

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 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, zvaniet uz 01467 536230.

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

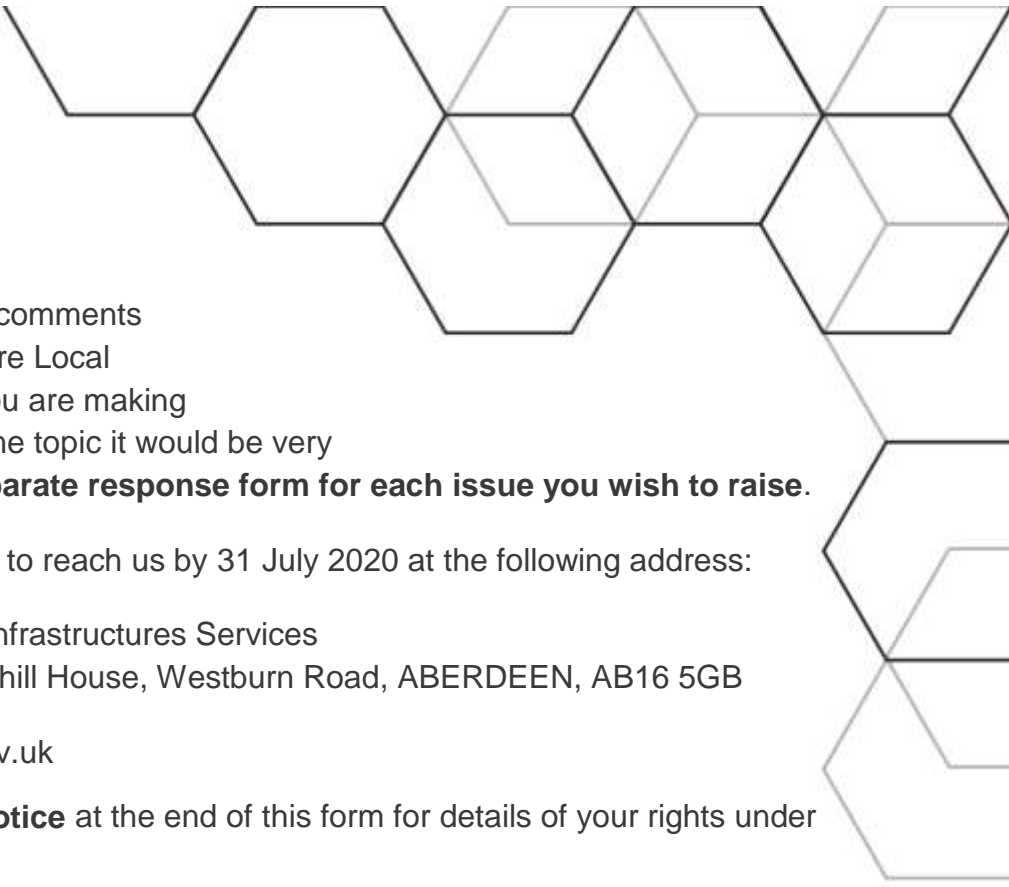
Tel: 01467 536230

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 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

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:	Mr
First Name:	Michael
Surname:	Lorimer
Date:	06/07/20
Postal Address:	Ryden LLP, [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?

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):

Proposed Plan Appendix 7E – Settlement Statements - Kincardine and Mearns should be modified to recognise Mill of Uras as a settlement. Existing 2017 LDP allocation OP1: 'Mill of Uras Paddock' should continue to be identified for 5 homes to be delivered during the lifetime of the plan. The OP1 wording of the adopted LDP should be updated to reflect a live planning consent (Ref: APP/2019/1703) exists for the site. The settlement objectives should highlight the need to deliver a small housing development to meet local needs and support the falling school roll at Catterline Primary School as per the current LDP wording.

Reason for change:

On behalf of our client, Mr Gordon Duncan, objection is taken at the failure of the Proposed LDP to identify Mill of Uras as a defined settlement and continue to identify extant LDP allocation OP1 as an opportunity site for 5 homes. This representation should be read in conjunction with the previous representation made on behalf of our client at MIR stage, which objected to the Officers' preference to remove the OP1 allocation from Mill of Uras as well as its settlement status from that contained within the extant LDP 2017. A copy of the MIR representation is included at Appendix 1.

As was set out at MIR stage, Site OP1 at Mill of Uras was previously pursued as a Development Bid for 5 homes, as part of the preparation of the extant 2017 LDP. Whilst not initially selected as an Officers' Preference within the Main Issues Report (MIR) published in 2013, following consultation into the MIR and subsequent presentation of the findings to Kincardine and Mearns Area Committee in May 2014, the Committee agreed to allocate the site and recognise Mill of Uras as a settlement within the Proposed Plan. Following publication of the Proposed Plan as the settled view of Aberdeenshire Council and subsequent examination by Scottish Ministers, the OP1 site at Mill of Uras was maintained as an allocation for 5 homes within the adopted LDP in April 2017.

Less than two years later, having discovered that Officers intended removing the site following their publishing of the MIR due to perceived road safety concerns, our client raised serious concern with this approach within their previous representation (Appendix 1). At that time (April 2019), significant progress and expenditure had been made in relation to the preparation of a formal planning application for the site, so understandably our client wished to have the continued comfort that the site would remain allocated within the next Plan. Removal of the allocation within such a short timescale following adoption of the extant Plan would be wholly unreasonable and lead to uncertainty, both for my client

and the local community. It was therefore strongly argued that both the allocation and the settlement status be maintained.

Turning to the more recent publication of the responses received to the MIR consultation, as contained within the Schedule 4 'Issues and Actions' paper, it is noted that Officers have acknowledged the comments made in support of retention of the settlement and Op1 allocation. Officers note concerns raised over deliverability of the site and stipulate that the site has not progressed. However, should a planning application be received and suitable transport solution be secured, the settlement status and allocation would be reviewed. It is therefore deemed pertinent to highlight how matters have progressed in the intervening period between MIR and Proposed Plan stage.

