

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:	Paul
Surname:	Houghton
Date:	10 July 2020
Postal Address:	DM Hall, [REDACTED]
Postcode:	[REDACTED]
Telephone Number:	[REDACTED]
Email:	[REDACTED]

Are you happy to receive future correspondence only by email? **Yes**

Are you responding on behalf of another person? Yes

If yes who are you representing?

YES 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):

Please see attached statement.

Reason for change:

Please see attached statement.

PRIVACY NOTICE

LOCAL DEVELOPMENT PLAN PUBLIC COMMENT

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

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

Email: dataprotection@aberdeenshire.gov.uk

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

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

Your information is:

Being collected by Aberdeenshire Council	X
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The Legal Basis for collecting the information is:

Personal Data	
Legal Obligations	X

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

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

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

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

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

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

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

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

Not applicable.

The retention period for the data is:

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

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

Not applicable.

Please note that you have the following rights:

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



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 <i>(optional)</i>	DMHall
On behalf of <i>(if relevant)</i>	B and J Dawson
Address	██████████ ██████████ ██████████
Postcode	██████████
Telephone <i>(optional)</i>	██████████
E-mail <i>(optional)</i>	████████████████████



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.

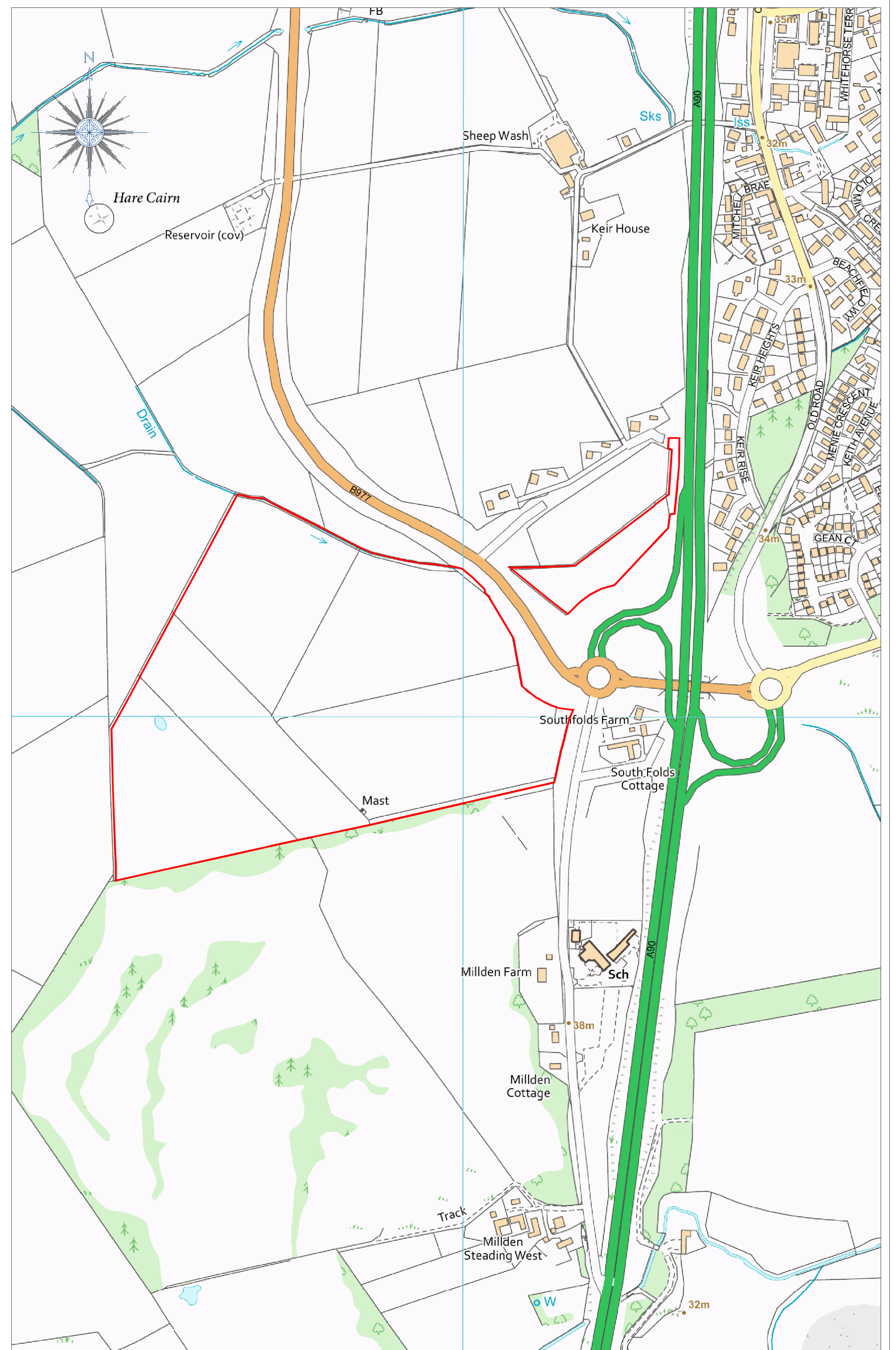
Which document(s) are you commenting on?	Main Issues Report	<input checked="" type="checkbox"/>
	Draft Proposed Aberdeenshire Local Development Plan	<input checked="" type="checkbox"/>
	Strategic Environmental Assessment Interim Environmental Assessment	<input type="checkbox"/>
	Other	<input type="checkbox"/>

