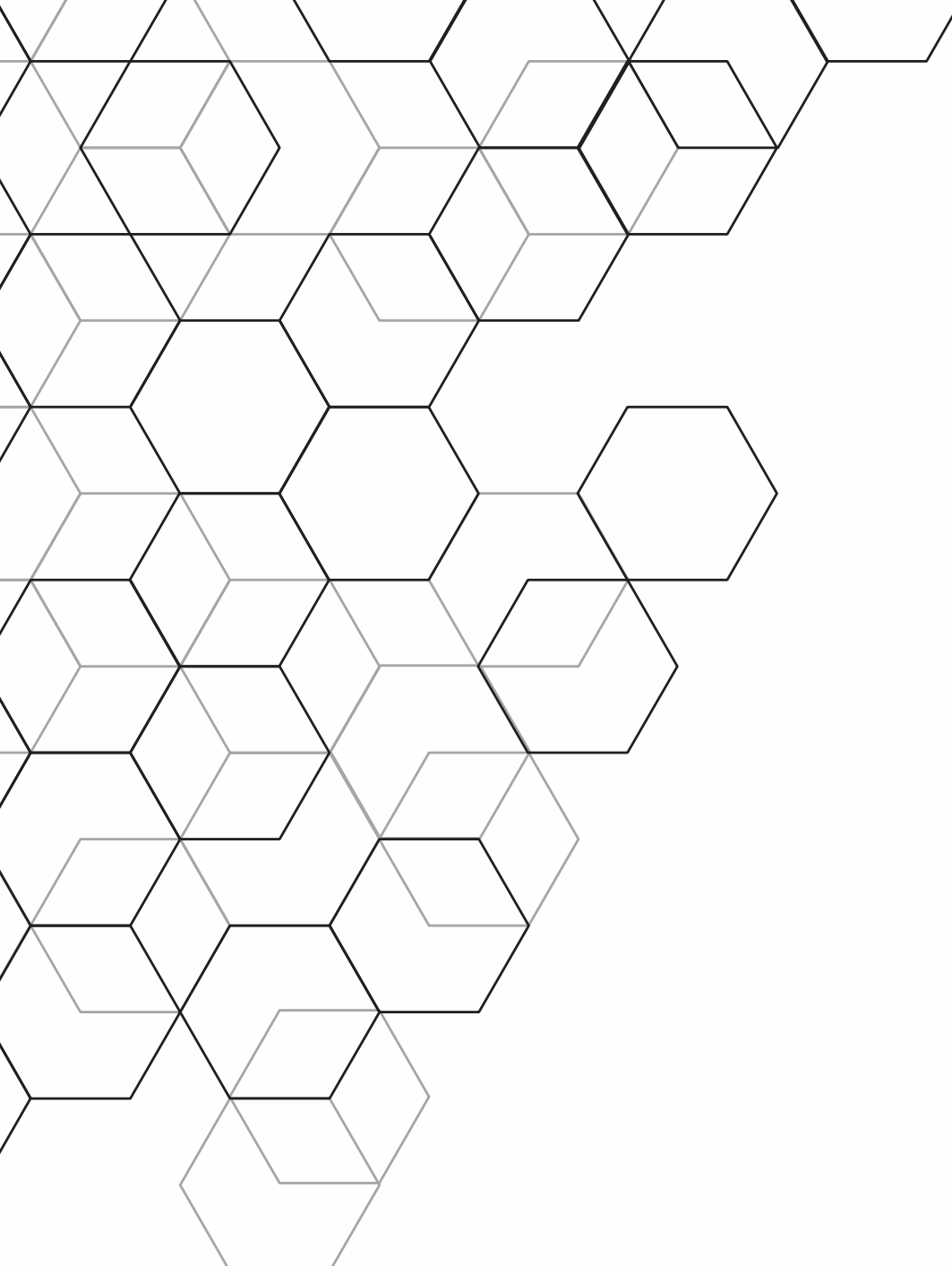
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue to retain your information for a longer period. A redacted copy of your submission will be retained for 5 years beyond the life of the Local Development Plan 2021, possibly until 2037.

The following automated decision-making, including profiling, will be undertaken:

Not applicable.

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.





Doing things digitally is our preference. Tick the box if you are not happy to receive correspondence via email:

Tick the box if you would like to subscribe to the Aberdeenshire LDP eNewsletter:

Fair processing notice

Please tick to confirm your agreement to the following statements:

By submitting a response to the consultation, I agree that Aberdeenshire Council can use the information provided in this form, including my personal data, as part of the review of the Aberdeenshire Local Development Plan. This will include consultation on the Main Issues Report (including any subsequent Proposed Plan).

