

# 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 31 July 2020\*.

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

*\*UPDATE 16 June 2020: Consultation period was extended from 17 July 2020 for a further two-week period.*



## 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.

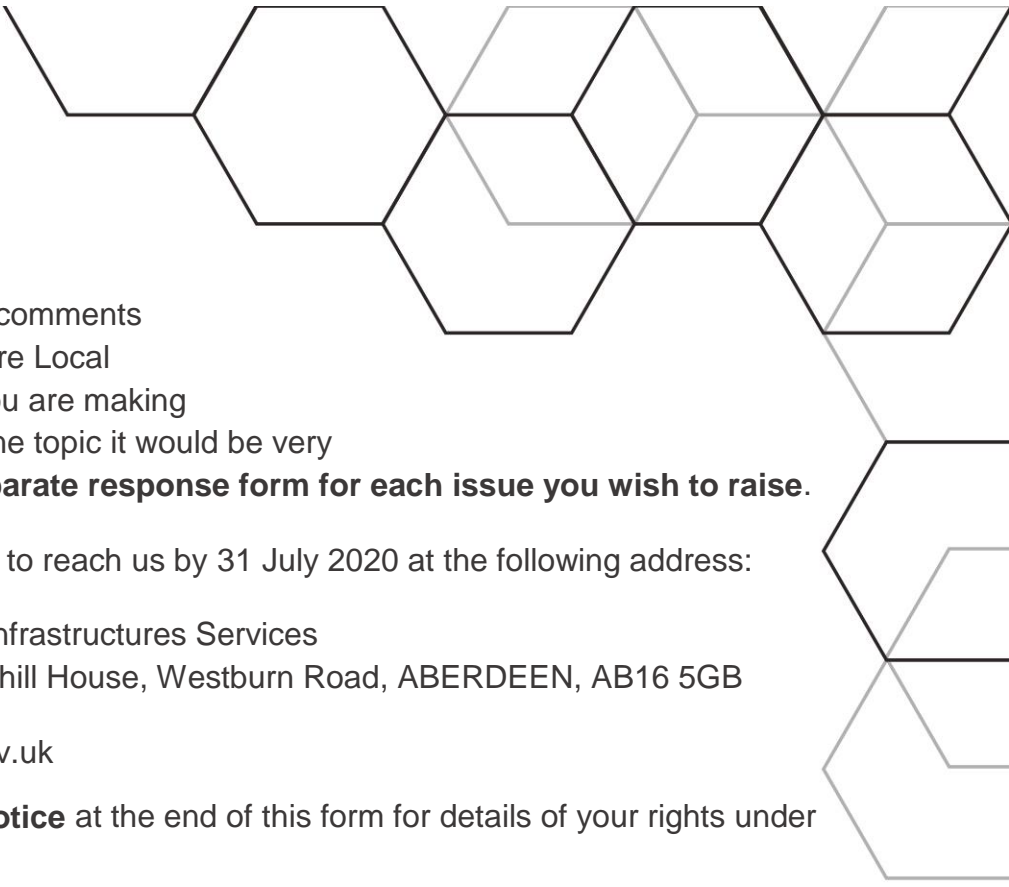
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

Ja jums nepieciešama šai dokumentā sniegtā informācija kādā citā valodā vai lielā drukā, viegli lasāmā tekstā, Braila rakstā vai BSL (britu zīmju valodā), lūdzu, zvaniem 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 31 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:	Mrs
First Name:	Claire
Surname:	Coutts
Date:	25 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?

Mr Geordie Burnett-Stuart

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):

The Proposed Plan has failed to identify land at BU016 (as contained in the Main Issues Report) for the provision of one residential dwelling. Objection is therefore made to this and it is requested that the settlement boundary of Stuartfield (page 385 within Appendix 7b – Settlement Statements – Buchan) is amended to include the site and that the site is identified as a site for one house, with the remainder to be retained with landscaping and footpaths to create an attractive and usable community feature at the village entrance.

## Reason for change:

### Background

An initial development bid was submitted to Aberdeenshire Council on 28<sup>th</sup> March 2018 (Appendix 1), requesting the consideration of the above site for the provision of one house plus landscaping on the remainder.

The Main Issues Report (MIR) was published in January 2019, which identified the site as BU016. Aberdeenshire Council Planning Officers assessment of the site stated that the proposed site is situated within the countryside, adjacent to a farmhouse. It was acknowledged that the site lies within a protected site, which has been designated on the Aberdeenshire Local Development Plan 2017. It was considered by the Council that it was a very large site for just one house. As such, it was concluded that the proposal constitutes underdevelopment of the land and being set within a protected area makes the site unfavourable.