A formal detailed planning application for the erection of 5 dwellings was lodged with Aberdeenshire Council and validated on 19th July 2019 under planning ref: APP/2019/1703. The application was recommended favourably by the Planning Service and subsequently approved, subject to the conclusion of a S75 Legal Agreement at Kincardine and Mearns Area Committee on 29th October 2019. The section S75 has since been signed and registered following a substantial delay as a result of the Registers of Scotland closing as a consequence of Covid-19. A formal decision was recently issued on 1st July 2020 (Appendix 2). It should therefore be stressed that planning permission exists for the site and our client has until 30th June 2023 to implement said permission.

It should also be noted that as part of the consideration of the planning application, the Council's Roads Service were consulted on the proposals and raised no road safety concerns in respect of the junction with the A92, nor any requirement for mitigation. A copy of their consultation response is included at Appendix 3. It is therefore clearly evident that concerns raised with regard to road safety are non-existent.

In view of the foregoing, it is therefore clear that significant progress has been made with regard to progressing development on the site in line with the extant OP1 designation. Given the time and significant resource our client has put in to date, they are fully committed to the delivery of a sensitive development of 5 new family homes on site, one of which will be delivered as a much needed affordable unit. It is my client's intention to build these units out on a plot by plot basis, due to commence later this year. There are numerous sites across Aberdeenshire which have been allocated for delivery through a number of consecutive LDP cycles and have yet to deliver a single unit. It is therefore entirely unreasonable to remove this recently allocated site from the next LDP.

As was highlighted at MIR stage, Scottish Planning Policy (SPP) stipulates that the planning system in Scotland should be 'Plan-led', with planning decisions taken in accordance with the Development Plan. The extant LDP allocated the site for 5 dwellinghouses and the associated Settlement Statement identifies that the OP1 allocation is required to meet local needs and primarily to support School Roll Forecasts at Catterline Primary School. This reflects key actions agreed by the Kincardine and Mearns Area Committee as part of the preparation of the current Plan, a position that was also supported by the local Caterline, Kinneff & Dunnotar Community Council. The Area Committee

recognised the need for development in the area, acknowledging a predicted fall in pupil numbers in the Catterline School Roll. It should be stressed that this situation has not changed, as evidenced within the 2019 School Roll Forecasts. Catterline Primary School has a falling school roll, which is currently operating to only 46% of its capacity, dropping substantially to 29% by 2024 (Appendix 4). The delivery of this site and continued identification of both the settlement and allocation at Mill of Uras is therefore vital in supporting the future of this rural school.

My client would therefore strongly reiterate their objection to any proposed removal of Mill of Uras OP1 allocation and deletion of the village from the list of recognised settlements within Kincardine and Mearns. Given the recent approval of detailed planning permission for the site and confirmation from the Council's Roads service that there are no concerns from a road safety aspect, the site and settlement should continue to be identified within the next LDP. This will provide certainty to the surrounding community that the existing LDP's identified settlement objectives of addressing a falling School Roll at Catterline Primary and providing housing to meet local needs, including affordable housing, will be appropriately delivered.

Accordingly, the next LDP should roll forward the OP1 allocation at Mill of Uras Paddock from the extant LDP with the wording of the next LDP updated to reflect a live planning consent exists for the site. The allocation should be incorporated as part of a wider settlement boundary encompassing existing properties at Mill of Uras as per the extant settlement statement map for Mill of Uras, with the settlement objectives highlighting the need to deliver a small housing development to meet local needs and support the falling school roll at Catterline Primary School as per the current LDP wording.

Privacy Notice

LOCAL DEVELOPMENT PLAN PUBLIC COMMENT

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

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

Email: dataprotection@aberdeenshire.gov.uk

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

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

Your information is:

Being collected by Aberdeenshire Council	X
--	---

The Legal Basis for collecting the information is:

Personal Data	
Legal Obligations	X

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

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

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

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

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

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

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

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

Not applicable.

The retention period for the data is:

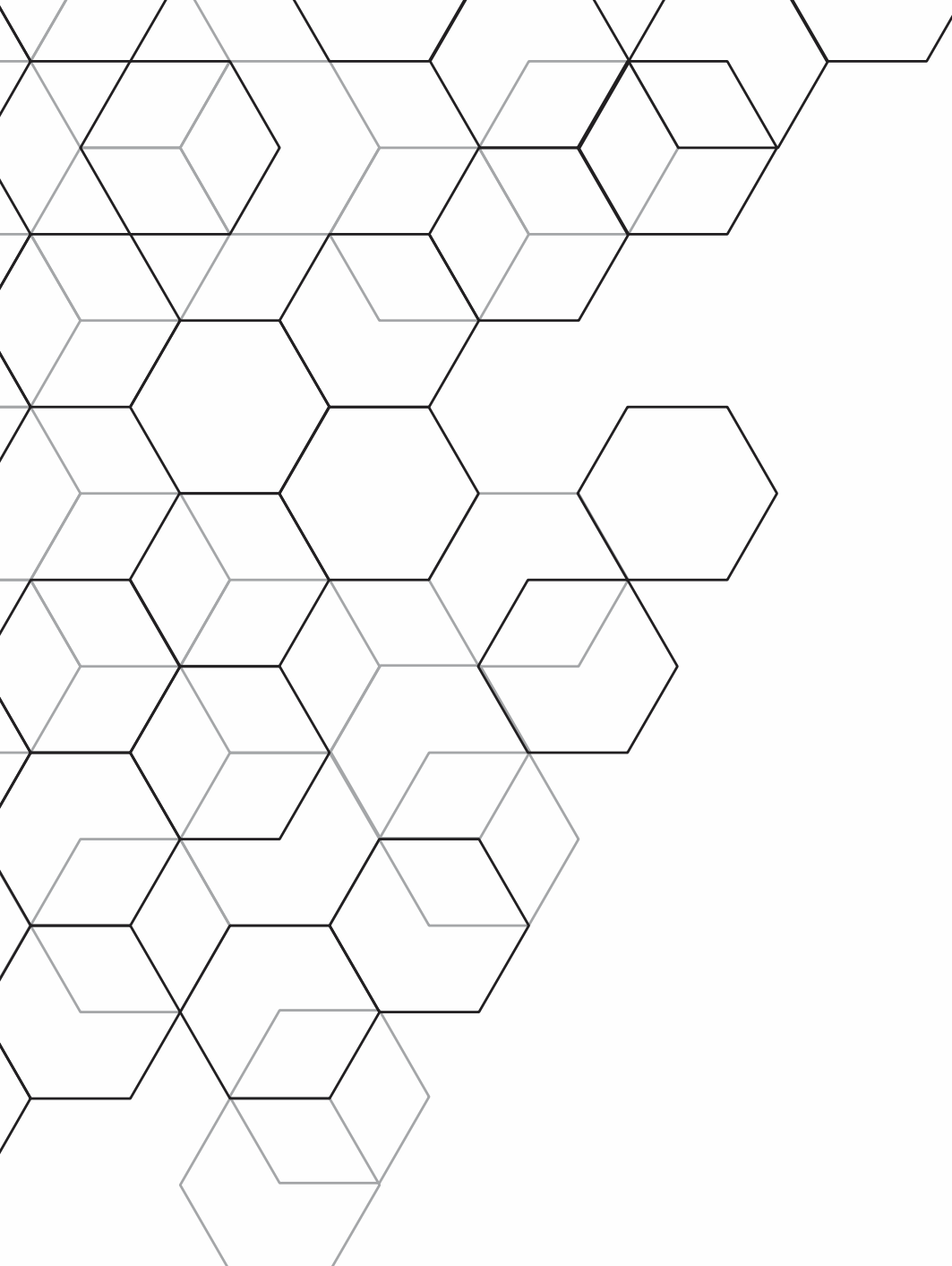
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue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

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

Not applicable.

Please note that you have the following rights:

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



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 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. 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.

Name	██████████
Organisation (optional)	Ryden LLP
On behalf of (if relevant)	Mr Gordon Duncan
Address	██████████ ██████████ ██████████
Postcode	██████████
Telephone (optional)	██████████
E-mail (optional)	████████████████████



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

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

Fair processing notice

Please tick to confirm your agreement to the following statements:

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

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

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

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

Your Data, Your Rights

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

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

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

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

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

Your comments

Representation to the Aberdeenshire Local Development Plan 2021: Main Issues Report 2019 on behalf of Mr Gordon Duncan.

Site Reference: OP1 Mill of Uras Paddock

Site OP1 at Mill of Uras was pursued as a Development Bid seeking 5 homes, as part of the review of the former 2012 Local Development Plan. Whilst not initially selected as an Officers' Preference within the Main Issues Report (MIR) published in 2013, following consultation into the MIR and subsequent presentation of the findings to Kincardine and Mearns Area Committee in May 2014, it was agreed by the Committee that the site (KM004) be taken forward as an allocation for 5 homes, with Mill of Uras included as a settlement within the Proposed Plan. Following publication of the Proposed Plan as the settled view of Aberdeenshire Council and subsequent examination by Scottish Ministers, the OP1 site at Mill of Uras was maintained as an allocation for 5 homes within the adopted LDP in April 2017.

As a new allocation within the extant LDP, my client did not feel the need to pursue any further bid to the current LDP Review process. It therefore comes as some surprise, less than 2 years from the adoption of the extant Plan, that the recent publication of the MIR 2019 highlights an Officer's Preference to remove OP1 as an allocation and Mill of Uras as an identified settlement within the next LDP. My client has been proactively engaged in the preparation of a planning application for the site and is committed to the delivery of the 5 allocated homes in line with the existing OP1 allocation. This has involved a substantial degree of time and expense to my client, therefore any proposal to remove the site as an allocation would be unreasonable and creates significant uncertainty for my client going forward. It also seriously contradicts the agreed approach for the planned development of Mill of Uras as an established settlement following extensive consultation which informed the adoption of the current plan. This will undoubtedly lead to confusion, not only for my client and prospective developers of the site, but also the local community.

My client therefore strongly objects to the Officer's Preference as contained within the MIR, to remove site OP1 and Mill of Uras as an identified settlement from the next LDP. Similar objection is made to the Draft Proposed LDP, which has been prepared to illustrate how the content and specific site allocations may look within the next LDP. It effectively deletes the existing LDP entry for Mill of Uras in its entirety. Objection is therefore made to its deletion and it is respectfully requested that the Mill of Uras Settlement Statement is carried forward into the Proposed LDP, as per the existing wording contained within the extant LDP.

As highlighted by Scottish Planning Policy (SPP), the planning system in Scotland should be 'Plan-led', with planning decisions taken in accordance with the Development Plan. The extant LDP allocated the site for 5 dwellinghouses and the associated Settlement Statement identifies that this allocation is made to meet local needs, primarily to support

School Roll Forecasts at Catterline Primary School. This reflects key actions agreed by the Kincardine and Mearns Area Committee as part of the Review of the 2012 LDP, which was also supported by the local Caterline, Kinneff & Dunnotar Community Council. The Committee recognised the need for development in the area, acknowledging a predicted fall in pupil numbers in the Catterline School Roll. This situation has not changed, as evidenced within the 2018 School Roll Forecasts. Catterline Primary School is currently operating to only 41% of its capacity, which will fluctuate over consecutive years, increasing slightly to 50% by 2023. This obviously reflects programmed development from the existing OP1 allocation at Mill of Uras. To remove that allocation and Mill of Uras as a settlement would directly contradict the previous wishes of Kincardine and Mearns by failing to plan for, and sustain local services. The continued allocation of 5 new homes will bolster pupil numbers at both Catterline Primary School and Mackie Academy, meet recognised growth requirements in the defined Local Growth and Diversification Area and help create sustainable mixed communities in accordance with the objectives of the adopted Strategic Development Plan (SDP).