I also agree that following the end of the consultation, i.e. after 8 April 2019, my name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your submission) can be published alongside a copy of my completed response on the Main Issues Report website (contact details and information that is deemed commercially sensitive will not be made available to the public).

The data controller for this information is Aberdeenshire Council. The data on the form will be used to inform a public debate of the issues and choices presented in the Main Issues Report of the Aberdeenshire Local Development Plan 2021. It will inform the content of the Proposed Aberdeenshire Local Development Plan.

Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue to retain your information for a longer period. A redacted copy of your submission will be retained for 5 years beyond the life of the Local Development Plan 2021, possibly until 2037

Your Data, Your Rights

You have got legal rights about the way Aberdeenshire Council handles and uses your data, which include the right to ask for a copy of it, and to ask us to stop doing something with your data.

If you are unhappy with the way that Aberdeenshire Council or the Joint Data Controllers have processed your personal data then you do have the right to complain to the Information Commissioner's Officer, but you should raise the issue with the Data Protection Officers first. The Data Protection Officers can be contacted by writing to:

- [REDACTED], Data Protection Officer, Aberdeenshire Council, Business Services, Town House, 34 Low Street, Banff, AB45 1AY

If you have difficulty understanding this document and require a translation, or you need help reading this document (for example if you need it in a different format or in another language), please phone us on 01467 536230.

| | | |
|---|---|-------------------------------------|
| Which document(s) are you commetning on? | Main Issues Report | <input checked="" type="checkbox"/> |
| | Draft Proposed Aberdeenshire Local Development Plan | <input checked="" type="checkbox"/> |
| | Strategic Environmental Assessment Interim Environmental Assessment | <input type="checkbox"/> |
| | Other | <input type="checkbox"/> |

Your comments

Bid reference GR075 Land at OP3 Site, South East of Redwood Cottage, Newmachar

Our client supports the allocation of this site for 1.6 hectares of employment land, as recommended by officers. The identification of the site independently of the former wider OP3 site is particularly welcomed.

By providing local employment opportunities in an accessible location, the allocation would contribute to the Council's priority of supporting a strong, sustainable, diverse and successful economy, as well as the achievement of Scottish Planning Policy's outcome in relation to creating successful sustainable places as reflected in the MIR.

In the extant LDP, the site is included as part of the larger OP3 allocation The MIR stresses the importance of consistency and continuity with previous development plans, and the continued allocation of the site would be in line with that.

Its allocation is also consistent with the need, as identified in the MIR Chapter 4. Shaping Business Development, for economic development opportunities to be place based, with opportunities for people to contribute to a growing, adaptable and productive economy. At the same time, it would contribute to providing a diverse range of sites which are capable of being delivered within 5 years and are accessible by a range of sustainable transport modes, objectives also set out in Chapter 4.

Specifically in relation to Newmachar, the MIR highlights the limited employment opportunities within the village and the need to transform Newmachar from a dormitory settlement to a sustainable mixed community, and for development which allows people to both live and work there. As such a key planning objective is "*To provide opportunity for employment.*"

The allocation of this site would help to achieve that objective whilst addressing wider priorities and policy objectives, as set out above, in that:

- there are no environmental or infrastructure constraints on the development of this site, making it the only employment site in the settlement that can be delivered in the short term (within the next 5 years)
- it is identified as marketable in the Employment Land Audit 2016/17;

Your comments (continued)

- it is of a scale commensurate with a Local Growth and Diversification Area (to which no changes are proposed in the Proposed Strategic Development Plan) and a settlement of the size of Newmachar;
- it is well located on the edge of the existing settlement, only 1km from the village centre, making it easily accessible by sustainable and active modes of transport including walking and cycling, and with Stagecoach bus stops within 400m, providing access to both the north and south.

The fact that the MIR makes no reference to the need for the site to adhere to the principles of the Development Framework for Newmachar, or for the delivery of the site to be contingent upon the delivery of the proposed distributor road, is very much supported.

Our client does though object to the retention of the wording in the Draft Proposed Local Development Plan which states that:

“A Development Framework showing how this site and site OP1 will be linked by a new distributor road was approved in December 2012. Future development proposals must adhere to the principles set out within this document.”

