

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.

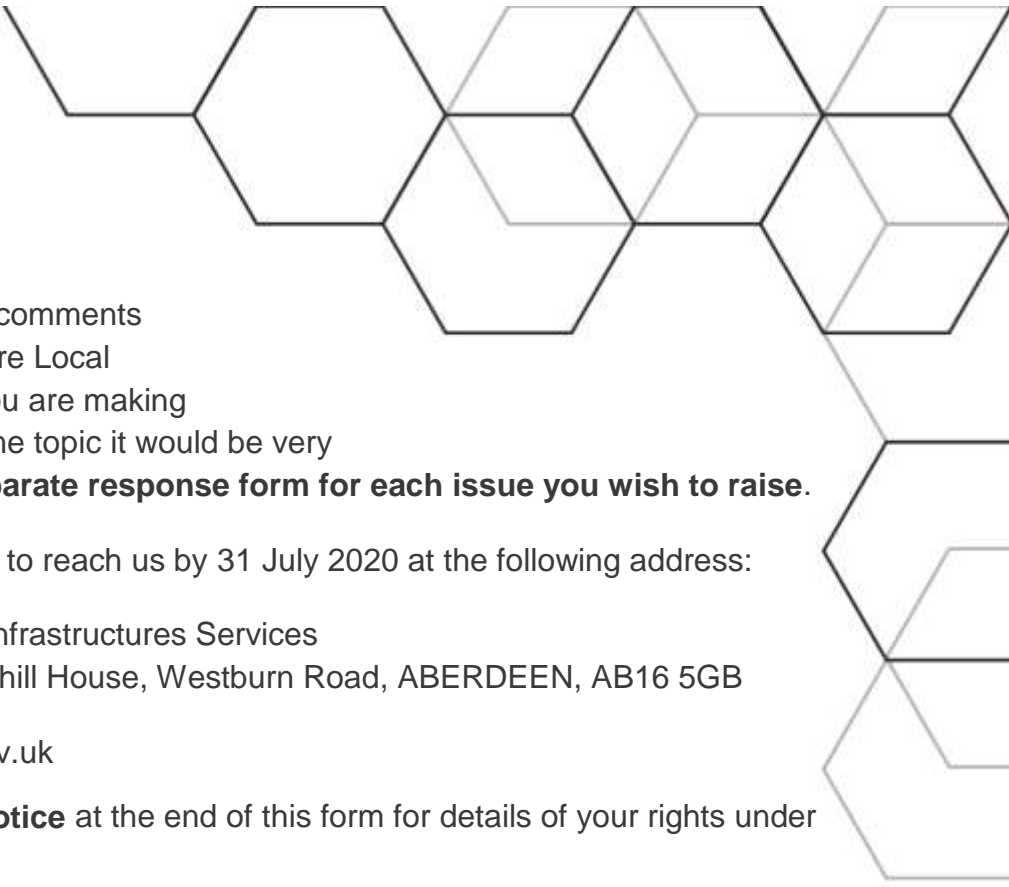
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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:	10/07/20
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 7d – Settlement Statements – Garioch (Kintore Pages 588 – 598) should be modified to remove the protected status from P7. The land should be incorporated within the wider OP1 designation to be developed as part of the delivery of a sustainable mix of residential and community uses through the emerging Kintore East allocation.

Reason for change:

This representation is submitted on behalf of The Kintore Consortium, comprising Barratt North Scotland, Kirkwood Homes Limited, and Malcolm Allan Housebuilders Limited, who are the three developers associated with the OP1 & OP5: Kintore East designations. A separate representation has been submitted outlining their support for those allocations. On behalf of the Consortium, objection is however raised in respect of the continued identification of site 'P7' within the Proposed Plan, which is designated as Protected Land, *"to protect recreational open space as an amenity for the settlement"*.