As acknowledged by Officers, whilst no application has been lodged to date, the site is identified as being effective within the Housing Land Audit 2018, with first completions programmed to start in 2020 and full build out by 2022. This build out rate is entirely appropriate for a small site within a rural settlement. There are numerous sites across Aberdeenshire which have been allocated for delivery through a number of LDP cycles and have yet to deliver a single unit. It is therefore entirely unreasonable to remove this recently allocated site from the next LDP.

My client is in the final stages of preparing an application for Detailed Planning Permission for 5 dwellinghouses on the site, one of which will be an affordable unit in line with SPP and LDP Policy requirements for 25% of developments to be delivered as on-site affordable housing. It is anticipated that this application will be submitted in April 2019, a matter of weeks after the consultation into the MIR closes. As highlighted above, my client has committed a considerable investment of their time and money to prepare this application. This has included the appointment of an architect and expert team of consultants to prepare the necessary designs and supporting technical information to accompany the application submission. The Draft Site Plan for the application is hereby included as an Appendix for indicative purposes, demonstrating a carefully considered approach to the layout, siting and design of the development and my client's commitment to delivery of the site. Whilst one would fully expect the application for 5 houses to be determined in accordance with the provisions of the extant 2017 LDP, the position of the MIR does not provide much confidence in a 'plan-led system', by proposing the uncertainty of a deallocation less than two years into the lifetime of the current Plan. It could also lead to further uncertainty, particularly if the planning application determination timescales experienced any delays.

Mill of Uras lies to the immediate west of a staggered crossroads junction onto the A92 corridor, thus benefiting from excellent transport connection to Stonehaven to the north and Inverbervie to the south. The Stagecoach 107 Stonehaven to Montrose Service operates along this route, providing sustainable means of transport to the local community. The Officer's Preference within the MIR stipulates that there are road safety concerns at the A92 junction and for that reason the OP1 allocation should be removed. There are ample road safety measures currently in place along the A92, including traffic signage warning of the junction at Mill of Uras and digital speed warnings which flash and direct oncoming drivers to slow down from both northerly and southerly approaches to the village. The junction itself provides sufficient visibility in both directions for vehicles egressing onto the A92, therefore road safety is more than adequately compensated for. Furthermore, if the Council has such a concern, it is not considered appropriate to tackle this through the removal of an allocated site for a small scale development of 5 houses. Instead, further road safety measures could be explored, such

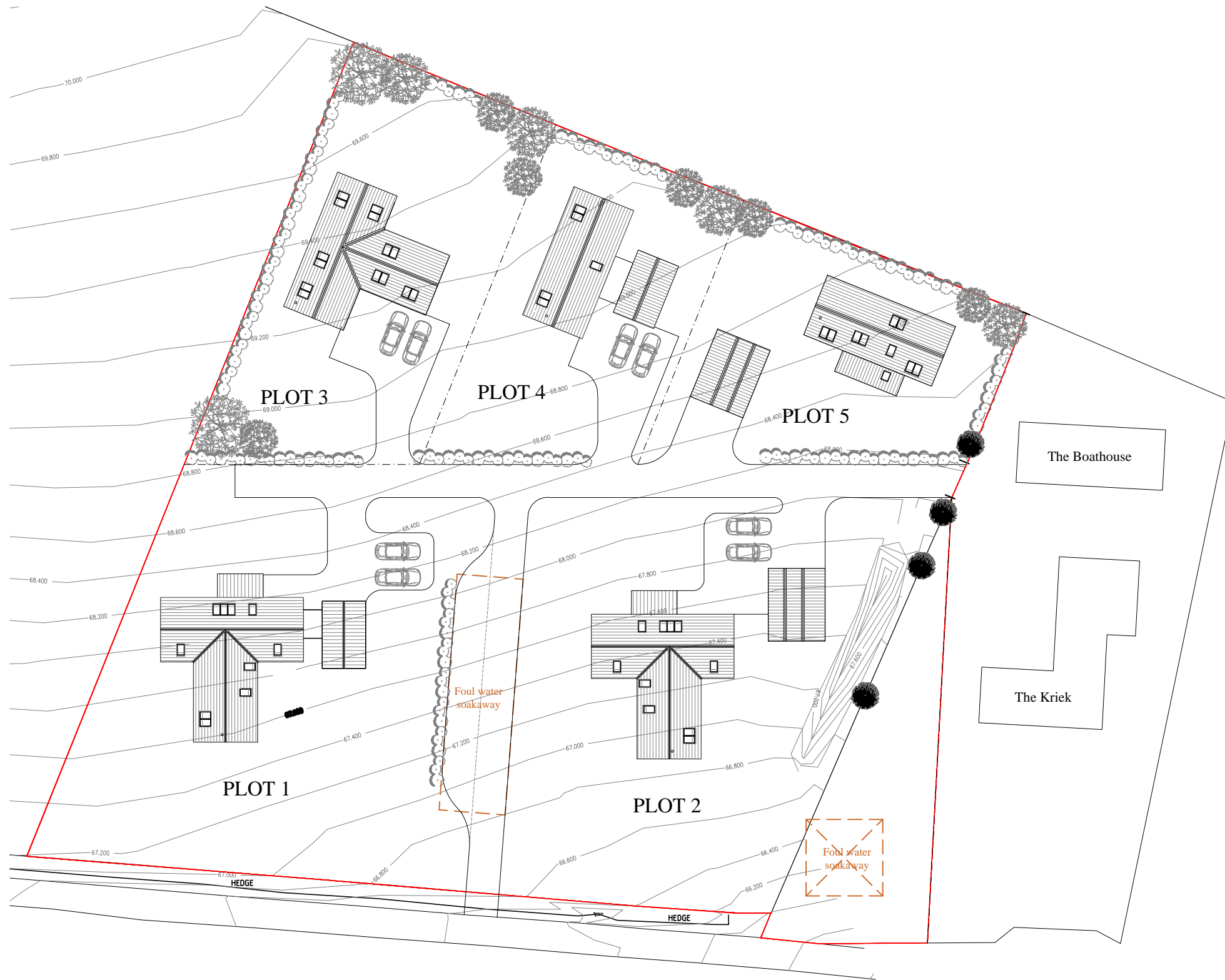
as a reduction in speed limit upon approach to the village, which is a fairly typical solution to similar circumstances throughout Aberdeenshire on the main approach to settlements.

