

# 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](mailto: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

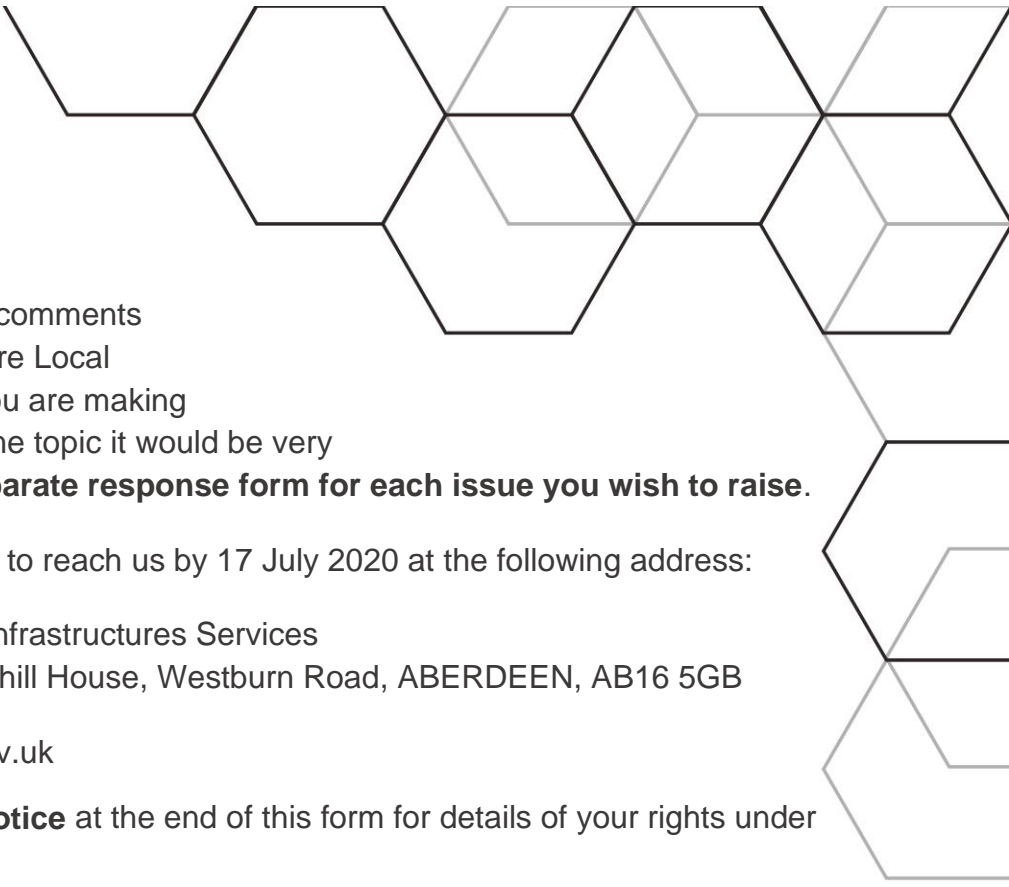
Tel: 01467 536230

Email: [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk)

Web: [www.aberdeenshire.gov.uk/ldp](http://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](mailto: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](mailto: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:	Pippa
Surname:	Robertson
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? John Forsyth

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):

Extend the Balmedie settlement boundary to align with the southern boundary of the land identified as P2, as shown on Plan 2 attached, and allocate the area of land shown on Plan 1 attached as an Opportunity Site for the development of indicatively 10 houses, potentially including self-build units.

## Reason for change:

### Background

Our client owns the 1.54hs of land shown outlined in red on Plan 1 attached, which the Balmedie Settlement Statement in the Proposed Local Development Plan (PLDP) shows as being located between the Balmedie settlement boundary and land identified as P2, which is designated to protect the woodland setting of the village. The site currently comprises rough grassland that is not actively used for any purpose and is accessed off North Beach Road, which is subject to a 20mph speed limit along the stretch which bounds the site.