Within the adopted 2017 Local Development Plan (LDP), the Kintore Settlement Statement also identifies this area as P7, which is afforded protected status for new education provision. This protected status had been rolled forward from the former 2012 LDP, which similarly reserved the site for new education purposes. The 2012 Settlement Statement highlighted under 'Settlement Infrastructure' that contributions from development would be required to a new primary school and academy and that a site suitable for two schools had been identified under R1.

Having clearly been reserved for educational use for some time, progress has been made in accordance with the previous designation. In that respect, a new primary school (Midmill School) has been progressed and completed on the northern portion of the site currently identified as P7 in the extant 2017 Plan. Midmill School opened its doors to pupils in November 2016 in response to an increasing population within the settlement. To date however, no progress has been made in respect of the creation of a new academy on the balance of the protected land to the south.

The Kintore Consortium understands that the previous requirement for a new academy has now changed. Given the progress that has been made on a new £55 million Inveruire Community Campus, which will replace Inverurie Academy, as well as the completion of an extension to Kemnay Academy, there is sufficient capacity available within the wider

catchment area to absorb pupils from Kintore. The proposed settlement statement affirms this, stipulating that “*all residential development will be required to contribute towards additional capacity at Kemnay Academy*”. Accordingly, there is no longer a requirement to build a new secondary school within the settlement and the related Protected Status should therefore be removed from the new LDP entirely.

Instead, the Proposed Plan retains the protected status of the site and now proposes that it is preserved for recreational open space as an amenity for the settlement. The Consortium object to this approach. It should be highlighted that this land is within the control of the Consortium and was included within the site boundary and phasing plan associated with the approved Development Framework (Appendix 1) and has therefore been the subject of formal community consultation. In accordance with the previous protected status for education purposes, the Development Framework reserved it for said use. Up until the publishing of the Proposed Plan, at no time as there ever been any suggestion the site would be protected as recreational open space should the secondary school not proceed.

The development potential of the site has clearly been recognised by the Council, through its identification for a new secondary school campus and associated facilities. It is therefore only logical that this development potential continues to be recognised within the Proposed Plan, albeit for alternative residential and community use associated with the neighbouring development at Kintore East. Concern is therefore maintained at the lack of justification and clarity provided by Officers over the proposed new protected designation as there appears to be no mention of this proposed change either within the MIR, nor the Council’s more recent publishing of their Schedule 4 - Issues and Actions Papers.

The site is located within the settlement boundary, immediately adjacent to an existing primary school and emerging new residential community comprising up to 1000 new homes. The land associated with the P7 designation should instead be incorporated as part of the OP1 allocation, as it would allow for natural connections to be made from the site, to the primary school and beyond to the town centre and associated range of amenities, thereby creating an attractive new approach to the development. It would also provide the consortium additional flexibility with regard to the overarching layout of the development, thus ensuring the full 1000 unit allocation can be delivered across the site, providing for a high quality layout and design, incorporating a broad range of housetypes, affordable housing, community facilities and sufficient open space.

Given the gateway location of the P7 site, situated between the primary school and OP1 site it would make an attractive site for the inclusion of a sustainable mix of uses, including the provision of community facilities to serve the Kintore East development and wider settlement, as well as an element of residential use and quality open space. Such matters would be suitably addressed through an updated masterplan exercise, which would be subject to further community and relevant stakeholder engagement.

In view of the foregoing, it is hereby requested that the protected status afforded to the P7 designation at Kintore, as outlined within the Proposed Plan is removed. Instead the site

should be incorporated as part of the wider OP1 designation as identified within the approved Kintore East Development Framework. The site offers the potential to make a significant contribution to the existing settlement as well as the emerging development at Kintore East, through a sensitive mix of community and residential uses, in addition to landscaping and open space, thereby creating an attractive new gateway for the OP1 allocation.