My client would therefore reiterate their objection to any proposed removal of Mill of Uras OP1 allocation and deletion of the village from the list of recognised settlements within Kincardine and Mearns. Given the imminent submission of detailed planning permission for the site and recognition that it is identified as 'effective' within the 2018 Housing Land, the site and settlement should continue to be identified within the next LDP. This will provide certainty to the surrounding community that the existing LDP's identified settlement objectives of addressing a falling School Roll at Catterline Primary and providing housing to meet local needs, will be appropriately delivered.

As such, the Proposed LDP should be updated to roll forward the OP1 allocation at Mill of Uras Paddock from the extant wording of the adopted LDP. The allocation should be incorporated as part of a wider settlement boundary encompassing existing properties at Mill of Uras as per the MIR settlement statement map for Mill of Uras, with the settlement objectives highlighting the need to deliver a small housing development to meet local needs and support the falling school roll at Catterline Primary School as per the current LDP wording.

This drawing is copyright of Annie Kenyon Architects Ltd. This drawing is to be read in conjunction with all related drawings. Do not scale from this drawing. All dimensions must be checked and verified on site before commencing any work or producing shop drawings. The originator should be notified immediately of any discrepancy.

DRAFT



PROPOSED SITE PLAN
Scale 1:500

SCHEME DESIGN

aka
Annie Kenyon Architects Ltd



Client
Gordon [REDACTED]

Job Title
Site at Mill of Uras
Catterline
Aberdeenshire

Drawing Title
As Proposed
Location & Site Plan

CAD Reference

Scale at A3 As shown	Drawn [REDACTED]	Chk	Date OCT 17
-------------------------	---------------------	-----	----------------

Job No. 600	Drawing No. SK-02	Revision No.
----------------	----------------------	--------------



TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Application Reference: APP/2019/1703

TO:

[REDACTED]
Ryden LLP

FOR:

[REDACTED]
The Boathouse
Mill Of Uras
Catterline
Stonehaven
AB39 2TQ

In pursuance of the powers exercised by them as Planning Authority, this Council having considered your application for the following:

Full Planning Permission for Erection of 5 Dwellinghouses and Garages, Formation of Access at Land Adjacent to The Boat House at The Kriek, Mill of Uras, Stonehaven, Aberdeenshire, AB39 2TQ

and in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application, do hereby give notice of their decision to **GRANT Full Planning Permission** for the said development subject to compliance with the following conditions:

- (1) No works in connection with the development hereby approved shall commence unless;
 - a detailed site-specific construction method statement and site plan for surface water arising from construction is submitted for approval in writing by the planning authority, thereafter all surface water treatment on the site shall be carried out in strict accordance with the approved method statement.
 - A Surface water management strategy to be submitted for approval by the Planning Authority, for each Plot.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

- (2) No works in connection with the development hereby approved shall commence unless samples and colour of all the materials to be used in the external finish for the approved development have been submitted to and approved in writing by the planning authority. The development shall not be

IMPORTANT – THIS IS A LEGAL DOCUMENT PLEASE RETAIN WITH YOUR TITLE DEEDS

occupied unless the external finish has been applied in accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

- (3) No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store areas have been submitted to and approved in writing by the planning authority. The areas shall be constructed behind any visibility splay and shall be designed so as to be accessible for refuse bin uplift and to prevent empty bins from being wind-blown. No dwellinghouse shall be occupied unless the refuse bin uplift store areas have been provided and surfaced in accordance with the approved details. Once provided, the refuse bin uplift store areas shall thereafter be permanently retained as such.

Reason: To ensure the provision of an appropriate means of servicing in the interests of road safety.

- (4) Prior to commencement of development, a lay-by is to be formed on frontage of the site & the proposed vehicular access to be taken via this (as shown on drawing number P-02 rev D). Construction shall be to a standard appropriate to the location & must be agreed in advance with Roads Development.

Reason: To ensure the existing road network can accommodate the traffic likely to be associated with the proposed development in the interests of road safety.

- (5) No development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility of 90m metres in both directions along the channel line of the public road has been provided from a point 2.4 metres measured at right angles from the existing edge of the carriageway surface along the centre line of the approved new access (as shown on drawing number P-02 rev D), in accordance with the Council's Standards for Road Construction Consent and Adoption. The visibility splays once formed, the visibility splays shall be permanently retained thereafter, and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason: To enable drivers of vehicles using the access to have a clear view of other road users and pedestrians in the interests of road safety.

- (6) No individual dwellinghouse hereby approved shall be erected unless an Energy Statement applicable to that dwellinghouse has been submitted to and approved in writing by the planning authority. The Energy Statement shall include the following items:
- a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
 - b) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development,

arising from the measures proposed, will enable the development to comply with Policy C1 of the Aberdeenshire Local Development Plan 2017.

The development shall not be occupied unless it has been constructed in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: To ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and Policy C1 of the Aberdeenshire Local Development Plan 2017.