The reasons for that objection are set out below:

- as stated above, there are no constraints on the site, and it is therefore capable of being developed independently of other sites included in the Framework, and indeed can be delivered earlier without doing so;
- the scale of development (5,000m²) means that the level of traffic generated will not impact significantly on the village core, particularly given the improvements to the road network associated with the AWPR;
- enforcing adherence to the principles of the Framework effectively undermines the deliverability of the employment land; and
- it is particularly important that any employment allocation is deliverable in the life time of the new LDP given the aspirations for the settlement set out above and as stated previously that is less likely if tied to the delivery of other sites.

Further details are provided in our client’s initial bid submitted in response to the call for sites.

Local Development Plan 2021



Call for Sites Response Form

Aberdeenshire Council would like to invite you to use this form to submit a site for consideration within the next Local Development Plan (LDP 2021) for the period 2021 to 2031. A separate form should be completed for each site you wish to submit.

This is not a speculative plan. It is a fresh 'call for sites', so please re-submit any sites that do not or are not expected to have planning permission by 2021.

In order for the bids to be fully assessed, it is crucial that the questions in the bid form are answered fully and concisely with clear evidence of deliverability. The submission of a supporting statement, often known as a paper apart, should be avoided, and only assessments, such as a Flood Risk Assessment that has already been undertaken, should be submitted in support of your proposed site.

Completed forms and Ordnance Survey "Landline" site maps should be returned by email to: ldp@aberdeenshire.gov.uk

Alternatively, you can return the form and Ordnance Survey map by post to:
Planning Policy, Infrastructure Services, Woodhill House, Westburn Road, Aberdeen AB16 5GB

All forms must be submitted by 31 March 2018.

1. Your Details

| | |
|---|----------------------------|
| Name | [REDACTED] |
| Organisation (if applicable) | Michael Gilmour Associates |
| Address | [REDACTED] |
| Telephone | [REDACTED] |
| Email | [REDACTED] |
| Do you wish to subscribe to our newsletter? | Yes |

2. If you are acting as an agent on behalf of a third party, please give their details

| | |
|------------------------------|--------------|
| Name | John Barclay |
| Organisation (if applicable) | |
| Address | [REDACTED] |
| Telephone | |
| Email | |

3. Other Owners

| | |
|---|--|
| Please give name, organisation, address, email details of other owner(s) where appropriate: | |
| Do these owners know this is being proposed for development? | |

For data protection purposes, please complete the rest of this form on a new page

4. Site Details

| | |
|---|---|
| Name of the site (Please use the LDP name if the site is already allocated) | 1.6ha of current OP3: Redwood Cottage, Newmachar allocation |
| Site address | |
| OS grid reference (if available) | NJ890187 |
| Site area / size | 1.6ha |
| Current land use | Agriculture |
| Brownfield / greenfield | Greenfield |
| Please include an Ordnance Survey map (1:1250 or 1:2500 base for larger sites, e.g. over 2ha) showing the location and extent of the site, points of access, means of drainage etc. | |

5. Ownership / Market Interest

| | |
|---|-----------------------------|
| Ownership (Please list the owners in question 3 above) | Sole owner |
| Is the site under option to a developer? | No |
| | If yes, please give details |
| Is the site being marketed? | No |
| | If yes, please give details |

6. Legal Issues

| | |
|--|-----------------------------|
| Are there any legal provisions in the title deeds that may prevent or restrict development? (e.g. way leave for utility providers, restriction on use of land, right of way etc.) | No |
| | If yes, please give details |
| Are there any other legal factors that might prevent or restrict development? (e.g. ransom strips / issues with accessing the site etc.) | No |
| | If yes, please give details |

7. Planning History

| | |
|--|--|
| Have you had any formal/ informal pre-application discussions with the Planning Service and what was the response? | No |
| | If yes, please give details: |
| Previous planning applications | Please provide application reference number(s), description(s) of the development, and whether planning permission was approved or refused: |
| Previous 'Call for sites' history. See Main Issues Report 2013 at www.aberdeenshire.gov.uk/ldp | Please provide Previous 'Call for sites' / 'Bid' reference number: A submission was made to include a supermarket on part of the allocated site in the previous LDP examination. |
| Local Development Plan status www.aberdeenshire.gov.uk/ldp | Is the site currently allocated for any specific use in the existing LDP? Yes, allocated for employment use. |
| | If yes, do you wish to change the site description and or allocation? We wish to change the area of the site allocation to 1.6ha. |