An objection to the MIR was submitted in April 2019 (Appendix 2) and this representation should be read in conjunction with those documents which demonstrate that the site is suitable for the development proposed.

### Justification

The planning officer in their assessment of the site within the Main Issues Report incorrectly stated that the site lies in the countryside. It is clear from the Proposed Plan that the site lies within the settlement boundary of Stuartfield, albeit within a protected area.

The aim of the protected area designation is to conserve the setting of the settlement. However, the land is open fields, with no landscaping and is not used for any particular use by the residents. It is argued that it has no significant value in protecting the setting of the settlement and there is scope for this area to be reduced. The development proposed would only develop a very small part of the protected area, with the remainder retained as protected land with the provision of landscaping and footpaths to create an attractive and usable community feature, which would be a better use of the site, while still protecting the setting of Stuartfield.

The principle of development on this particular area of protected land has already been accepted by Aberdeenshire Council. Application Ref: 2015/1330 for a house and garage and change of use of the

protected area to garden ground was approved and is now built. It was acknowledged through that application that the development of one house would not have a detrimental impact on the protected area. The principle of development within the countryside is also accepted near Stuartfield, with houses to north of the bid site also recently constructed. It is therefore argued that the development of one house on this site would have little impact on the surrounding area, when recent developments are considered.

The dwellinghouse would be located to the south east of the site. There are existing houses immediately to the south of this location and to the east and an additional house in this location would be seen in the context of existing development and not significantly extend the settlement of Stuartfield. In fact, the housing to the east extends beyond any boundary proposed through this development. The development proposed therefore has minimal impact on the surrounding countryside views and a minimal impact on the protected area, similar to the recently built house (Ref: 201/1330). The remainder of the site could retain its protected status and be enhanced to ensure the setting of Stuartfield is protected, improve the use of the site for residents of Stuartfield, while delivering housing in this popular rural area.

Aberdeenshire Council in their assessment of the development bid considered that the proposal for one house was underdevelopment and that the site was too large for one house. The size of the bid site extends to the entire landowners ownership and was submitted to ensure that the location for a dwellinghouse was flexible, if it was not agreed that the most appropriate location was adjacent to the existing dwellinghouse to the south east. The landowner would be willing to accept a smaller area for the dwellinghouse, however, this may impact on the ability to provide landscaping and footpaths to create an attractive feature for use by the local community.

The landowner maintains that one dwellinghouse in this location would satisfy a number of requirements by providing housing within the settlement as well as the provision of an attractive community feature, while maintaining and enhancing the setting of Stuartfield.

### **Conclusion**

To conclude, the site lies within the settlement boundary of Stuartfield, but the current protected area is considered excessive considering the land is of no significant value or meaningful use. The provision of one dwellinghouse immediately adjacent to existing development to the south and east would ensure that it is seen in the context of the existing settlement and would not significantly alter the setting of the village on approach from the north.

There is therefore scope for the protected area to be reduced on this site to allow the provision of one dwellinghouse, which would enable the remainder of the site to be retained and enhanced to provide footpaths and landscaping to improve the setting of Stuartfield while providing a community benefit. The principle of a small development within the protected area has already been accepted in this area, as demonstrated by the provision of one house, to the south.

### **Recommendation**

It is therefore respectfully requested that the settlement boundary of Stuartfield as contained within the Proposed Local Development is amended to include site BU016 (as identified in the Main Issues Report) for the provision of one dwellinghouse, with the remainder to be landscaped to provide an attractive, usable area at the entrance to Stuartfield.