Your comments

Please see attached statement.



DETAIL PLAN 1:1250



SITE LOCATION PLAN 1:2500



PROJECT:
Southfolds Farm
Balmedie
Aberdeenshire

TITLE:
MASTERPLAN

I hereby certify that this is the plan referred to in the foregoing application for Local Authority permission

Signed Dated

FILE NO: PP-19-00221 A0

DATE:	DRAWN:	SCALE:	DWG. NO:
02/04/19	PH	1:1250	1

Revision

	Proposed Planting
	Existing Planting
	Pedestrian Route
	Main Entrance
	Proposed Housing Frontages
	Boundary of land owned
	Residential Area
	Industrial Area
	Buildings

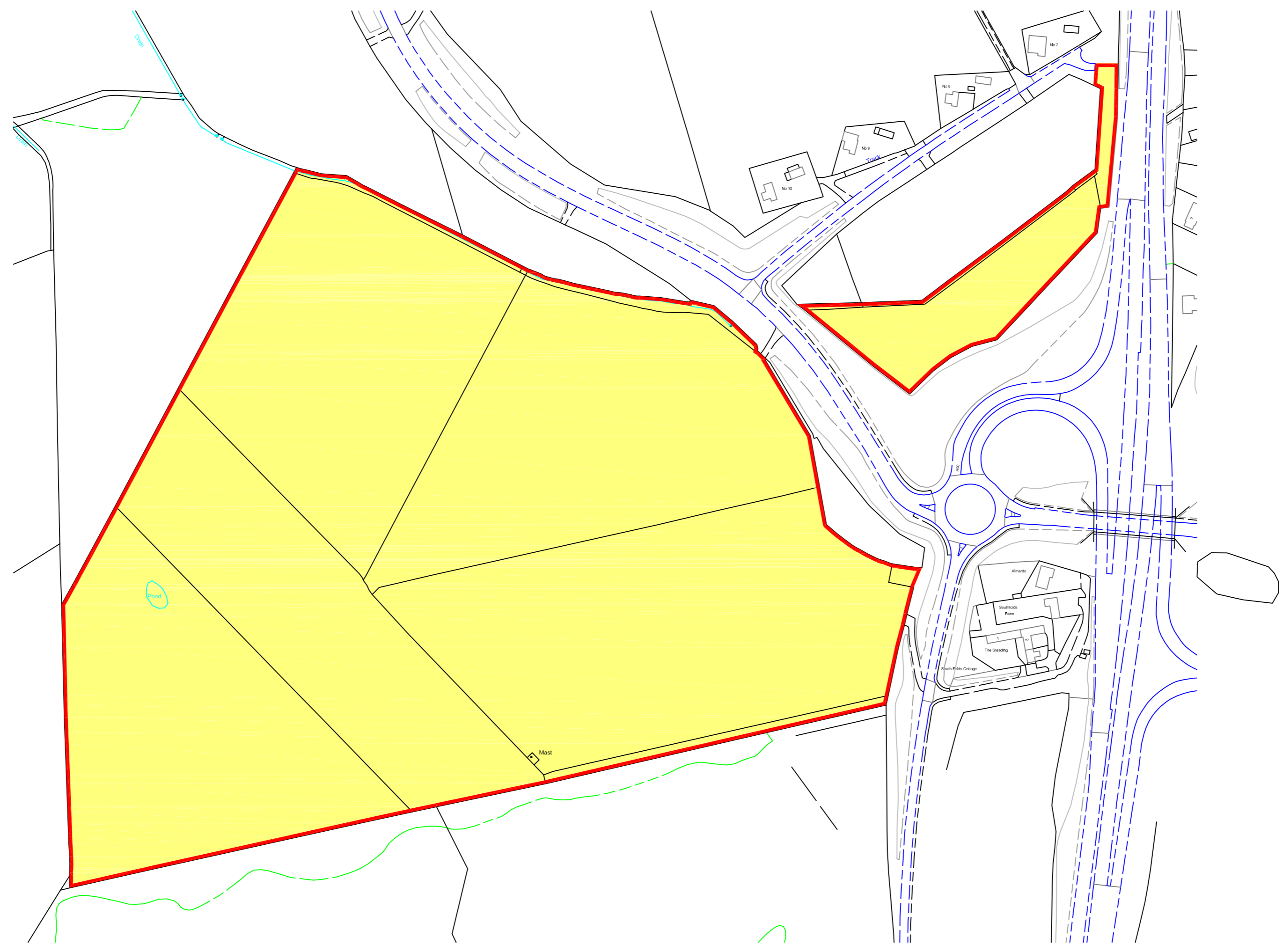
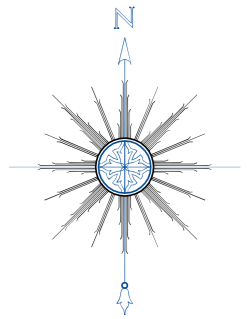
THIS IS THE PLAN REFERRED TO IN THE FOREGOING
PLANNING APPLICATION