- (7) The dwellinghouses hereby approved shall not be occupied unless;
- The vehicular access, driveways and off street parking areas (16 in total) hereby approved shall be provided and surfaced in accordance with the details shown on the approved plans.
 - The first five metres of the driveways measured from the back of the footway or edge of road shall be fully paved and shall have a maximum gradient not exceeding 1:20. The access shall be internally drained and formed in such a way to prevent any flow of surface water either onto or from the public road.
 - a suitable vehicle turning area, as shown on Drawing number P-02 Rev D must be formed within the site to enable all vehicle movements onto or from the public road to be carried out in a forward gear.

Once provided, the access, driveways, parking areas and turning area shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the access, driveways, parking areas and turning area to an adequate standard; to prevent the carriage of loose driveway material on to the public road and to ensure the retention of adequate off-street parking facilities, all in the interests of road safety.

- (8) The dwellinghouses hereby approved shall not be occupied unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans [Drawing No 133445/2000] and Drainage Assessment carried out by Fairhurst (July 2019). The foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved maintenance scheme.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

- (9) The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

- (10) All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme Drawing No P-11 Revision E and Landscape Maintenance Strategy (AKA Kenyon Architects Ltd). Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

Informatives

- (1) In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) this planning permission will lapse on the expiration of a period of three years from the date of this decision notice, unless the development is begun within that period.
- (2) Notice of the start of development: The person carrying out the development must give advance notice in writing to the planning authority of the date when it is intended to start the development. Failure to do so is a breach of planning control and could result in the planning authority taking enforcement action. [See sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)]. Such notification shall contain the information set out in the 'Notification of Initiation of Development' Notice as appended.
- (3) Notice of the completion of the development: As soon as possible after the development is finished, the person who completed the development must write to the planning authority to confirm that the development has been completed. [See section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended)]. Such notification shall contain the information set out in the 'Notification of Completion of Development' Notice as appended.
- (4) The proposed vehicular access onto the public road shall be formed at the Developer's expense and must be constructed in accordance with the council's specification.
- (5) Adequate provision shall be made for internal surface water drainage to ensure that surface water does not run from the site onto the public road or vice versa.
- (6) Adequate precautions shall be taken to protect any Statutory Undertaker's plant which may be affected by the works/development.
- (7) An application for a Road Excavation Permit must be submitted to Infrastructure Services, Area Roads Office at least 15 days prior to the

commencement of any excavation works within the boundaries of the public road. Applicants should note that failure to obtain a Permit is an offence in terms of s56 of the Roads (Scotland) Act 1984. Note: The Public Road may incorporate - Carriageway, Verge, Cycleway/ Footway and Visibility Envelopes.

Further details and application forms may be obtained by emailing the relevant Area Roads Office (see below) or on the council's website (<http://www.aberdeenshire.gov.uk/roads-and-travel/roads/residential-streets/application-forms/>):

Kincardine & Mearns - kincardineandmearns.roads@aberdeenshire.gov.uk

Reason for Decision

The proposed development is on an allocated site and is appropriately designed and scaled, and would have no adverse impacts on the surrounding character or amenity of the neighbouring residents in compliance with Policy H1: Housing Land, Policy P1 Layout, siting and design, Policy C4 Flooding, Policy RD1 Provision suitable services and Policy RD2 Developer Obligations of the Aberdeenshire Local Development Plan 2017.

Dated: 1 July 2020



Head of Planning and Environment Service

List of Plans and Drawings

Reference Number: P-03 Version A Plot 1 - Type A Proposed Plans and Elevations

Reference Number: P-04 Version A Plot 2 - Type B Proposed Plans and Elevations

Reference Number: 133445/2000 Conceptual Drainage Layout

Reference Number: P-01 As Existing Location and Site Plan

Reference Number: P-06 Version B As Proposed - Plot 4 - Type C Proposed Plans and Elevations

Reference Number: P-03 Version D As Proposed - Plot 1 - Type A Proposed Plans and Elevations

Reference Number: P-04 Version C As Proposed - Plot 2 - Type B Proposed Plans and Elevations

Reference Number: P-05 Version C As Proposed - Plot 3 - Type D Proposed Plans and Elevations

Reference Number: P-07 Version A As Proposed - Plot 5 - Affordable Proposed Plans and Elevations

Reference Number: P-08 Version A As Proposed Proposed House Type Sections

Reference Number: P-09 Version B As Proposed Site Section AA

Reference Number: P-10 Version B As Proposed Site Section BB

Reference Number: P-12 Version A Proposed Road Visibility

Reference Number: P-11 Version E Landscaping Plan

Reference Number: P-02 Version D Proposed Location And Site Plan

NOTES

- (i) In the case of any permission granted, this does NOT incorporate any building warrant for any operations or change of use which may be required under the Building (Scotland) Act 2003. This must be obtained separately from the Council prior to the start of building operations.
- (ii) Any permission granted does not incorporate any listed building consent which may be required. This must be obtained separately prior to the start of building operations.
- (iii) Any permission granted is without prejudice to any further consents required from Aberdeenshire Council in its role as landowner.
- (iv) If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review form should be obtained from and submitted to:

Head of Legal and Governance
Business Services
Aberdeenshire Council
Woodhill House
Westburn Road
Aberdeen
AB16 5GB



Email: committee.services@aberdeenshire.gov.uk

A form may also be obtained from a local Planning office or the Council's website at www.aberdeenshire.gov.uk/committees/localreviewbody.asp

- (v) If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

NOTICE OF REQUIREMENT FOR NOTICES

Notification of Initiation of Development

The person who intends to implement the development must inform the Planning Authority of the date they intend to start work on the development as soon as it is practicable using the enclosed Notice of Initiation of Development. This Notice must be submitted before starting work. Failure to do so would be a breach of planning control under Section 123(1) of the Town and Country Planning Act 1997 and the Planning Authority may take enforcement action.