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:

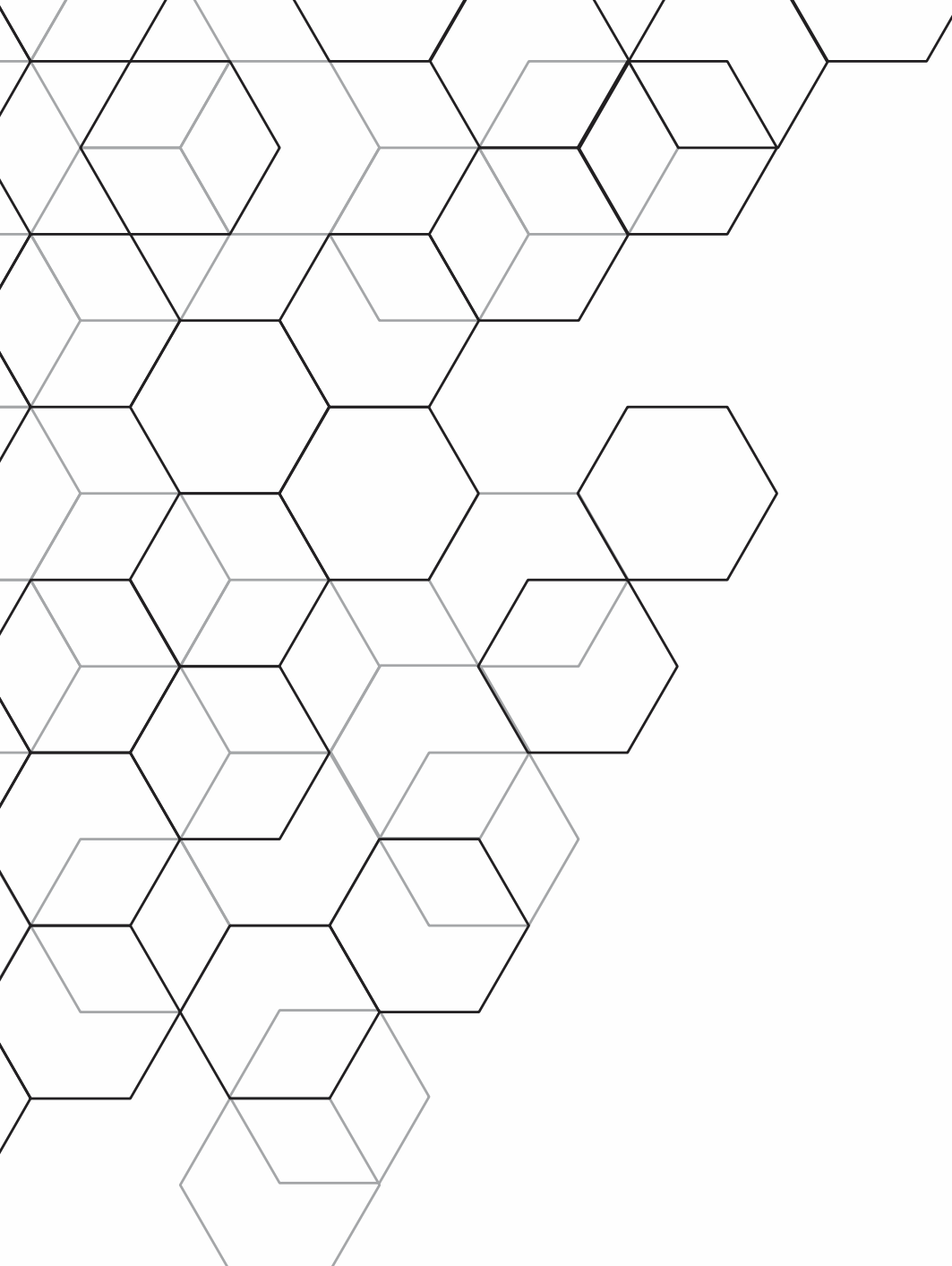
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue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