### Policy context

In the PLDP, Balmedie is described as a key settlement in both the Energetica Corridor and the Aberdeen to Peterhead Strategic Growth Area and, as such, it is stated that it will play an important role in delivering strategic housing and employment allowances. At the same time, the settlement is described as being characterised by the woodland setting of Balmedie House and the long sand beaches of Balmedie Country Park, with it being important that the individual character of the settlement is retained in the face of increased demand. To this end, there are a number of protected land designations in and around the settlement, including P2, which is stated as being "*To protect the woodland setting of the village as forming part of the green-blue network*".

In light of the settlement's role in delivering strategic housing and employment allowances, there are substantial housing and employment land allocations to both the south (OP1 and OP2) and to the north of the settlement (OP3), albeit the latter is some distance beyond the existing settlement boundary. However, in the interest of ensuring the delivery of a suitable mix of places, including a mix of house types and tenures, it is submitted that there

is also a need to allocate smaller sites for development (as highlighted as a requirement in the Council's initial call for sites), which will also provide an opportunity for self-build houses.

In this regard, it should be noted that the Garioch Area Committee (GAC) agreed at its meeting of 3 September 2019 that the Local Development Plan should encourage self-build opportunities close to settlements. The report to the subsequent Infrastructure Services Committee (ISC) meeting of 3 October 2019 shows that this was then agreed by officers, and was not therefore referred to ISC. The extension of the settlement boundary and allocation of our client's site as an opportunity site for the development of c.10 self-build houses would contribute to the delivery of this agreed position.

It should also be noted that, while the Issues and Actions Paper – Formartine indicates that Balmedie has an appropriate amount of land identified for housing to meet local housing needs during the Plan period, this does not include any smaller sites which would provide an opportunity for self-build housing. Further, whereas an Opportunity Site for 27 houses further to the north of our client's site was identified at the Main Issues Report Stage (bid reference FR103/site OP4 in the draft PLDP) this has not been included in the PLDP due to concerns about the access. The extension of the settlement boundary and allocation of our client's site would compensate for the loss of this small-scale development opportunity, while doing so on a site that is much closer to the existing settlement boundary. Importantly, unlike bid reference FR103, our client's site is located on the settlement side of the P2 designation which, it is submitted, should be taken to form the natural boundary of the settlement (for further details on which, see below).

Finally, the Proposed Aberdeen City and Aberdeenshire Strategic Development Plan (PSDP) states that Local Development Plan allocations should be small scale in nature. As set out below, the three allocations in the PLDP in Balmedie are in fact large scale, particularly in relation to the size of the existing settlement, being for 80, 220 and 550 homes respectively. The allocation of a site for an additional 10 units would therefore be consistent with the requirements of the PSDP. It would also have no significant impact on the overall housing allowances given that the Issues and Actions Paper – Policies and Introduction is clear that housing allocation numbers are indicative only, meaning that in some cases actual housing numbers could be lower.

### **Extension of the Balmedie settlement boundary**

The P2 designation, which is intended to protect the woodland setting of the village as set out above, covers land to the east and the north of the settlement, with most of the land to the north being outwith the settlement boundary, and some significant distance from the settlement boundary. As a result, there are a number of existing properties to the north east of the settlement that are located between the settlement boundary and the southern edge of the P2 designation, i.e. within the woodland setting of the village, but outwith the village itself. This in turn means that the settlement boundary is not clearly defined on the ground, and the boundary shown on the PLDP settlement statement is somewhat artificial.

Against this background, it is submitted that the settlement boundary should be redrawn to be contiguous with the southern boundary of the P2 designation as shown in red on Plan 2 attached. This would provide a more robust settlement boundary, contained within the existing woodland setting and protecting this, while also allowing for modest development within the settlement in close proximity to the village core and services and facilities available there, as befits its status as a key settlement in both the Energetica Corridor and the Aberdeen to Peterhead Strategic Growth Area and providing a different offering to the very large scale developments proposed to the south and that at Menie to the north.