# 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:

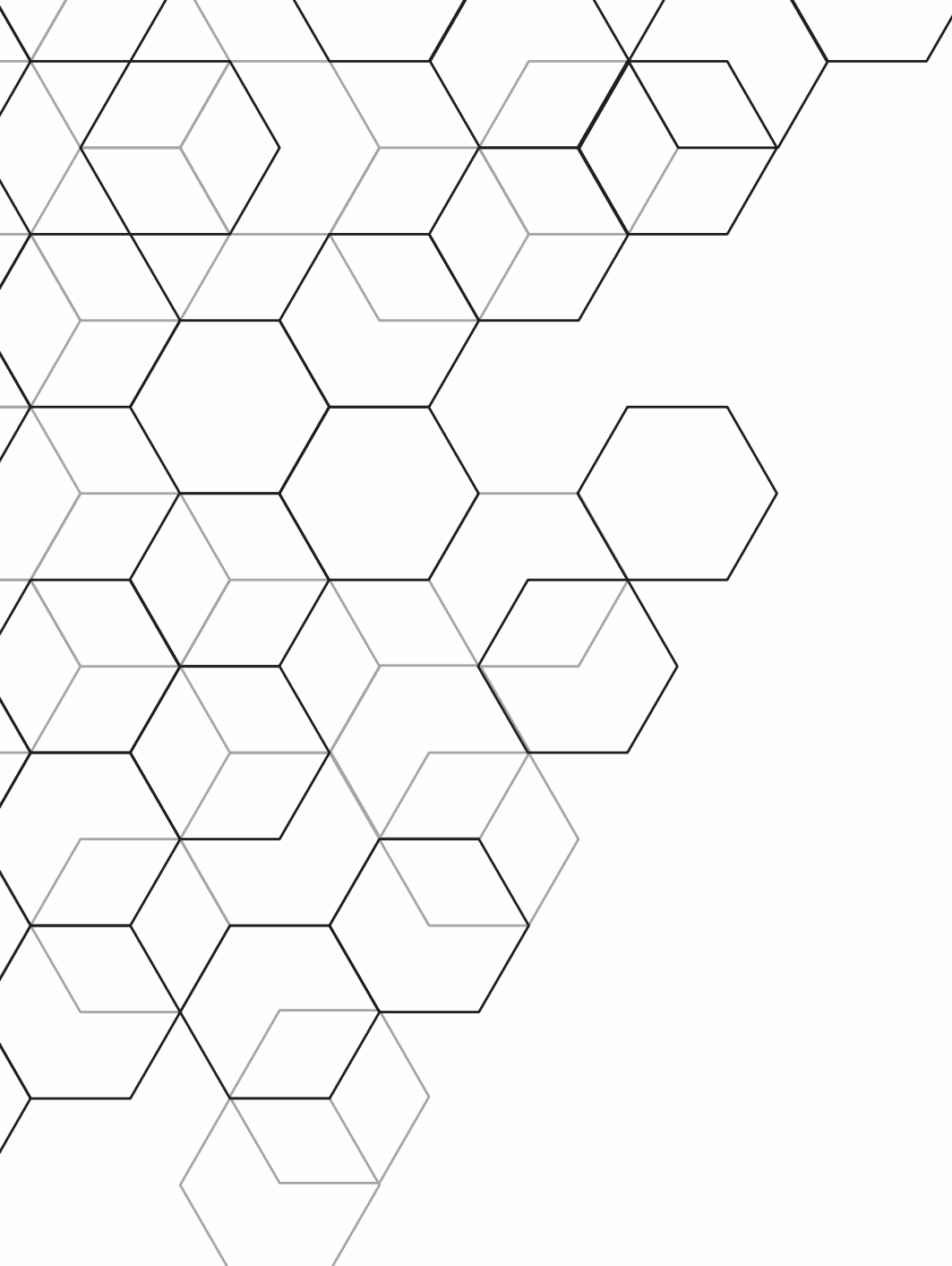
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue 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.



# 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](mailto: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)	Ryden LLP
Address	[REDACTED]
Telephone number	[REDACTED]
Email address	[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	Geordie Burnett-Stuart
Organisation (if applicable)	c/o agent
Address	
Telephone number	
Email address	

### 3. Other Owners

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

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



## Appendix I – Development Bid

### 4. Site Details

Name of the site (Please use the LDP name if the site is already allocated)	Land to the north of Stuartfield
Site address	Land south of Quartalehouse Farm
OS grid reference (if available)	NJ974464
Site area/size	1.2ha
Current land use	Open fields
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 owners
Is the site under option to a developer?	No
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	Planning application 2016/1758 for one dwellinghouse was refused on land to the south of the bid site as it encroached onto the protected area. Application 2015/1330 for a house and garage and change of use of the land to garden ground was approved and is now built.
Previous 'Call for sites' history. See Main Issues Report 2013 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a>	Please provide Previous 'Call for sites'/'Bid' reference number: No previous bids submitted
Local Development Plan status <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a>	Is the site currently allocated for any specific use in the existing LDP? The land is identified as PI in the 2017 LDP to conserve the setting of the settlement. However, the land is just open fields, has no significant value in

## Appendix I – Development Bid

	protecting the setting of the settlement and is too small to farm.
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### 8. Proposed Use