APPENDIX 1

Kintore East Development Framework Site Boundary and Phasing Plan Extract

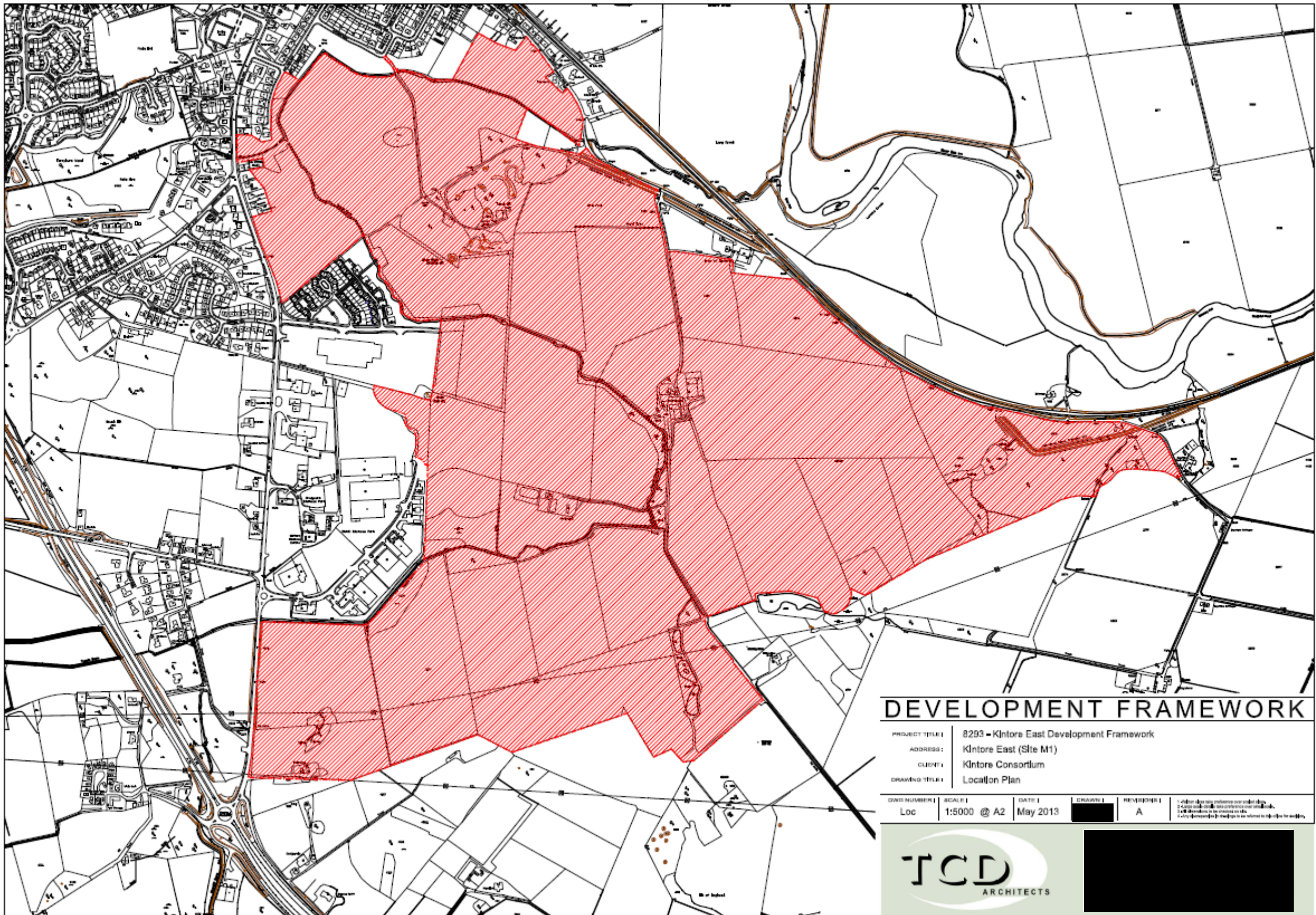