Southfolds Farm, Balmeddie, Aberdeenshire,

Ref. PP/19/00221 PH
Date. 04/04/2019

Coordinates at centre of plan - E:395973, N:817068

Area outlined red = 20.64 ha or thereby

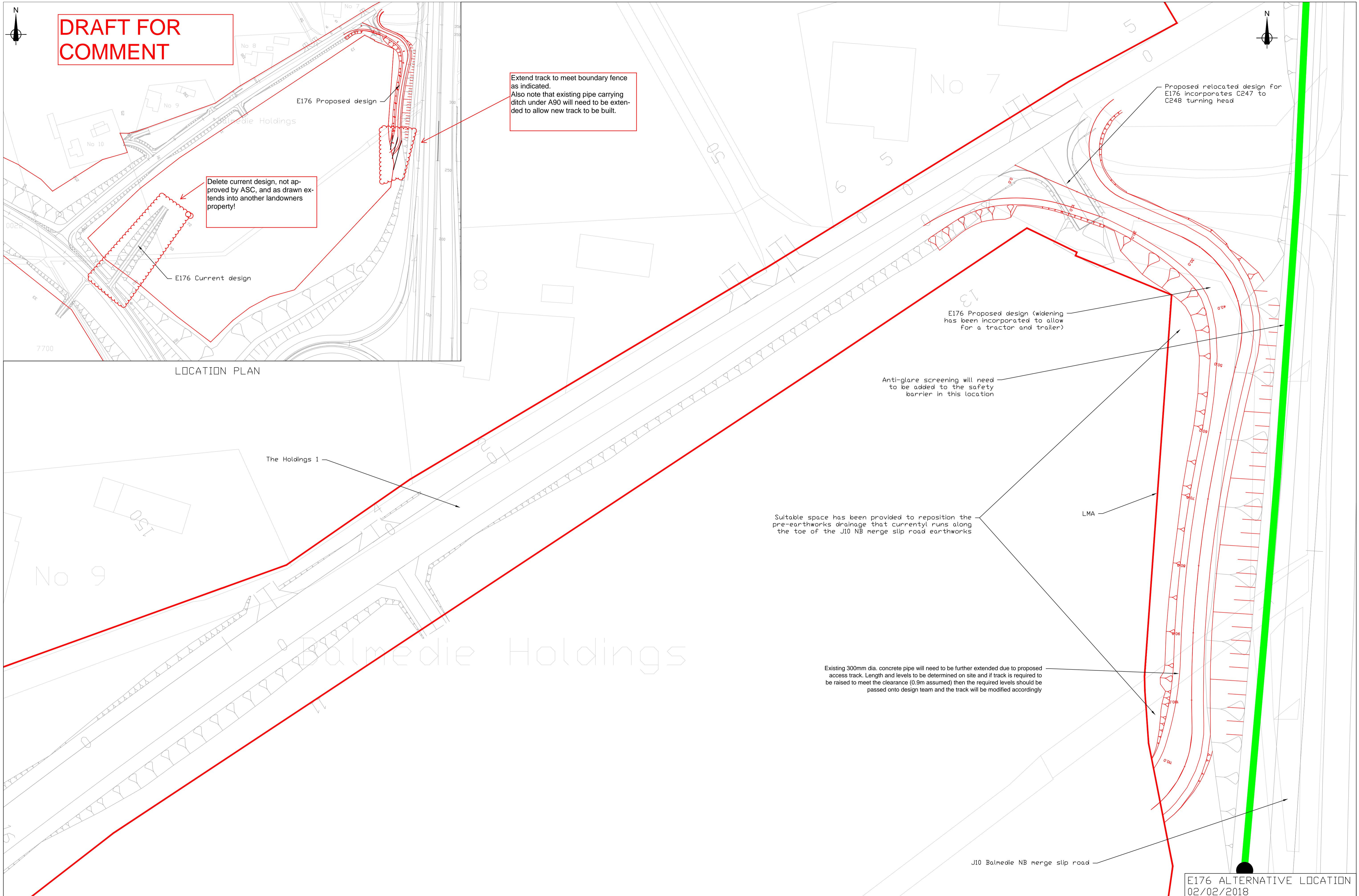


Scale 1/2500 0 50m 100m

@A2 Size m - meters o.t. - or thereby
c - centre line u/d - undefined



DRAFT FOR COMMENT



LOCATION PLAN



**LOCAL DEVELOPMENT PLAN REPRESENTATION,
B AND J DAWSON,
LAND AT SOUTHFOLDS FARM, BALMEDIE
(SITE REF: FR128)**

Paul Houghton



1.0 Introduction

- 1.1 This representation has been prepared on behalf of B and J Dawson (hereafter the Landowner) who own land at Southfolds Farm, Balmedie (farm code 66/002/0083). **The Landowner requests that land they own at Southfolds Farm (see attached Location Plan and Site Plan) be identified in the Aberdeenshire Local Development Plan Proposed Plan for commercial and residential development (see attached Masterplan).**
- 1.2 Part of Southfolds Farm has previously been promoted in relation to the Call for Sites and has been given site ref: FR128. This submission now involves that land and the remainder of Southfolds Farm owned by the Landowner.
- 1.3 All of the land was previously submitted as part of a larger proposed site in relation to the 2012 Local Development Plan with Keir Farm to the north (site ref: FR089). At that time, Southfolds Farm was under option to [REDACTED] who were promoting the two sites together. That option has now expired and whilst we understand that [REDACTED] continue to hold an option over Keir Farm, and are still promoting that, they have expressed no desire to continue promoting Southfolds Farm as well. The Landowner is, therefore, seeking an alternative developer for the land using DMHall as agents and it is fully expected, given the accessibility of the site, that a number of developers will show interest in it, in advance of the Proposed Plan being published.