### **Allocation of site for indicatively 10 houses**

With regards then to the specific allocation of our client's site within the proposed new Balmedie settlement boundary, when assessed against the criteria used to determine preferred sites proposed in response to the Council's initial call for sites, it clearly scores positively against these, as set out below:

- the site is not located in, or within 500m of, a nature conservation site, our client is not aware of any protected species using the site, and it does not contain or affect any historic environment assets;
- as stated above, the site currently comprises unused grassland, such that small scale development here would provide an opportunity to enhance biodiversity through landscape planting, including through native tree planting, drystone walls and a soakaway.
- the site is relatively flat and sheltered by trees to the north, with an open aspect to the south;
- the site is self-contained, with existing properties to the north west, south west and east of it, such that development here would effectively round off existing development rather than generating sprawl;
- at the same time, the residential nature of existing properties around the site mean that there would be no conflict between the proposed use and existing ones;
- Balmedie is within the beaches, dunes and links landscape character area as defined by SNH, the key characteristics of which include the long sandy beaches, dunes, the gradual transition between the coast and the agricultural plain and the sense of naturalness and remoteness. The Landscape Character Assessment does though recognise that coastal development increases closer to Aberdeen and, given that there is already built development to the east of our client's site that is closer to the beach and dune system, modest development on our client's site would not impact on the landscape;

- Although on the edge of North East Aberdeenshire Coast Special Landscape Area, the scale of development proposed on our client's site would have no impact on it, given the existing development within this part of the designated area, the fact that it would not be visible from the beach and dune network, and that it would not impact on existing uninterrupted panoramic views;
- the site is well located on the eastern side of the village to access Balmedie Country Park and the outdoor recreation facilities available there on foot or by bicycle but would not impact on the Country Park itself, nor on the Local Nature Conservation Area;
- there are no historic environment assets on the site itself, with the adjacent wooded policies of Balmedie House already protected by the P2 designation in the PLDP such that these would not be adversely affected by modest development on this site;
- the site is easily accessible by active and sustainable modes of travel with the south west corner being almost adjacent to the existing settlement boundary, such that residents of any development here would be well located to access services and facilities in Balmedie, including the primary school (approx. 6 minutes' walk), the post office (approx. 7 minutes' walk), and the co-op food store (less than 15 minutes' walk), with the nearest bus stops also being approximately 6 minutes' walk away, providing access to services and facilities further afield;
- the road past the site is relatively straight, allowing for good visibility in both directions, with an existing 20mph speed limiting meaning that safe access can be provided;
- there is also a second road along the southern boundary of the site which serves as a private access to a small handful of properties to the east, and which ties into the pavement on North Beach Road at the point of the existing settlement boundary, providing an alternative pedestrian and cycle access to the site;
- there is a core path a short distance to the south of the site providing access to the village core as well as to Balmedie Country Park and the wider beach area;
- the site is of a size to comfortably accommodate around 10 detached houses along with meeting the Council's open space standards;
- there is currently capacity at Balmedie Primary School, with the scale of development proposed being such that it would have a minimal impact on this, with it nevertheless being recognised that the PLDP states that all residential development in Balmedie may be required to contribute towards additional primary school capacity, whilst Ellon and Bridge of Don Academies are under capacity to the end of the current forecast period (2027 and 2026 respectively);