8. Proposed Use

| | | |
|---|---|---|
| Proposed use | | Housing / employment / mixed use / other (please specify): Employment |
| Housing | Approx. no of units | |
| | Proposed mix of house types | Number of: <ul style="list-style-type: none"> • Detached: • Semi-detached: • Flats: • Terrace: • Other (e.g. Bungalows): |
| | | Number of: <ul style="list-style-type: none"> • 1 bedroom homes: • 2 bedroom homes: • 3 bedroom homes: • 4 or more bedroom homes: |
| | Tenure (Delete as appropriate) | Private / Rented / Self-Build / Supported houses (e.g. for elderly) / Other (please specify): |
| | Affordable housing proportion | % |
| Employment | Business and offices | Indicative floor space: 5,000 m ² |
| | General industrial | Indicative floor space: m ² |
| | Storage and distribution | Indicative floor space: m ² |
| | Do you have a specific occupier for the site? | Yes / No |
| Other | Proposed use (please specify) and floor space | m ² |
| | Do you have a specific occupier for the site? | No |
| Is the area of each proposed use noted in the OS site plan? | | |

9. Delivery Timescales

| | | |
|--|--|---|
| We expect to adopt the new LDP in 2021. How many years after this date would you expect development to begin? (please tick) | 0-5 years | ✓ |
| | 6-10 years | |
| | 10+ years | |
| When would you expect the development to be finished? (please tick) | 0-5 years | ✓ |
| | 6-10 years | |
| | + 10years | |
| Have discussions taken place with financiers? Will funding be in place to cover all the costs of development within these timescales | No | |
| | If yes, please give details (e.g. bank facility, grant funding, secured loan etc.) | |
| Are there any other risk or threats (other than finance) to you delivering your proposed development | No | |
| | If yes, please give details and indicate how you might overcome them: | |

10. Natural Heritage

| | | |
|---|--|---|
| <p>Is the site located in or within 500m of a nature conservation site, or affect a protected species?</p> <p>Please tick any that apply and provide details.</p> <p>You can find details of these designations at:</p> <ul style="list-style-type: none"> • https://www.environment.gov.scot/ • EU priority habitats at http://gateway.snh.gov.uk/sitelink/index.jsp • UK or Local priority habitats at http://www.biodiversityscotland.gov.uk/advice-and-resources/habitat-definitions/priority/ • Local Nature Conservation Sites in the LDP's Supplementary Guidance No. 5 at www.aberdeenshire.gov.uk/ldp | Ramsar Site: | X |
| | Special Area of Conservation | X |
| | Special Protection Area | X |
| | Priority habitat (Annex I) | X |
| | European Protected Species | X |
| | Other protected species | X |
| | Site of Special Scientific Interest | X |
| | National Nature Reserve | X |
| | Ancient Woodland | X |
| | Trees, hedgerows and woodland (including trees with a Tree Preservation Order) | X |
| | Priority habitat (UK or Local Biodiversity Action Plan) | X |
| | Local Nature Conservation Site | X |
| | Local Nature Reserve | X |
| If yes, please give details of how you plan to mitigate the impact of the proposed development: | | |
| Biodiversity enhancement | | |
| <p>Please state what benefits for biodiversity this proposal will bring (as per paragraph 194 in Scottish Planning Policy, http://www.gov.scot/Resource/0045/00453827.pdf) by ticking all that apply. Please provide details.</p> <p>See Planning Advice 5/2015 on Opportunities for biodiversity enhancement at: www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf</p> <p>Advice is also available from Scottish Natural Heritage at: https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers and http://www.nesbiodiversity.org.uk/.</p> | Restoration of habitats | |
| | Habitat creation in public open space | |
| | Avoids fragmentation or isolation of habitats | |
| | Provides bird/bat/insect boxes/Swift bricks (internal or external) | ✓ |
| | Native tree planting | ✓ |
| | Drystone wall | |
| | Living roofs | |
| | Ponds and soakaways | |
| | Habitat walls/fences | |
| | Wildflowers in verges | ✓ |
| | Use of nectar rich plant species | |
| | Buffer strips along watercourses | |
| | Show home demonstration area | |
| Other (please state): | | |
| If yes, please provide details: Although a detailed design for the site has not yet been prepared (pending the outcome of the LDP process) it is intended, particularly given the location of the site on the edge of the settlement to maximise the biodiversity benefits from native tree planting in particular, but also incorporating other elements of design to support biodiversity. Further details will be provided as the design progresses. | | |