The Permission may contain pre-conditions that require specific matters to be approved before development can commence. This means that a lawful commencement of the approved development cannot be made until the particular requirements of the condition(s) have been met. The person who intends to start development must ensure that all conditions are properly complied with. If you are in any doubt about the meaning or implications of any of the conditions you should contact the Planning Authority or seek professional advice. If you do not comply fully with the conditions the Planning Authority may serve a Breach of Condition notice on you or take enforcement action and you may be prosecuted or fined. Please note, there is no right of appeal against a Breach of Condition Notice.

Notification of Completion of Development

The person who completes the development must, as soon as practicable after doing so, give notice of completion to the Planning Authority using the enclosed Notice of Completion.

Please note, the Planning Authority may take enforcement action where such notice is not given.

PLEASE NOTE – THE ABOVE REQUIREMENTS ARE IN ADDITION TO ANY SIMILAR REQUIREMENTS UNDER THE BUILDING REGULATIONS OR ANY OTHER LEGISLATION

**NOTIFICATION OF INITIATION OF DEVELOPMENT
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, SECTION 27A(1)**

APPLICATION REFERENCE NUMBER: APP/2019/1703
**Full Planning Permission for Erection of 5 Dwellinghouses and Garages,
Formation of Access at Land Adjacent to The Boat House at The Kriek, Mill of
Uras, Stonehaven, Aberdeenshire, AB39 2TQ**
Dated: 1 July 2020

I hereby confirm that the above development is expected to commence on:

Date:

The person intending to carry out the development is:

Name:

Address:

.....

.....

.....

Postcode:

Telephone no:

***Please delete as appropriate**

*The above person is the owner of the land to which the development relates

*The landowner is (if different from the person above):

Name:

Address:

.....

.....

.....

Postcode:

The person appointed to oversee the carrying out of the development is (if applicable):

Name:

Address:

.....

.....

Postcode:

Telephone no:

Signed Date

On Behalf of

Please return this form, duly completed to:

Head of Planning and Environment Service
Aberdeenshire Council
Viewmount
Arduathie Road
Stonehaven
AB39 2DQ

IMPORTANT:

1. Failure to submit this Notice before commencement of development would be a breach of planning control under Section 123(1) of the Town and Country Planning Act 1997 and the Planning Authority may take enforcement action.
2. Any planning conditions imposed which necessitate action prior to the commencement of development, must be complied with to prevent a Breach of Planning Conditions and the subsequent service of a Breach of Condition Notice or other enforcement action.
3. Any planning conditions imposed relative to this planning application will be the subject of our planning condition monitoring policy which will entail a visit(s) to the site.

**NOTIFICATION OF COMPLETION OF DEVELOPMENT
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, SECTION 27B(1)**

APPLICATION REFERENCE NUMBER: APP/2019/1703

**Full Planning Permission for Erection of 5 Dwellinghouses and Garages,
Formation of Access at Land Adjacent to The Boat House at The Kriek, Mill of
Uras, Stonehaven, Aberdeenshire, AB39 2TQ**

Dated: 1 July 2020

I hereby confirm that the above development was completed on:

Date:

The person who completed the development is:

Name:

Address:

.....

.....

.....

Postcode:

Telephone no:

Signed Date

On Behalf of

Please return this form, duly completed to:

Head of Planning and Environment Service
Aberdeenshire Council
Viewmount
Arduthie Road
Stonehaven
AB39 2DQ



Technical Consultation No 3 for Planning Application Ref: APP/2019/1703

Application type: **FPP (Full Planning Permission)**

Proposal: **Erection Of 5 Dwellinghouses And Garages, Formation Of Access**

Location: **The Boat House At The Kriek, Mill Of Uras, Stonehaven, Aberdeenshire, AB39 2TG**

Date consultation request received: **Update on Consultation 2**

Planning Officer: [REDACTED]

Roads Officer: [REDACTED]

1. Visibility Requirements (See Section 4)

Speed Limit at site: **60 mph**

Design speed: **30 mph (assessed for both approaches)**

Based on the minimum visibility requirements within Aberdeenshire Council's current standards and on the design speed a visibility of **2.4** metres by **90** metres will be required **In both directions**

Does current application provide this? Yes No

2. Parking Requirements:

From Aberdeenshire Council's Parking Standards the required parking provision is **15** Spaces made up of: Operational and **15** Non-Operational.

Is shown provision of **16** spaces acceptable Yes No

Note:

Parking spaces are required as follows;

- Plot 1 - 3 spaces (1 within garage)
- Plot 2 - 3 spaces (1 within garage)
- Plot 3 - 3 spaces (1 within garage)
- Plot 4 - 3 spaces (1 within garage)
- Plot 5 - 2 spaces

Visitor parking - 2 spaces

3. Road Layout:

Is a Traffic Assessment required?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Access onto Public Road Network?	Direct	<input checked="" type="checkbox"/>	Indirect	<input type="checkbox"/>
Will the Shown Layout Require RCC?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the Shown Layout Appear to Comply with RCC?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

If No, What are Main Items of Non-Compliance?