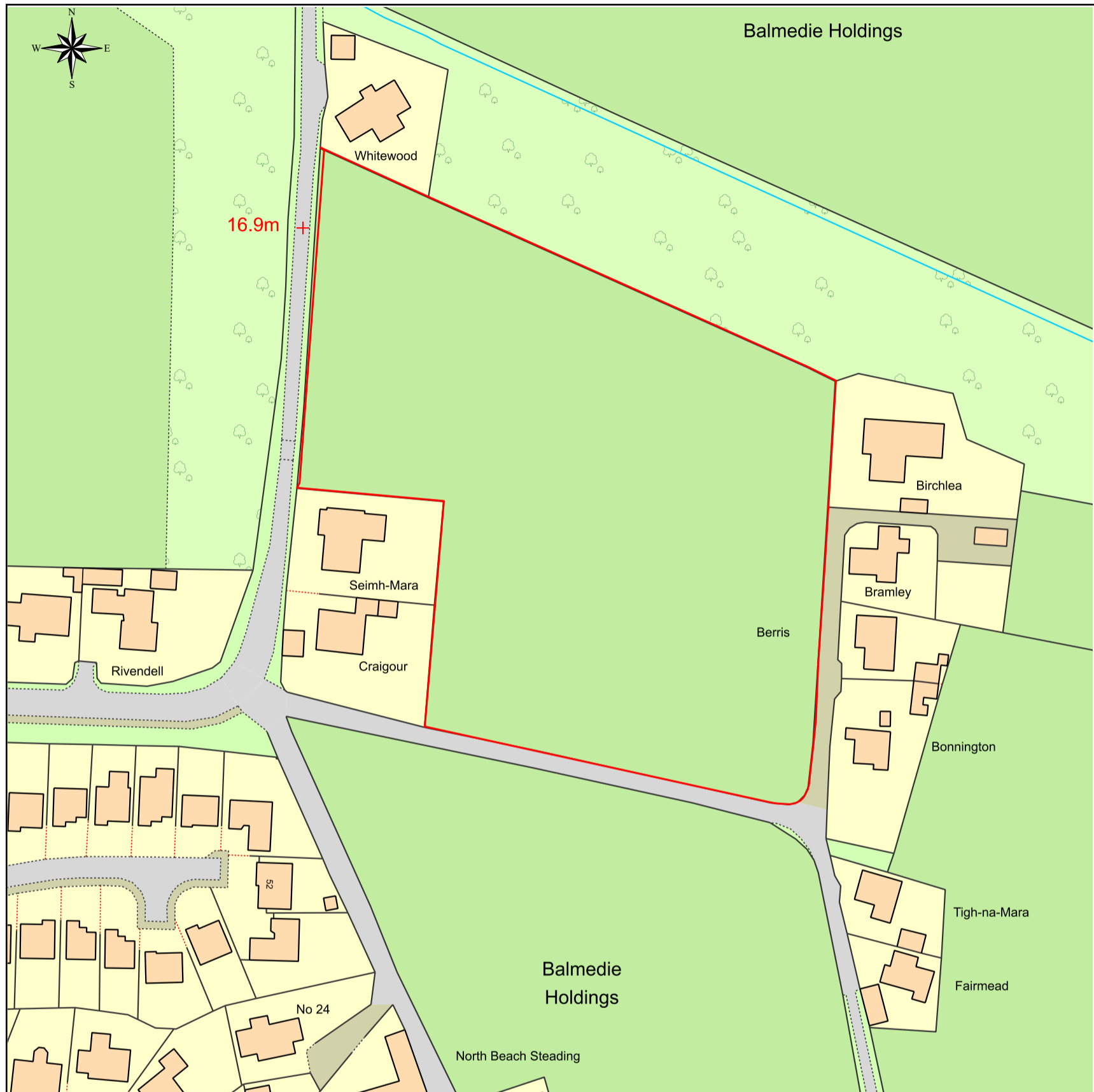
- SEPA flood maps show that the site is not at risk of flooding, nor is it prime agricultural land or subject to any other constraints: and
- importantly, the site can be delivered in the PLDP timescale with there being no constraints to doing so.

### **Conclusion**

For the reasons given above, it is submitted that the Balmedie settlement boundary should be extended with our client's site allocated within that as a logical extension to this key settlement that would allow for modest development, including potentially self-build houses, the development of which is expressly encouraged in the PLDP. It is also of a size that could comfortably accommodate up to 10 houses, providing a high level of residential amenity suitable to its location. It is therefore submitted that the site should be allocated for 10 houses accordingly.



# Land at Balmedie



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0m 25m 50m 75m 100m 125m

Scale: 1:1250, paper size: A3

John Forsyth





# 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](mailto: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.