11. Historic environment

| Historic environment enhancement | | |
|--|---|---|
| Please state if there will be benefits for the historic environment. | No If yes, please give details: | |
| <p>Does the site contain/ is within/ can affect any of the following historic environment assets? Please tick any that apply and provide details. You can find details of these designations at:</p> <ul style="list-style-type: none"> http://historicscotland.maps.arcgis.com/apps/Viewer/index.html?appid=18d2608ac1284066ba3927312710d16d http://portal.historicenvironment.scot/ https://online.aberdeenshire.gov.uk/smrpub/master/default.aspx?Authority=Aberdeenshire | Scheduled Monument or their setting | X |
| | Locally important archaeological site held on the Sites and Monuments Record | ✓ |
| | Listed Building and/or their setting | ✓ |
| | Conservation Area (e.g. will it result in the demolition of any buildings) | X |
| | Inventory Gardens and Designed Landscapes | X |
| | Inventory Historic Battlefields | X |
| | <p>If yes, please give details of how you plan to mitigate the impact of the proposed development: Elrick House (NJ8NE0026) and associated structures are recorded on the Sites and Monuments Record as well as being listed buildings. Newmachar Parish Church is also listed. The Church is located in the centre of the settlement and hence will not be impacted on by any development of this site. Elrick House is separated from the site by the A947 and is some distance away and so again will not be impacted on by development on this site. That conclusion is supported by allocation of the site in the current LDP.</p> | |

12. Landscape Impact

| | |
|--|---|
| <p>Is the site within a Special Landscape Area (SLA)? (You can find details in Supplementary Guidance 9 at www.aberdeenshire.gov.uk/ldp)</p> | No If yes, please state which SLA your site is located within and provide details of how you plan to mitigate the impact of the proposed development: |
| <p>SLAs include the consideration of landscape character elements/features. The characteristics of landscapes are defined in the Landscape Character Assessments produced by Scottish Natural Heritage (see below) or have been identified as Special Landscape Areas of local importance.</p> <ul style="list-style-type: none"> SNH: Landscape Character Assessments https://www.snh.scot/professional-advice/landscape-change/landscape-character-assessment SNH (1996) Cairngorms landscape | <p>If your site is not within an SLA, please use this space to describe the effects of the site's scale, location or design on key natural landscape elements/features, historic features or the composition or quality of the landscape character: The site is located in the Formartine Lowlands Landscape Character Area, much of which was reclaimed moorland, and is described as being liberally scattered with settlements. One of the aims of the landscape character assessment is to encourage compact and traditional settlement patterns and small</p> |

| | |
|---|---|
| <p>assessment http://www.snh.org.uk/pdfs/publications/review/075.pdf</p> <ul style="list-style-type: none"> • SNH (1997) National programme of landscape character assessment: Banff and Buchan http://www.snh.org.uk/pdfs/publications/review/037.pdf • SNH (1998) South and Central Aberdeenshire landscape character assessment http://www.snh.org.uk/pdfs/publications/review/102.pdf | <p>scale employment development adjacent to the current built up area would be consistent with that aim. That is particularly so if the new development includes woodlands and shelterbelts to help screen and contain the development as proposed for this site.</p> |
|---|---|

13. Flood Risk

| | |
|--|--|
| <p>Is any part of the site identified as being at risk of river or surface water flooding within SEPA flood maps, and/or has any part of the site previously flooded?</p> <p>(You can view the SEPA flood maps at http://map.sepa.org.uk/floodmap/map.htm)</p> | <p>No</p> <p>If yes, please specify and explain how you intend to mitigate this risk:</p> |
| <p>Could development on the site result in additional flood risk elsewhere?</p> | <p>No</p> <p>If yes, please specify and explain how you intend to mitigate or avoid this risk:</p> |
| <p>Could development of the site help alleviate any existing flooding problems in the area?</p> | <p>No</p> <p>If yes, please provide details:</p> |

14. Infrastructure

a. Water / Drainage

| | | |
|---|--|-----|
| <p>Is there water / waste water capacity for the proposed development (based on Scottish Water asset capacity search tool http://www.scottishwater.co.uk/business/Connections/Connecting-your-property/Asset-Capacity-Search)?</p> | Water | Yes |
| | Waste water | Yes |
| <p>Has contact been made with Scottish Water?</p> | <p>No</p> <p>If yes, please give details of outcome:</p> | |
| <p>Will your SUDS scheme include rain gardens? http://www.central-scotland-green-network.org/campaigns/greener-gardens</p> | <p>No</p> <p>Please specify:</p> | |

b. Education – housing proposals only

| | |
|---|---|
| <p>Education capacity / constraints https://www.aberdeenshire.gov.uk/schools/parents-carers/school-info/school-roll-forecasts/</p> | <p>Please provide details of any known education constraints. Is additional capacity needed to serve the development?</p> |
| <p>Has contact been made with the Local Authority's Education Department?</p> | <p>Yes / No</p> <p>If yes, please give details of outcome:</p> |