4. Other Comments:

5. Recommendations:

- This Service objects to this application for the following reasons:-**
- Insufficient Visibility** **Insufficient Parking Provision**
 - Road Safety (see comments in Section 4)**
 - Insufficient information has been submitted to comment on this application. Please treat this response as a holding objection until the required information has been submitted. (See Section 4)**
- This Service has no further comments to make on this application .**
- This Service does not object to this application subject to the following conditions and advisories being applied should planning permission be granted:-**

Conditions (as selected below):

- The maximum gradient of the first 5m of the new access must not exceed 1 in 20.
- Prior to occupancy of development, first 5m of access (measured from edge of road) to be fully paved.
- Prior to occupancy of development, Off-Street parking for 16 cars, surfaced in hard standing materials must be provided within the site.
- Prior to commencement of development, a lay-by is to be formed on frontage of the site & the proposed vehicular access to be taken via this (as shown on drawing number P-02 rev D). Construction shall be to a standard appropriate to the location & must be agreed in advance with Roads Development.
- Prior to commencement of development, Visibility Splays, measuring 2.4m by 90m to be formed on either side of the junction of the vehicular access with the public road (as shown on drawing number P-02 rev D). The visibility splays so formed shall thereafter be kept free of all permanent obstructions above adjacent carriageway level.
- Prior to occupancy of development a refuse bin uplift store area shall be constructed (behind any visibility splay) so as to be accessible for bin uplift & shall be secure enough to prevent empty bins from being wind blown. Details must be submitted to Roads Development for approval.
- Prior to occupancy of development a suitable vehicle turning area, as shown on drawing number P-02 rev D must be formed within the site to enable all vehicle movements onto or from the public road to be carried out in a forward gear.

Initialed by:



Checked:



Date:

04/10/2019

Date:

04/10/2019

The following matters are drawn to the attention of the applicant:-

- The proposed vehicular access onto the public road shall be formed at the Developer's expense & must be constructed in accordance with the Council's Specification.
- Adequate provision to be made for internal surface water drainage to ensure that surface water does not run from the site onto the public road or vice versa.
- Adequate precautions to be taken to protect any Statutory Undertaker's plant which may be affected by the works/development.
- An application for a Road **Excavation Permit** must be submitted to Infrastructure Services, Area Roads Office at least 15 days prior to the commencement of any excavation works within the boundaries of the public road. Applicants should note that failure to obtain a Permit is an offence in terms of s56 of the Roads (Scotland) Act 1984.
Note: The Public Road may incorporate- Carriageway, Verge, Cycleway/ Footway and Visibility Envelopes.

Further details and application forms may be obtained by emailing the relevant Area Roads Office (see below) or on the Councils website:

banffandbuchan.roads@aberdeenshire.gov.uk

garioch.roads@aberdeenshire.gov.uk

buchan.roads@aberdeenshire.gov.uk

kincardineandmearns.roads@aberdeenshire.gov.uk

formartine.roads@aberdeenshire.gov.uk

marr.roads@aberdeenshire.gov.uk

Appendix 1 - 2019 Based School Roll Forecast

School	Area	Capacity	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	Current % Capacity	% Capacity 2024
Portlethen Academy	Kincardine & Mearns	970	817	835	836	879	925	974	1001	1009	992	1001	86%	103%
Banchory-Devenick	Kincardine & Mearns	70	34	31	35	39	44	47	49	52	54	55	44%	70%
Fishermoss	Kincardine & Mearns	358	264	256	253	261	261	265	274	273	280	270	72%	76%
Hillside	Kincardine & Mearns	372	366	419	480	503	528	541	545	544	521	484	113%	147%
Newtonhill	Kincardine & Mearns	459	308	292	329	365	396	419	440	465	488	487	64%	96%
Portlethen PS	Kincardine & Mearns	342	264	260	256	241	222	219	219	211	206	195	76%	64%
Mackie Academy	Kincardine & Mearns	1290	1180	1159	1170	1181	1187	1170	1169	1155	1098	1040	90%	91%
Arduthie	Kincardine & Mearns	459	353	346	361	383	399	429	449	454	453	428	75%	98%
Bervie	Kincardine & Mearns	342	219	228	230	232	234	255	257	267	260	256	67%	75%
Catterline	Kincardine & Mearns	94	39	43	39	42	34	32	28	29	25	26	46%	29%
Dunnottar	Kincardine & Mearns	195	197	185	186	169	161	157	153	144	141	137	95%	79%
Glenbervie	Kincardine & Mearns	100	72	74	79	80	78	76	78	73	73	65	74%	78%
Gourdon	Kincardine & Mearns	100	85	86	78	71	71	70	71	64	65	61	86%	71%
Johnshaven	Kincardine & Mearns	50	35	34	36	30	32	33	37	38	37	33	68%	74%
Kinneff	Kincardine & Mearns	50	13	11	9	13	14	16	14	16	17	18	22%	28%
Lairhillock	Kincardine & Mearns	150	113	132	131	139	131	130	127	132	128	126	88%	85%
Mill O' Forest	Kincardine & Mearns	434	291	282	264	239	232	224	203	184	169	160	65%	47%
Turriff Academy	Formartine	840	665	627	623	656	640	628	627	592	553	508	75%	75%
Auchterless	Formartine	75	37	46	45	41	36	32	29	24	13	14	61%	39%
Crudie	Banff & Buchan	50	25	28	30	28	25	27	26	25	22	19	56%	52%
Easterfield	Formartine	25	19	17	20	17	16	17	17	16	17	15	68%	70%
Fintry	Formartine	50	37	27	28	24	20	15	13	11	13	11	54%	27%
Fisherford	Formartine	30	8	11	9	10	11	12	11	13	13	13	37%	38%
Fyvie	Formartine	155	118	123	129	114	112	107	103	95	89	81	79%	67%
King Edward	Banff & Buchan	47	28	23	20	23	19	22	18	21	23	21	49%	37%
Monquhitter	Formartine	217	136	137	123	112	116	116	110	107	97	96	63%	51%
Turriff Primary	Formartine	559	468	459	448	423	424	423	414	417	416	397	82%	74%
Westhill Academy	Garioch	1000	748	758	777	816	807	839	852	812	779	745	76%	85%
Crombie	Garioch	342	309	328	323	309	308	311	303	298	274	262	96%	89%
Elrick	Garioch	442	417	404	386	375	371	356	342	339	328	318	91%	77%
Skene	Garioch	100	72	76	82	80	86	85	93	96	98	90	76%	93%
Westhill PS	Garioch	342	287	280	302	309	320	323	324	335	332	312	82%	95%