Proposed use		Housing and landscaping
Housing	Approx. no of units	The site has the potential to accommodate 1 house, with enhancement of the site through landscaping to improve the setting of the settlement.
	Proposed mix of house types	Number of: <ul style="list-style-type: none"> <li>• Detached: 1</li> <li>• Semi-detached:</li> <li>• Flats:</li> <li>• Terrace:</li> <li>• Other (e.g. Bungalows):</li> </ul>
		Number of: <ul style="list-style-type: none"> <li>• 1 bedroom homes:</li> <li>• 2 bedroom homes: tbc</li> <li>• 3 bedroom homes:</li> <li>• 4 or more bedroom homes:</li> </ul>
	Tenure (Delete as appropriate)	Private
	Affordable housing proportion	n/a
Employment	Business and offices	n/a
	General industrial	n/a
	Storage and distribution	n/a
	Do you have a specific occupier for the site?	n/a
Other	Proposed use (please specify) and floor space	n/a
	Do you have a specific occupier for the site?	n/a
Is the area of each proposed use noted in the OS site plan?		Not applicable

### 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	
	Funding would be available at the time of development for this site	
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:	

## Appendix I – Development Bid

### 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"> <li>• <a href="https://www.environment.gov.scot/">https://www.environment.gov.scot/</a></li> <li>• EU priority habitats at <a href="http://gateway.snh.gov.uk/sitelink/index.jsp">http://gateway.snh.gov.uk/sitelink/index.jsp</a></li> <li>• UK or Local priority habitats at <a href="http://www.biodiversityscotland.gov.uk/advice-and-resources/habitat-definitions/priority/">http://www.biodiversityscotland.gov.uk/advice-and-resources/habitat-definitions/priority/</a></li> <li>• Local Nature Conservation Sites in the LDP's Supplementary Guidance No. 5 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a></li> </ul>	RAMSAR Site	No
	Special Area of Conservation	No
	Special Protection Area	No
	Priority habitat (Annex I)	No
	European Protected Species	No
	Other protected species	No
	Site of Special Scientific Interest	No
	National Nature Reserve	No
	Ancient Woodland	No
	Trees, hedgerows and woodland (including trees with a Tree Preservation Order)	No
	Priority habitat (UK or Local Biodiversity Action Plan)	No
	Local Nature Conservation Site	No
	Local Nature Reserve	No
If yes, please give details of how you plan to mitigate the impact of the proposed development:		
<b>Biodiversity enhancement</b>		
<p>Please state what benefits for biodiversity this proposal will bring (as per paragraph 194 in Scottish Planning Policy), <a href="http://www.gov.scot/Resource/0045/00453827.pdf">http://www.gov.scot/Resource/0045/00453827.pdf</a> by ticking all that apply. Please provide details.</p> <p>See Planning Advice 5/2015 on Opportunities for biodiversity enhancement at: <a href="http://www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf">www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf</a></p> <p>Advice is also available from Scottish Natural Heritage at: <a href="https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers">https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers</a> and <a href="http://www.nesbiodiversity.org.uk/">http://www.nesbiodiversity.org.uk/</a>.</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):		
The site is currently open fields, with little biodiversity value. The development of this site will introduce landscaping to provide an attractive approach to the village which will provide opportunities for biodiversity enhancement. This will include native tree planting, and nectar rich plant species. The creation of a private garden will also increase the opportunities for biodiversity.		

## Appendix I – Development Bid

### 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.</p> <p>You can find details of these designations at:</p> <ul style="list-style-type: none"> <li>• <a href="http://historicscotland.maps.arcgis.com/apps/Viewer/index.html?appid=18d2608ac1284066ba3927312710d16d">http://historicscotland.maps.arcgis.com/apps/Viewer/index.html?appid=18d2608ac1284066ba3927312710d16d</a></li> <li>• <a href="http://portal.historicenvironment.scot/">http://portal.historicenvironment.scot/</a></li> <li>• <a href="https://online.aberdeenshire.gov.uk/smp/ub/master/default.aspx?Authority=Aberdeenshire">https://online.aberdeenshire.gov.uk/smp/ub/master/default.aspx?Authority=Aberdeenshire</a></li> </ul>	Scheduled Monument or their setting	No
	Locally important archaeological site held on the Sites and Monuments Record	No
	Listed Building and/or their setting	No
	Conservation Area (e.g. will it result in the demolition of any buildings)	No
	Inventory Gardens and Designed Landscapes	No
	Inventory Historic Battlefields	No
	There is a listed building (Waulkmill) within 500m of the site, but development has no impact on it or its setting.	