- 1.4 In the Council's document 'Formartine Settlements' published with the Main Issues Report Southfolds Farm is identified as an "Other options which Planning Officers have not preferred" with the following commentary

"The proposed site is associated with the A90(T) junction improvements around Balmedie. It is undevelopable due to the lack of access. It also suffers from visual isolation from the village itself and infrastructure issues associated with drainage and education that would have to be resolved through substantial developer obligations. 10% of the site is constrained by medium and high flood risk and it rests in prime agricultural land.

The development of the site could only be considered if other developments on this side of the A90(T) would take place to provide it with context and add to the sense of place that it provides".

In contrast Keir Farm is identified as a site with "some potential for development and may be considered to be an Officers' preference" with the following commentary

"The proposed site was submitted as part of a larger bid site in the 2012 LDP but was not taken forward due to connectivity/cohesion issues. However, it was acknowledged at the time that this site was still developable. The site is well related to the settlement but is separated by the A90(T).

There are multiple potential environmental and social advantages to be gained from development of this site however, accessibility and connectivity issues remain.

Environmental factors such as watercourses and woodland must be considered when planning the layout of the development. The site has a number of other infrastructure issues that would be required to be resolved before the site is viable. These include the range of education facilities to be provided, the capacity of the existing primary school, and a safety concern regarding situating a new primary school on the west side of the A90(T).