| c. Transport | |
|--|---|
| If direct access is required onto a Trunk Road (A90 and A96), or the proposal will impact on traffic on a Trunk Road, has contact been made with Transport Scotland? | No If yes, please give details of outcome: |
| Has contact been made with the Local Authority's Transportation Service? They can be contacted at transportation.consultation@aberdeenshire.gov.uk | No If yes, please give details of outcome: |
| Public transport | Please provide details of how the site is or could be served by public transport: The site is adjacent to the A947 along which Stagecoach bus services 35 Aberdeen to Elgin and 747 Peterhead or Ellon to Dyce run. The furthest part of the site is within 400m of the nearest bus stop. |
| Active travel (i.e. internal connectivity and links externally) | Please provide details of how the site can or could be accessed by walking and cycling: The site is located on the edge of the settlement with pedestrian access provided on to Hillbrae Way. The village centre is 1km away and therefore easily accessible by walking and cycling. |
| d. Gas / Electricity / Heat / Broadband | |
| Has contact been made with the relevant utilities providers? | Gas: No If yes, please give details of outcome(s): |
| | Electricity: No If yes, please give details of outcome(s): |
| | Heat: No If yes, please give details of outcome(s): |
| | Broadband: No If yes, please give details of outcome(s): |
| Have any feasibility studies been undertaken to understand and inform capacity issues? | No Please specify: |
| Is there capacity within the existing network(s) and a viable connection to the network(s)? | Yes Please specify: |
| Will renewable energy be installed and used on the site? For example, heat pump (air, ground or water), biomass, hydro, solar (photovoltaic (electricity) or thermal), or a wind turbine (freestanding / integrated into the building) | Yes / No / Don't know If yes, please specify the type of renewable energy technology(s), if it is to provide electricity and/or heating (i.e. space heating and/or hot water), and the scale of provision (To supplement off-site connection all the way |

| | |
|---|--|
| | to 100% energy provision (off-grid): Photovoltaic panels will be provided on the roof of each building and heat pumps will be used for comfort cooling/heating. |
| e. Public open space | |
| Will the site provide the opportunity to enhance the green network? (These are the linked areas of open space in settlements, which can be enhanced through amalgamating existing green networks or providing onsite green infrastructure) You can find the boundary of existing green networks in the settlement profiles in the LDP | Not applicable Please specify: |
| Will the site meet the open space standards, as set out in Appendix 2 in the Aberdeenshire Parks and Open Spaces Strategy? https://www.aberdeenshire.gov.uk/media/6077/approvedpandospacesstrategy.pdf | Yes Please specify: |
| Will the site deliver any of the shortfalls identified in the Open Space Audit for specific settlements? https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/ | Not applicable Please specify: |
| f. Resource use | |
| Will the site re-use existing structure(s) or recycle or recover existing on-site materials / resources? | No – there are no such structures/materials on the site. If yes, please specify: |
| Will the site have a direct impact on the water environment and result in the need for watercourse crossings, large scale abstraction and/or culverting of a watercourse? | No If yes, please provide details: |

15. Other potential constraints

Please identify whether the site is affected by any of the following potential constraints:

| | |
|---|----|
| Aberdeen Green Belt https://www.aberdeenshire.gov.uk/media/20555/appendix-3-boundaries-of-the-greenbelt.pdf | No |
| Carbon-rich soils and peatland http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/ | No |
| Coastal Zone https://www.aberdeenshire.gov.uk/media/20176/4-the-coastal-zone.pdf | No |
| Contaminated land | No |
| Ground instability | No |
| Hazardous site / HSE exclusion zone (You can find the boundary of these zones in Planning Advice 1/2017 | No |

| | |
|--|---------------------|
| Pipeline and Hazardous Development Consultation Zones at https://www.aberdeenshire.gov.uk/planning/plans-and-policies/planning-advice/ and advice at http://www.hse.gov.uk/landuseplanning/developers.htm) | |
| Minerals – safeguarded or area of search https://www.aberdeenshire.gov.uk/ldpmedia/6_Area_of_search_and_safeguard_for_minerals.pdf | No |
| Overhead lines or underground cables | No |
| Physical access into the site due to topography or geography | No |
| Prime agricultural land (grades 1, 2 and 3.1) on all or part of the site. http://map.environment.gov.scot/Soil_maps/?layer=6 | Yes |
| ‘Protected’ open space in the LDP (i.e. P sites) www.aberdeenshire.gov.uk/ldp and choose from Appendix 8a to 8f | No |
| Rights of way / core paths / recreation uses | No |
| Topography (e.g. steep slopes) | No |
| Other | No (please specify) |
| If you have identified any of the potential constraints above, please use this space to identify how you will mitigate this in order to achieve a viable development: The principle of the use of this area of land for employment use has been well established through its allocation in the current LDP and its inclusion in the Development Framework. | |