### 12. Landscape Impact

<p>Is the site within a Special Landscape Area (SLA)?</p> <p>(You can find details in Supplementary Guidance 9 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a>)</p>	<p>No</p> <p><b>If yes</b>, 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>
<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"> <li>• SNH: Landscape Character Assessments <a href="https://www.snh.scot/professional-advice/landscape-change/landscape-character-assessment">https://www.snh.scot/professional-advice/landscape-change/landscape-character-assessment</a></li> <li>• SNH (1996) Cairngorms landscape assessment <a href="http://www.snh.org.uk/pdfs/publications/review/075.pdf">http://www.snh.org.uk/pdfs/publications/review/075.pdf</a></li> <li>• SNH (1997) National programme of landscape character assessment: Banff and Buchan <a href="http://www.snh.org.uk/pdfs/publications/review/037.pdf">http://www.snh.org.uk/pdfs/publications/review/037.pdf</a></li> <li>• SNH (1998) South and Central Aberdeenshire landscape character assessment</li> </ul>	<p><b>If your site is not within an SLA</b>, 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:</p> <p>The site has no natural landscape elements or historic features. The development of this site will introduce landscaping and provide a landscape feature to the development, ensuring it is well contained in the landscape and offers a better setting for the village.</p> <p>The development of this site will result in minimal impact on the landscape setting of the area.</p>

## Appendix I – Development Bid

<a href="http://www.snh.org.uk/pdfs/publications/review/102.pdf">http://www.snh.org.uk/pdfs/publications/review/102.pdf</a>	
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### 13. Flood Risk

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?  (You can view the SEPA flood maps at <a href="http://map.sepa.org.uk/floodmap/map.htm">http://map.sepa.org.uk/floodmap/map.htm</a> )	River - No. The Cock Burn runs to the west of the site and a search of SEPA's Flood Risk map indicates that any risk of flooding from this is outwith the site. Surface water - no.  A flood risk assessment would be carried out if required at the planning application stage due to the proximity of the burn and appropriate mitigation provided if necessary.
Could development on the site result in additional flood risk elsewhere?	No  If yes, please specify and explain how you intend to mitigate or avoid this risk:
Could development of the site help alleviate any existing flooding problems in the area?	No

### 14. Infrastructure

a. Water / Drainage		
Is there water/waste water capacity for the proposed development (based on Scottish Water asset capacity search tool <a href="http://www.scottishwater.co.uk/business/Connections/Connecting-your-property/Asset-Capacity-Search">http://www.scottishwater.co.uk/business/Connections/Connecting-your-property/Asset-Capacity-Search</a> )?	Water	Yes
	Waste water	Yes
Has contact been made with Scottish Water?	No, but a search using Scottish Water asset capacity search tool was carried out which advised that Turriff WTW has capacity for over 2000 properties.  In terms of waste water, Stuartfield WWTW only has capacity for 10 units. Aberdeenshire Council's action programme indicates that growth is planned in the period 2015-2021. Therefore, capacity is available for the unit proposed.	
Will your SUDS scheme include rain gardens? <a href="http://www.centalscotlandgreennetwork.org/campaigns/greener-gardens">http://www.centalscotlandgreennetwork.org/campaigns/greener-gardens</a>	To be confirmed at detailed design stage.	
b. Education – housing proposals only		
Education capacity/constraints <a href="https://www.aberdeenshire.gov.uk/schools/parents-carers/school-info/school-roll-forecasts/">https://www.aberdeenshire.gov.uk/schools/parents-carers/school-info/school-roll-forecasts/</a>	Stuartfield Primary School has a capacity range of 72-93 pupils. It is currently over capacity but has a fluctuating school roll. Although there is capacity, contributions may be required towards education, although the impact from 1 house would be minimal.  Mintlaw Academy has capacity for 900 pupils and is currently sitting around 84% of capacity. This will rise to 97% by 2022. Although there	