As a matter of principle, however decisions to bridge the A90(T) for active travel cannot be made lightly, and it may be that the Keir Farm Development accessed through the A90(T) junction would be perceived as a different “place” from Balmedie”.

In the Council’s ‘Strategic Environmental Assessment of Bid Sites – Formartine’ published with the Main Issues Report, Southfolds Farm is described in the following manner.

“Air - Individual developments of this scale are unlikely to have any effects on air quality.

Water - A proposal is likely to have a significant negative effect as it will exceed public sewage treatment capacity. Impacts are likely to be localised and medium/long term. This could be mitigated by the delivery of FR089 which would deliver a Scottish water growth project.

Climatic Factors - The Site is within an area identified as low flood risk. Impacts are likely to be localised and medium/long term. A proposal on this scale is unlikely to have any effect on CO2 emissions.

Soil - The proposed development is likely to have short-term adverse effects on soil through soil erosion, desegregation, compaction and pollution during construction phases. The proposal of this scale will cause a significant loss of valuable agricultural land (i.e. through increases in concentrations of a certain contaminant(s) in soil, soil sealing, structural change in soils and change in soil organic matter). Impacts are likely to be localised and medium/long term.

Biodiversity - Proposal would have a neutral effect as it is of a scale or in a location which is unlikely to negatively affect a nature conservation site or wider biodiversity.

Landscape - The scale and location of the proposal will have a negative impact on the landscape character, and the effect is likely to be longterm. The nature of land use in the area will be changed and displaced. The relationship between land forms and land use; field pattern and boundaries as well as buildings and structure will change. However, given that over a long term, what gets developed becomes part of the landscape, the effects are only likely to have medium-term effects.

Material Assets - There are a number of infrastructure constraints associated with the site, namely road access and education provision at Balmedie Primary School, which will have a long-term effect. These constraints could potentially be mitigated via developer obligations.

Population - Significance of effects is uncertain if house type is unknown. This will be mitigated through LDP policy for sustainable mixed houses with a minimum of 25% affordable housing.

Human Health - Development of site is unlikely to have any significant effects on existing pathways or access to open space. The population not at risk from hazardous developments.

Cultural Heritage - Unlikely to have any effects on the historic environment.”

- 1.5 This representation seeks firstly to address each of what are, in effect, the outstanding concerns raised above. It then concludes with presenting a proposal for the site that could stand alone, or be complementary to a larger development with Keir Farm.

2.0 Accessibility

- 2.1 The accessibility of Southfolds Farm is a recurrent theme in the Council's responses on the site. In that regard, it is quite clear that any such concern has now been overcome by the completion and opening of the new interchange junction onto the A90(T), as shown on the attached Site Plan. This new A90(T)/A977 roundabout provides direct access to land owned by the Landowner north east of the B977, which could be accessed from a new 'T' junction/roundabout created close to The Balmedie Holdings, west of the roundabout, and/or from a new 'T' junction/roundabout off the Southfolds Access Road, to the east of the roundabout.
- 2.2 The land owned by the Landowner between The Balmedie Holdings Side Road, the B977, the roundabout and the A90(T), which is 50% owned by the Landowner and is 50% owned as part of Keir Farm, has a secured right of access from the end of The Balmedie Holdings Side Road, immediately to the north of the A90(T). This was constructed by Transport Scotland as part of the A90(T) works and is for the sole use of the Landowner. Transport Scotland has emailed the Landowner stating that they will get full title to this access in due course.
- 2.3 The proposed development at Keir Farm to the north will also need to take access from the B977 and so all traffic will have to use a road that, for its first part, passes through land that is part of Southfolds Farm on both sides. There may well, therefore, be a need for the promoters of Keir Farm to work closely with the Landowner of Southfolds Farm irrespective of whether the Council supports the release of both sites or only one.

3.0 Relationship to Balmedie

- 3.1 The site will be split from Balmedie by the A90(T), but, if developed as part of a comprehensive expansion of the settlement, there is no reason why it cannot be connected with the remainder of the settlement. There is already an underpass to the north that provides pedestrian connectivity with Balmedie and, with a large enough development, there is no reason why this couldn't be supplemented by other crossing opportunities and links.