16. Proximity to facilities

| | | |
|---|---|---|
| How close is the site to a range of facilities? | Local shops | 400m-1km |
| | Community facilities (e.g. school, public hall) | 400m-1km |
| | Sports facilities (e.g. playing fields) | > 1km |
| | Employment areas | N/A |
| | Residential areas | 400m |
| | Bus stop or bus route | 400m |
| | Train station | 6.5km to Dyce Railway Station |
| | Other, e.g. dentist, pub (please specify) | 400m-1km (church, pharmacy, fish and chip bar, pub, Co-op, post office) |

17. Community engagement

| | |
|--|---|
| Has the local community been given the opportunity to influence/partake in the design and specification of the development proposal? | Yes, as part of the preparation of the Development Framework. |
| | If yes, please specify the way it was carried out and how it influenced your proposals: Community engagement was carried out in relation to the site as part of the Development Framework. Consultation included a public event. |

| | |
|--|---|
| | If not yet, please detail how you will do so in the future: |
|--|---|

18. Residual value and deliverability

| | |
|---|--|
| Please confirm that you have considered the 'residual value' of your site and you are confident that the site is viable when infrastructure and all other costs, such as constraints and mitigation are taken into account. | I have considered the likely 'residual value' of the site, as described above, and fully expect the site to be viable: Please tick: <input checked="" type="checkbox"/> |
|---|--|

If you have any further information to help demonstrate the deliverability of your proposal, please provide details.

As set out in the paper apart, it is clear that the requirement to adhere to the principles of the Development Framework for Newmachar has artificially constrained the delivery of our client's land for much needed employment use. There being no other constraints, the site is capable of being delivered in advance of the implementation of the distributor road and independently of other sites.

19. Other information

Please provide any other information that you would like us to consider in support of your proposed development (please include details of any up-to-date supporting studies that have been undertaken and attach copies e.g. Transport Appraisal, Flood Risk Assessment, Drainage Impact Assessment, Peat / Soil Survey, Habitat / Biodiversity Assessment etc.)

Please tick to confirm your agreement to the following statement:

By completing this form I agree that Aberdeenshire Council can use the information provided in this form for the purposes of identifying possible land for allocation in the next Local Development Plan. I also agree that the information provided, other than contact details and information that is deemed commercially sensitive (questions 1 to 3), can be made available to the public.



Aberdeenshire Local Development Plan 2012

Call for sites response - Employment land, Newmachar

As set out in the Call for Sites Response Form, it is submitted that the land within our client's ownership, forming part of the existing allocation of Site OP3: Redwood Cottage and shown on the attached plan, should be retained in the emerging Local Development Plan. The new allocation should be for 1.6ha of employment land at Redwood Cottage.

At the same time, it is submitted that the allocation should no longer make reference to the need for development to adhere to the principles of the Development Framework for Newmachar, approved in 2012, nor should there be any suggestion that delivery of the site is contingent upon the delivery of the proposed distributor road for the following reasons:

- our client's site is capable of being developed independently of the other sites included in the Framework, and indeed could be delivered earlier by doing so and without the reliance on other parties;
- the scale of development (5,000m²) means that the level of traffic generated will not impact significantly on the village core, particularly given the improvements to the road network associated with the AWPR;
- enforcing adherence to the principles of the Framework effectively undermines the deliverability of the employment land;
- it is particularly important that any employment allocation is deliverable in the life time of the new LDP given that the extant LDP states that *"The clear focus of the community is to transform Newmachar from a dormitory settlement to a sustainable mixed community, and for development to take place to allow people to not only live but also work in Newmachar."*

This paper provides further background and information in terms of the wider policy context that supports the continued allocation of the land in our client's ownership, together with the changes in the wording associated with the allocation as outlined above.



Background

As stated previously, in the current LDP the settlement statement for Newmachar states that:

“The clear focus of the community is to transform Newmachar from a dormitory settlement to a sustainable mixed community, and for development to take place to allow people to not only live but also work in Newmachar”.

Site OP3: Redwood Cottage is a 5ha site allocated for employment use, this being the only site available to deliver employment opportunities and, accordingly, to meet the community’s aspirations in this regard.