## Appendix I – Development Bid

	is capacity, contributions may be required, however, the impact from 1 house would be minimal.
Has contact been made with the Local Authority's Education Department?	No
<b>c. Transport</b>	
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
Has contact been made with the Local Authority's Transportation Service? They can be contacted at <a href="mailto:transportation.consultation@aberdeenshire.gov.uk">transportation.consultation@aberdeenshire.gov.uk</a>	No, but access is not considered to be an issue. The site can be accessed from the B9030 to the east.
Public transport	Public transport services are provided along the Mill Street and Burnett Street, within 400m of the site. Public transport operates 7 days a week, with links to Turriff, Peterhead and the surrounding area.
Active travel (i.e. internal connectivity and links externally)	The site will link with existing footpaths outwith the site.
<b>d. Gas/Electricity/Heat/Broadband</b>	
Has contact been made with the relevant utilities providers?	Gas: No
	Electricity: No
	Heat: No
	Broadband: No
Have any feasibility studies been undertaken to understand and inform capacity issues?	No feasibility studies have been undertaken at this stage, however, there are utilities in the area and this is not considered to be an impediment to development, given the residential development located to the south.
Is there capacity within the existing network(s) and a viable connection to the network(s)?	This is unknown at this stage, however, it is not considered to present an impediment to development
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)	Unknown at this stage, but would be considered in more detail at the appropriate design stage.
<b>e. Public open space</b>	
Will the site provide the opportunity to <b>enhance the green network?</b> (These are the linked areas of open space in settlements, which can be enhanced through amalgamating	There are a number of areas of open space within Stuartfield. The development of this site and the provision of strategic landscaping will

## Appendix I – Development Bid

existing green networks or providing onsite green infrastructure)  You can find the boundary of existing green networks in the settlement profiles in the LDP	provide an opportunity to link these areas in Stuartfield.
Will the site meet the open space standards, as set out in Appendix 2 in the <b>Aberdeenshire Parks and Open Spaces Strategy?</b> <a href="https://www.aberdeenshire.gov.uk/media/6077/approvedpandospacesstrategy.pdf">https://www.aberdeenshire.gov.uk/media/6077/approvedpandospacesstrategy.pdf</a>	Yes, the development will provide open space in line with Aberdeenshire LDP standards.
Will the site deliver any of the shortfalls identified in the <b>Open Space Audit</b> for specific settlements? <a href="https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/">https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/</a>	The open space audit for Stuartfield considers improvements are required to access to the bowling green and a greater range of facilities at Mill Park. Given the specific nature of these requirements and the fact that they lie outwith the bid site, development will not directly deliver any of these shortfalls.
<b>f. Resource use</b>	
Will the site re-use existing structure(s) or recycle or recover existing on-site materials/resources?	No
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

### 15. Other potential constraints

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

Aberdeen Green Belt <a href="https://www.aberdeenshire.gov.uk/media/20555/appendix-3-boundaries-of-the-greenbelt.pdf">https://www.aberdeenshire.gov.uk/media/20555/appendix-3-boundaries-of-the-greenbelt.pdf</a>	No
Carbon-rich soils and peatland <a href="http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/">http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/</a>	No
Coastal Zone <a href="https://www.aberdeenshire.gov.uk/media/20176/4-the-coastal-zone.pdf">https://www.aberdeenshire.gov.uk/media/20176/4-the-coastal-zone.pdf</a>	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 Pipeline and Hazardous Development Consultation Zones at <a href="https://www.aberdeenshire.gov.uk/planning/plans-and-policies/planning-advice/">https://www.aberdeenshire.gov.uk/planning/plans-and-policies/planning-advice/</a> and advice at <a href="http://www.hse.gov.uk/landuseplanning/developers.htm">http://www.hse.gov.uk/landuseplanning/developers.htm</a> )	No
Minerals – safeguarded or area of search <a href="https://www.aberdeenshire.gov.uk/ldpmedia/6_Area_of_search_and_safeguard_for_minerals.pdf">https://www.aberdeenshire.gov.uk/ldpmedia/6_Area_of_search_and_safeguard_for_minerals.pdf</a>	No
Overhead lines or underground cables	No
Physical access into the site due to topography or geography	No

## Appendix I – Development Bid

Prime agricultural land (grades 1, 2 and 3.1) on all or part of the site. <a href="http://map.environment.gov.scot/Soil_maps/?layer=6">http://map.environment.gov.scot/Soil_maps/?layer=6</a>	No
'Protected' open space in the LDP (i.e. P sites) <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a> and choose from Appendix 8a to 8f	No
Rights of way/core paths/recreation uses	No
Topography (e.g. steep slopes)	No
Other	No
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:	

### 16. Proximity to facilities

How close is the site to a range of facilities?	Local shops	400m
	Community facilities (e.g. school, public hall)	400m – 1km
	Sports facilities (e.g. playing fields)	400m – 1km
	Employment areas (garage)	400m
	Residential areas	400m
	Bus stop or bus route	400m
	Train station	n/a
	Other	n/a

### 17. Community engagement

Has the local community been given the opportunity to influence/partake in the design and specification of the development proposal?	No
	If yes, please specify the way it was carried out and how it influenced your proposals:
	The public will have the opportunity to comment throughout the LDP process and any consultation arranged as part of that process.

