

# PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020 RESPONSE FORM

As part of the production of the Local Development Plan, a 'Main Issues Report' was published in January 2019. The responses from these consultations have helped to inform the content of the Proposed Local Development Plan ("the Proposed Plan").

The Aberdeenshire Local Development Plan will direct decision-making on land-use planning issues and planning applications in Aberdeenshire for the 10-year period from 2021 to 2031. The Proposed Plan was agreed by Aberdeenshire Council in March 2020 as the settled view of the Council. However, the Proposed Plan will be subjected to an independent examination and is now open for public comment.

## **This is your opportunity to tell us if anything should be changed in the Proposed Plan, and why.**

When writing a response to the Proposed Plan it is important to specifically state the modification(s) that you would wish to see to the Plan.

This is the only remaining opportunity to comment on the Proposed Plan. The reasons for any requested changes will be analysed and reported to Scottish Ministers. They will then appoint a person known as a Reporter to conduct a public examination of the Proposed Plan, focusing particularly on any unresolved issues and the changes sought.

Ministers expect representations (or responses) to be concise (no more than 2000 words) and accompanied by limited supporting documents. It is important to ensure that all of the information that you wish to be considered is submitted during this consultation period as there is no further opportunity to provide information, unless specifically asked.

Please email comments to [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk) or send this form to reach us by 31 July 2020\*.

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

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



## ACCESSIBILITY

If you need information from this document in an alternative language or in a Large Print, Easy Read, Braille or BSL, please telephone 01467 536230.

Jeigu pageidaujate šio dokumento kita kalba arba atspausdinto stambiu šriftu, supaprastinta kalba, parašyta Brailio raštu arba britų gestų kalba, prašome skambinti 01467 536230.

Dacă aveți nevoie de informații din acest document într-o altă limbă sau într-un format cu scrisul mare, ușor de citit, tipar pentru nevăzători sau în limbajul semnelor, vă rugăm să telefonați la 01467 536230.

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

Ja jums nepieciešama šai dokumentā sniegtā informācija kādā citā valodā vai lielā drukā, viegli lasāmā tekstā, Braila rakstā vai BSL (britu zīmju valodā), lūdzu, zvaniet uz 01467 536230.

