

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.

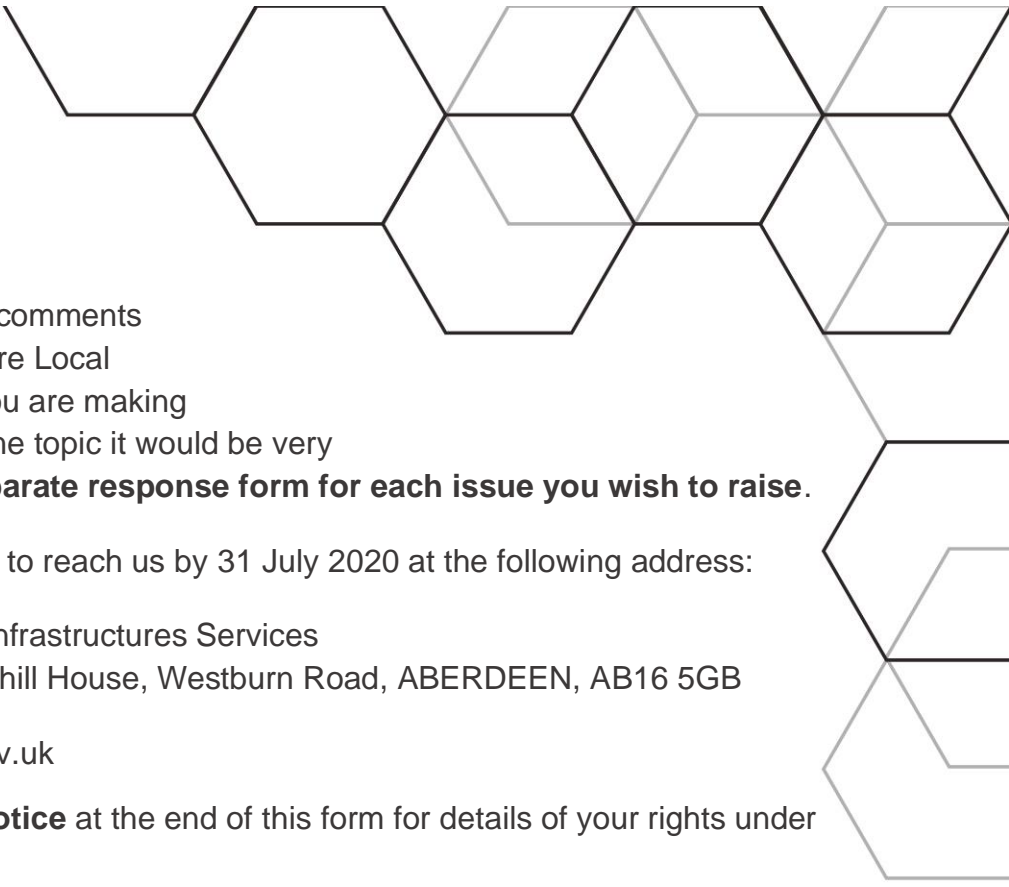
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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

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:	Margaret
Surname:	Bochel
Date:	18 June 2020
Postal Address:	Aurora Planning Limited, [REDACTED]
Postcode:	[REDACTED]
Telephone Number:	[REDACTED]
Email:	[REDACTED]

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? Martin Gilbert

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):

Our client wishes to support the allocation of site OP1: Land to the North of Sunnyside Farm for 11 homes within the Drumoak Settlement Statement along with the allocation of site OP1: Land Northwest of Clune Gardens for 27 homes within the Woodlands of Durriss Settlement Statement, and the continued protection of the River Dee Special Area of Conservation and Local Nature Conservation Site.

In doing that, our client also strongly supports the Council's decision **not to allocate** site reference KN064 Land at Park Quarry, Drumoak, proposed by [REDACTED] [REDACTED] for a mixed use development comprising 600 homes, employment land 11,350m² and retail.

Reason for change:

It is recognised that the local community in the Drumoak and Durris areas welcome the provision of small-scale and affordable housing in the villages. However, the Issues and Actions Paper for Kincardine and Mearns also shows that respondents had a number of concerns about additional development in the area, including an absence of any strategic need for new housing in Drumoak, and a number respondents who considered that the existing OP1 site in Woodlands of Durris should be fully built out before any further sites are allocated. Taking all of this into account, our client supports the allocation of sites OP1: Land to the North of Sunnyside Farm in Drumoak and OP1: Land Northwest of Clune Gardens in Woodlands of Durris to meet local housing need, while not making any further allocations in this area.