Figure 1: Site Location Plan

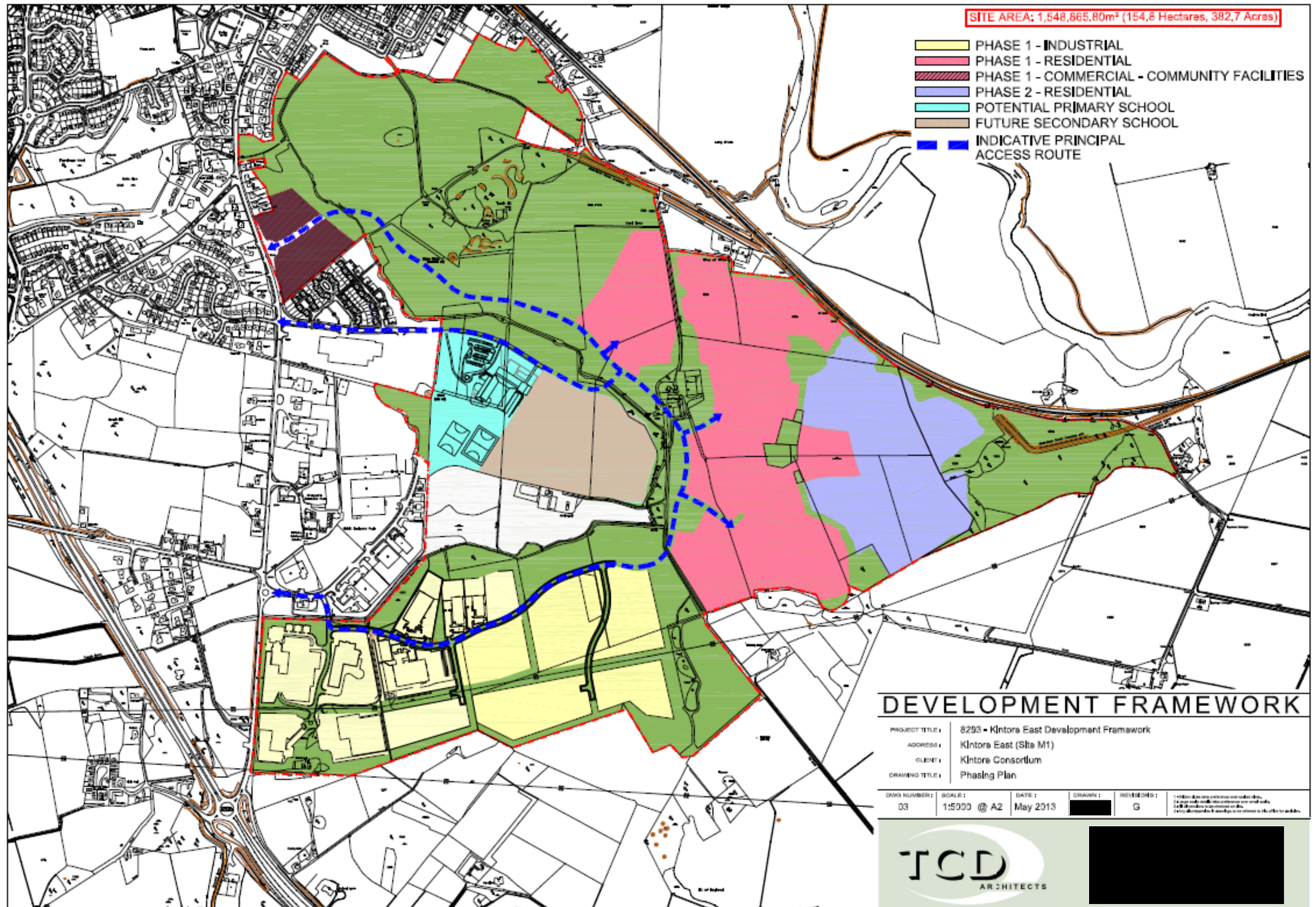


Figure 14: Development Framework Phasing Plan