In addition, the allocation states that:

“A Development Framework showing how this site and site OP1 will be linked by a new distributor road was approved in December 2012 and that future development proposals must adhere to the principles set out within this document.”

In terms of the Development Framework, Site OP3 (previously E1) is identified as forming part of Phase 1 of any development, with an anticipated site start in March 2013. It is submitted that it is the requirement for our client’s land to be brought forward as part of the Development Framework, and hence is reliant on other parties, which has meant that it has not yet been delivered.

The Development Framework illustrates how it would be possible to deliver a distributor road within the Framework area which would minimise the impact of strategic traffic on the village core, and link the development of Site OP3 (previously E1) with Site OP1 (previously M1) to the North. At the same time it does not state that development cannot happen in the absence of the road. The development of our client’s land is not therefore dependant on the implementation of the road and indeed any requirement to adhere to the principles of the Framework is artificially constraining the release of much needed employment land in Newmachar.

Finally, in terms of background, it should be noted that Site OP3 is:

- located in a Local Growth and Diversification Area in the spatial strategy of the Strategic Development Plan (SDP). Encouraging employment growth in such areas is said to be a central part of making them more sustainable and reducing the need to commute, with its economic, social and environmental



consequences, and that employment land should be made available to meet local needs; and

- listed as part of the marketable employment land supply in the 2016/2017 Employment Land Audit, with no other constraints to development being identified.

Proposed change to allocation

Against this background, it is submitted that the 1.6 hectare area of land in the ownership of our client, and as shown on the attached plan, be allocated for employment use with no requirement to comply with the now dated Development Framework, on the basis that:

- There is an established requirement for employment land to support the sustainable development of Newmachar, that the principle of the allocation of this site for employment use has been well established through its allocation in the current LDP and the Development Framework, and there are no appropriate alternative sites which are not reliant on the delivery of the distributor road.
- Only one other site was promoted previously for mixed housing and employment use. In assessing that bid the Scottish Government Reporter concluded that whilst “...there is no numerical limit to the level of allocation commensurate to a local growth area, the text in the strategic plan at paragraph 3.43 clarifies that this should be proportionate to the scale of the settlement, its available services and locally generated housing demand. The council recognise the role of Newmachar as a commuting town and refer to a lack of local employment opportunities. The scale and nature of the settlement suggest it could accommodate more growth than other smaller settlements. However, I do not consider this could imply a scale of growth that compares with that identified for Strategic Growth Areas.” He concludes that the SDP’s spatial strategy points to the release of smaller scale sites. That conclusion remains relevant in the context of both the existing SDP and the Main Issues Report for the current review of that Plan. Our client’s site is consistent with that strategy.
- The historic nature of the Development Framework means that it is no longer appropriate for reference to be made to it in the LDP. In this regard, it would be more appropriate for the Framework to constitute a material consideration in the determination of any future planning applications, rather than bringing an historic document into what is meant to be an up to date and relevant development plan, particularly when this plan is expected (under the Planning



Bill) to remain in place for a period of 10 years.

- To date, it has not been considered appropriate to specifically identify land for the proposed new distributor road, meaning that any suggestion that additional development is dependent on this road effectively renders allocations undeliverable.
- The site on its own is able to deliver employment opportunities during the plan period, in line with the settlement objectives and on a site listed as part of the marketable employment land supply in the 2016/2017 Employment Land Audit. At the same time, this would encourage employment growth in a Local Growth and Diversification Area, making this more sustainable and reducing the need to commute, in accordance with the SDP.
- As identified in both the Development Framework and the 2016/2017 Employment Land Audit, there are no other constraints to the development of the site.
- Safe and convenient access to the site can be provided from Hillbrae Way/Kingseat (the suitability of which was confirmed through the preparation of the Development Framework and, while it is no longer considered appropriate for this to be referred to in the LDP for the reasons set out above, the background work is still relevant and supports the access arrangements proposed).
- Improvement to the A947 where it crosses the AWPR will mean that there will be a movement of traffic from the Old Church Road to the A947 and that, along with the re-configured road at the junction of the Old Church Road and the former B997 crossroads, means that there will be less traffic travelling through the core of the settlement, hence allowing for small scale development without the need for the distributor road.

Conclusion

It is submitted that for the reasons outlined in this paper apart and the Call For Sites Response Form, that our client's land should:

- be retained as an allocation for employment uses in the Aberdeenshire LDP 2021; and
- be able to be developed independently of the implementation of the



proposed distributor road and associated Development Framework

in order to ensure the delivery of much needed employment land in Newmachar
in the period of the new LDP.