It is noted that, in response to the Council's initial call for sites for the Main Issues Report, [REDACTED] for the allocation of a mixed use development comprising 600 homes, employment land 11,350m² and retail, on land at Park Quarry (bid reference KN064).

In assessing that bid, the Council's planners identified a number of constraints affecting the viability and appropriateness of developing the site, including:

- the need for a new bridge across the Dee;
- the need for a link road to the A93;
- the need for an upgrade of the A93/A90 junction at Milltimber;
- lack of services within walking distance;
- insufficient primary and secondary education provision;
- insufficient waste water treatment works capacity;
- its location adjacent to the River Dee Special Area of Conservation; and
- its location within the Dee Valley Special Landscape Area.

In addition, Historic Environment Scotland expressed concerns that the development of this site would potentially impact on the setting of the Category B listed Keith's Tower and Category A listed Park Bridge, and that, should the site be considered for development, SNH required a site brief to ensure adequate biodiverse open space and active travel provision.

The site was therefore not preferred for inclusion as an allocation in the Proposed Plan, a recommendation endorsed by Councillors.

Our client supports that decision for the reasons provided on page 22 of Appendix 5 – Kincardine and Mearns Settlements of the Main Issues Report. In particular, he wishes to draw attention to the fact that the site is within 500m of the River Dee Special Area of Conservation (SAC) which includes European Protected Species (EPS) (Atlantic salmon and freshwater pearl mussels) with there being a presumption against development which adversely affects the integrity of an SAC or EPS.

As highlighted by the Council, the site is also distant from employment opportunities and local services and facilities, and is not easily accessible by modes of transport other than the private car (being more than 1,500m from bus stops on North Deeside Road). Development here would not therefore be sustainable.

Our client considers that, even if it should be deemed that additional housing land is required, that should be small-scale, compatible with the scale and nature of existing communities, and should be located within those communities to support local services and facilities. The allocation proposed in terms of bid reference KN064 does none of these things.

It should also be noted that the site is currently operated as a quarry with the planning consent for that (application reference APP/2019/0707) due to expire in October 2022. That consent is subject to a number of conditions, including condition (4) which requires that *“Within three years of cessation of extraction activities, the site shall be restored in accordance with the restoration plan (drawing number CQ/PQ REST FINAL L(90) 01) and all plant, machinery and equipment removed.”* Importantly, that restoration scheme requires that the site be reinstated to agricultural use, a requirement that would not be satisfied if the site were developed as proposed in terms of bid reference KN064. The implementation of that condition is particularly important given the location of the site within the Dee Valley Special Landscape Area and its proximity to significant recreation and tourist resources, including the Deeside Line, such that it would not be appropriate to make an allocation that would mean this could not be done.

Significantly, it is noted that a Proposal of Application Notice has recently (March 2020) been submitted for the Storage of Incinerator Bottom Ash (IBA) and Occasional IBA Processing on land to the east of Park Quarry (application reference ENQ/2020/0397). The application site for this is within the boundary of the site to which bid reference KN064 relates, on land indicated in the bid document to be developed for an enterprise park.

It is difficult to see how the allocation of the site for housing could be compatible with the proposal for an IBA facility. That is particularly so given that the public consultation video for the IBA facility refers to IBA being used as a replacement for sand and gravel aggregate in concrete production at [REDACTED] existing concrete plant, stating that this is *“a strong justification for colocation of IBA processing within or adjacent to existing quarries and concrete production sites”*. The video also answers a Frequently Asked Question as to whether all of the IBA will be used at Park Quarry in the affirmative. That would then suggest that [REDACTED] will aim to retain the concrete processing facility in order to justify the IBA facility. Neither of these proposals would sit comfortably with the proposed development of 600 homes, and would again prevent the restoration condition referred to above being implemented, with potentially significant landscape consequences as a result.

Finally, our client wishes to highlight that the local community has begun work to deliver an alternative vision for the Park Bridge and Park Quarry area with the objectives of, amongst other things, developing a community heritage centre, celebrating the Dee Valley

Special Landscape Area and the River Dee SAC, and promoting the area as a gateway to Royal Deeside and the Cairngorms National Park to maximise the economic benefits for the local area. In the context of the new Planning (Scotland) Act 2019, and the focus of that on giving communities an opportunity to prepare Local Place Plans setting out proposals for the development and use of land in the places where they live, it is important that opportunity is not prejudiced by the inappropriate allocation of site reference KN064.

As such, our client supports both the existing allocations in Drumoak and Woodlands of Durris and the Council's decision not to allocate bid reference KN064.

This submission has been endorsed by the Park Bridge Action Group and other members of the local community.

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
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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.