### 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.	
Demand exists for development in Stuarfield, demonstrated by the development and occupation of the OPI.	



## Appendix I – Development Bid

The current use of the site is open fields and has no specific role in protecting the setting of the settlement. It is considered that the site would be more appropriately used for a house which would include opportunities to provide high quality landscaping which would ensure an attractive approach to the village and better protect the setting of Stuartfield.

A community council meeting held on 9 November 2017 highlighted the restrictions on growth in Stuartfield brought about by the lack of opportunities for growth. The deallocation of this site from protected area to housing would provide choice of location and provide an opportunity to create a better entrance to the village through a well-designed, small scale, landscaped development.

The landowner is confident that there is a residual value following development of the site and the provision of the necessary infrastructure which does not pose an impediment on development.

### 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 2021: Main Issues Report 2019 Main Issues Report Response Form**

### **Important Information: Please Read**

The Main Issues Report (MIR) is a key stage in preparing the Aberdeenshire Local Development Plan 2021 (LDP 2021). The MIR sets out options for how the LDP 2021 could be improved both in terms of the policies that Aberdeenshire Council will use to determine planning applications as well as identifying land allocations for development. The MIR has been published along with a Monitoring Report and Interim Environmental Report of the Strategic Environmental Assessment. These, along with other supporting documents are available at: <https://www.aberdeenshire.gov.uk/planning/plans-and-policies/ldp-2021/main-issues-report/>.

**Comments are sought on the MIR and Interim Environmental Report, or indeed any other matter that you feel that we need to consider, by 5pm on Monday, 8 April 2019.** Responses can be emailed to us at [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk) or received via post, Planning Policy Team, Infrastructure Services, Aberdeenshire Council, Woodhill House, Westburn Road, Aberdeen, AB16 5GB.

Please note that in order for comments to be considered as valid you must include your contact details.

We will use these details to confirm receipt of your comments and to seek clarification or request further information as required. Should you have any concerns regarding the holding of such information please contact [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk). Anonymous comments will not be considered as part of the consultation process. Petitions will only be noted in the name of the person submitting the document.

All comments received will be carefully assessed and will be used to inform the preparation of the Proposed Aberdeenshire Local Development Plan. There will be a further opportunity to comment on the Proposed Plan when it is published in December 2019.

<b>Name</b>	██████████
<b>Organisation (optional)</b>	<b>Ryden LLP</b>
<b>On behalf of (if relevant)</b>	<b>Geordie Burnett – Stuart</b>
<b>Address</b>	██████████ ██████████████████ ██████████
<b>Postcode</b>	██████████
<b>Telephone (optional)</b>	██████████
<b>E-mail (optional)</b>	██████████████████

## Appendix 2 – MIR Representation

Doing things digitally is our preference. Tick the box if you are <u>not</u> happy to receive correspondence via email:	<input type="checkbox"/>
Tick the box if you would like to subscribe to the Aberdeenshire LDP eNewsletter:	<input checked="" type="checkbox"/>

### Fair processing notice

<p><b>Please tick to confirm your agreement to the following statements:</b> <input checked="" type="checkbox"/></p> <p>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).</p> <p>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).</p>
<p>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.</p> <p>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</p> <p><b>Your Data, Your Rights</b></p> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"><li>▪ [REDACTED], Data Protection Officer, Aberdeenshire Council, Business Services, Town House, 34 Low Street, Banff, AB45 1AY</li></ul>
<p>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.</p>

## Appendix 2 – MIR Representation

<b>Which document(s) are you committing on?</b>	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

#### Site BU016: Land South of Quartalehouse Farm, Stuartfield – 1 house with landscaping

On behalf of Mr Burnett- Stuart, objection is made to the failure of Aberdeenshire Council Officer's to identify this site for the construction of one house with landscaping within the Main Issues Report. Objection is therefore also made to the Proposed Draft Local Development Plan which also fails to identify the site for the provision of one house and landscaping.

This representation should be read in conjunction with the development bid submitted at the pre-MIR stage, which together demonstrates that this site is suitable for the development proposed.

Officer's make reference to a number of issues within the Main Issues Report which are addressed in turn below.