4.0 Agricultural Land

- 4.1 Scottish Planning Policy defines 'Prime agricultural land' as "*Agricultural land identified as being Class 1, 2 or 3.1 in the land capability classification for agriculture developed by Macaulay Land Use Research Institute (now the James Hutton Institute)*". Only part of the land is Category 3.1, with much of this having been lost or compromised by the road works. The remainder of the land is Category 3.2

5.0 Landscape Character

- 5.1 The 'SNH Review 102 - South and Central Aberdeenshire landscape character assessment' (1998) describes the site as being part of the 'Agricultural Heartlands' the predominant character of which is intensive mixed farming on large fields with some hedgerows and few

trees. The Council include it in ‘Landscape Character Area: Formartine Lowlands’ and is summarised as being:

“The Formartine Lowlands comprise of gently rolling farmland that forms a backdrop to The Coastal Farmland identified in the Banff and Buchan Assessment. Views of the sea are an aspect of its character but in other ways it is similar to the other Agricultural Heartland areas identified in landscape assessments.”

The guidance goes on to suggest that because of the landform long views are often available and so *“Woodlands and shelterbelts may be used to screen and contain new built development, whilst improving the woodland structure of the landscape”*.

- 5.2 The land at Southfolds Farm is at 45mAOD close to the A90(T) rising to 60mAOD at its western edge. Keir Farm, to the north, rises from 45mAOD close to the A90(T) to a high point of 65mAOD. Land to the south at Millden also rises from a low point of 45mAOD to a high of 60mAOD. For that reason, the land is largely hidden from view from both the north and south approaches on the A90(T) by the prevailing topography, with only a brief view as traffic passes the new interchange. The land is, however, visible from higher points to the south and west, which the Masterplan attached anticipates by showing significant new planting around the development to screen it from the south and west.

6.0 Flood Risk

- 6.1 The SEPA indicative flood map shows small pockets of the land as likely to suffer from surface water flooding, although much of that has been mitigated by drainage put in for the new roads. There is no reason why the site cannot be developed and surface water suitably mitigated with SUDs.

7.0 Drainage

- 7.1 The Council accept that development in this locale can be supported and could be mitigated by developer-led delivery of a Scottish water growth project. The existing pipe and route runs west to east through Southfolds Farms. This pipe was upgraded to meet increased demand and can be connected into by development on this site.

8.0 Education

- 8.1 The Keir Farm development proposes a new Primary School and this development can help by contributing to the cost of this or by providing an actual site.

9.0 Proposed Development

- 9.1 The Masterplan for the site is a first go and will be fine-tuned as technical studies are undertaken, probably in conjunction with a preferred developer.
- 9.2 The Masterplan indicates the opportunity for accessing this site and how best to develop it given prevailing constraints. It splits the site into two, a small commercial site next to the A90(T) and a much larger residential development, which could include a site for a new Primary School.

- 9.3 The reason for identifying the site that is defined by the A90(T), B977 and the roundabout as a commercial site is because, as this site is elevated above the road, it will be very difficult for it to be any form of development that is susceptible to noise impact, which precludes housing, but not other commercial uses. Also, because of the slightly elevated position, it does represent a site that has a certain prominence, which is suited to uses that are trying to encourage passing trade to stop, which could be food and drink uses, or specialist retail, or even some form of traveller accommodation. Initial soft marketing suggests that there might be an appetite for this and so the Landowner is identifying the land for those types of uses in the hope that [REDACTED] will do likewise. The Masterplan they submitted to the 2012 Local Development Plan suggested commercial and employment-related development in this area and, whilst the Masterplan they submitted to the Main Issues Report suggests housing, it is hoped that their latest version will revert to commercial and employment related uses.
- 9.4 The remainder of the development is proposed for residential development, which can be developed in a number of phases over the next 10 years. The Masterplan indicates ? hectares of housing, which at 30 per hectare, would be ? dwellings.
- 9.5 The development will be screened to the south and west by structural landscaping and, although not shown on the Masterplan, will also include green corridors and formal and informal recreational spaces to break up the built form and create a neighbourhood that shows the best of modern urban design philosophy. Due to the topography, land at Southfolds is already largely hidden from view to both north and southbound traffic, hence reducing the visual impact of any proposed development.
- 9.6 In terms of phasing, there was discussion back in 2012, when the larger scheme was being promoted, as to how best to phase that larger development and the view was expressed by the promoters at that time that development would start at Southfolds Farm, due to the access granted from the new interchange junction, and move north and west from there.

10.0 Modification Sought

- 10.1 **For all of the above reasons, the Landowner requests that land they own at Southfolds Farm be identified in the Aberdeenshire Local Development Plan Proposed Plan for commercial and residential development.**