#### **“The proposed site is situated in the countryside, adjacent to a farmhouse”**

The site is not located in the countryside, it lies within the settlement boundary of Stuartfield, although it is currently protected land. The site is bound to the south and east by housing and to the north by the farm and farm track. Therefore, it is well located to existing development in the vicinity. There are houses located further to the north, one of which is under construction or newly completed, which do lie within the countryside, but have been considered acceptable for development in the area. It is argued that bid site BU016 is better related to existing built development and as such, it is an appropriate location for the provision of one house. The remainder of the site can be retained as protected land with the provision of landscaping, allotments and footpaths to create an attractive and useable community feature.

#### **“The site lies within a protected site, which has been designated in the Aberdeenshire Local Development Plan 2017”**

The aim of the P1 protection is to conserve the setting of the settlement. However, this land is open fields, has no landscaping and is not used for any particular use by residents of Stuartfield. It is argued that it has no meaningful use, or significant value in protecting the setting of the settlement. The size of the protected area is therefore considered excessive and there is scope for this to be reduced to enable the provision of one dwellinghouse to meet the demand shown in this sought after rural area.

There are existing houses to the east and south of the site. Any development on the bid site would be located immediately adjacent to the existing property to the south and would not extend beyond housing located on the other side of the road. It is argued that the allocation of the bid site for one house would have minimal impact on the surrounding countryside views by being located adjacent to existing housing and therefore seen as an extension of them and bring built development in line with housing that extends along the other side of the road. That would enable the rest of the site to be retained as open space, with landscaping, allotments and footpaths added to both improve the setting of the settlement and create a useable community feature.

A precedent exists for the development of protected land as the house immediately to the south was approved as a departure to the LDP as part of that site also lay within the P1 designation. It was concluded that the development of that site would not have a detrimental impact on the protected area. It is argued that the erection of one house on the bid site would similarly have minimal impact on the protected area and considering only a small part of the site would be developed, a significant area could be retained as protected land to improve the setting of the settlement.

## Appendix 2 – MIR Representation

### **“It is a very large site for just one house”**

Planning permission was previously submitted for a house on this site (2016/1758) which was refused as it lay on protected land. It was refused at appeal for the same reason. The owner does not want to significantly alter the setting of the site and is only looking for the provision of one house. The only remaining option to achieve that is to promote the site through the LDP process. It is proposed that the house would be located immediately adjacent to the newly built house to the south and the remainder of the land can be kept as open space/protected land to conserve the setting of Stuartfield from the approach from the north.

It is understood that a similar site for 1 house has been identified as an Officer’s preference in Newburgh (FR093). Officers prefer that due to the scale of the proposal, that the settlement boundary is amended rather than an allocation being made and the site can come forward under the infill policy. It is therefore argued that sites for 1 house can be progressed through the LDP process and a similar strategy should be progressed here if Officer’s weren’t happy to allocate the entire site. However, the provision of allotments, landscaping and footpaths through the rest of the site is considered to be a worthwhile addition within this protected area, which would improve the weight given to the protection and prevent further housing development in the future.

### **“The proposal constitutes underdevelopment of the land”**

As stated above, the owner is only looking to achieve one house, rather than the development of the full site which could accommodate up to 30 houses at the Council’s suggested densities. They would be happy for the majority of the site to be retained as open space/protected land, with only the boundary of the protected area amended to allow one dwelling. The submission of the bid covering the whole site was to enable the best location for a dwelling to be chosen if it was not agreed that the location immediately adjacent to the house to the south was suitable. It would also allow for the provision of land for landscaping to improve the setting of the settlement and allotments and footpaths to create an attractive feature which could be utilised by the whole community.

Not everyone wants to live within a large housing development and Scottish Planning Policy looks for a range of sites and locations to be identified. The identification of this site would ensure this is met.

### **Conclusion**

The land lies within the settlement boundary of Stuartfield but the current protected area designation is considered excessive considering the land is of no significant value or meaningful use. The location of built development immediately adjacent to the site to the south and east ensures that any development on the proposed site would be seen in that context and would not significantly alter the setting of the village from the approach from the north.

As such, there is scope for the protected area to be reduced to allow the provision of one dwellinghouse. This would enable the remainder of the site to be retained as protected land, with landscaping, allotments and footpaths provided to improve the setting of Stuartfield.

There is scope for the settlement boundary to be amended to include land for one house, which could then be progressed through infill policy. However, the provision of landscaping, allotments and footpaths within the remainder of the site is considered to be a benefit to the community and would enhance the protected nature of this site and prevent any further housing in the future.

It is therefore respectfully requested that the Proposed Local Development Plan is amended to include this site for the provision of one dwellinghouse with the balance to be retained as protected land. Or for the settlement boundary to be amended to include land for one additional dwellinghouse.