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

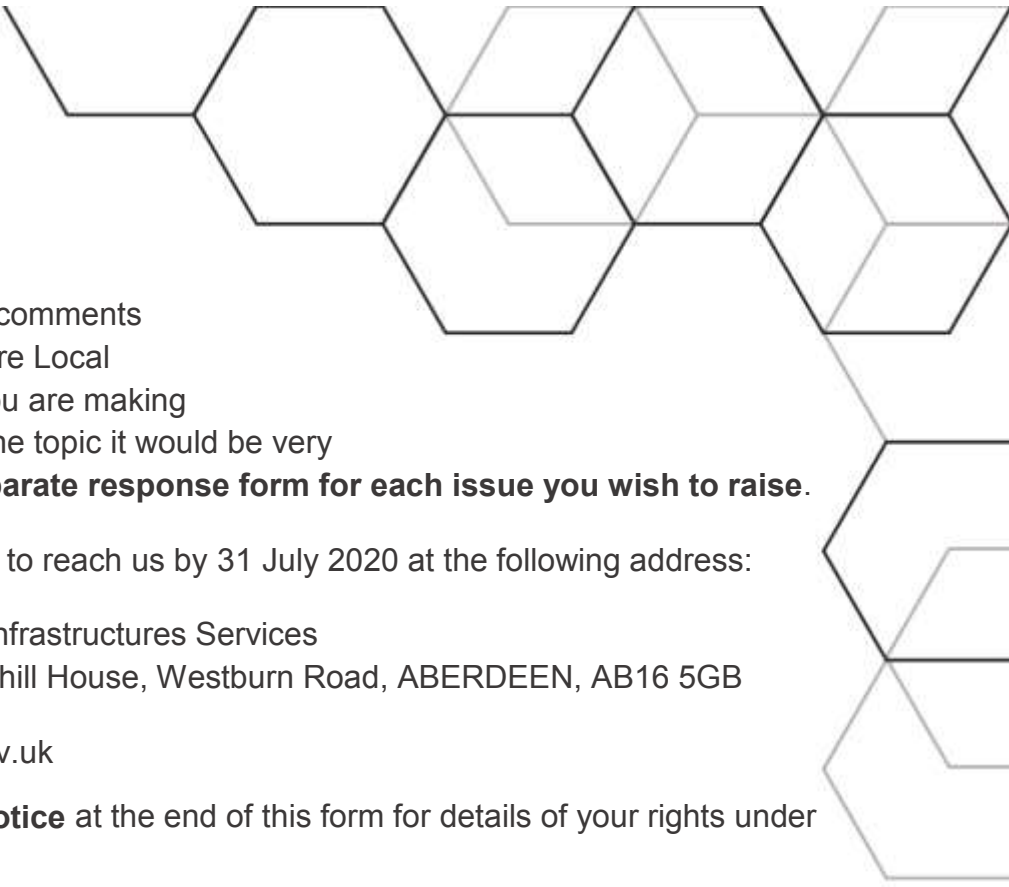
Tel: 01467 536230

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

Web: [www.aberdeenshire.gov.uk/ldp](http://www.aberdeenshire.gov.uk/ldp)

Follow us on Twitter [@ShireLDP](https://twitter.com/ShireLDP)

If you wish to contact one of the area planning offices, please call 01467 534333 and ask for the relevant planning office or email [planning@aberdeenshire.gov.uk](mailto:planning@aberdeenshire.gov.uk).



Please use this form to make comments on the Proposed Aberdeenshire Local Development Plan 2020. If you are making comments about more than one topic it would be very helpful if you could fill in a **separate response form for each issue you wish to raise**.

Please email or send the form to reach us by 31 July 2020 at the following address:

Post: Planning Policy Team, Infrastructures Services  
Aberdeenshire Council, Woodhill House, Westburn Road, ABERDEEN, AB16 5GB

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

Please refer to our **Privacy Notice** at the end of this form for details of your rights under the Data Protection Act.

## YOUR DETAILS

Title:	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).

Fully support the inclusion of OP1: Kintore East as an allocation for 1000 homes.

Support is also provided for the identification of allocation OP5: Kintore East for commercial and community uses (currently identified as Protected Land 'P1' within the extant 2017 LDP), in recognition of the site's inclusion for such uses within the approved Development Framework and planning consent (APP/2014/1953) for a supermarket.

Within the associated text for OP1, reference to a requirement for a review of the approved Masterplan if development has not commenced at the date of adoption of the LDP should be removed. Additionally, reference to the requirement for updated Flood Risk Assessment, Transport Assessment, Access Strategy, Public Transport Strategy and Walking/Cycling Strategy should also be removed from the associated OP1 description text.

Identification and inclusion of the 'indicative principle access route' within the associated Kintore settlement maps is also broadly welcomed, however it is requested that the route should be drawn to align with the route as approved within the Development Framework, Masterplan, consented Planning Permission in Principle (APP/2013/3830) and drawings submitted under the pending MSC applications for the site APP/2016/1330 & 2046).



## 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. It should be read in conjunction with the Development Bid submitted at pre-MIR stage (Ref: GR078) covering existing LDP allocations at Kintore OP1, Bus 4 and Protected Areas P1, P6 and P7, in addition to a small parcel of land to the south east. The Development Bid is included for information at Appendix 1. It should also be read in conjunction with the representation made in support of the Officers' preference in relation to GR078 within the MIR (Appendix 2).

The Consortium hereby welcome the publication of Aberdeenshire Council's Proposed Plan, and fully support the continued identification of the land to the east of Kintore as a residential opportunity 'OP1'. This carries forward the existing allocation of 600 homes from the OP1 allocation within the extant 2017 LDP and allows for an additional allocation of 400 homes, thereby taking the total site capacity to 1000 homes. The Consortium fully support this approach and are committed to the delivery of a sustainable new eastern expansion of the Kintore community over the lifetime of the new LDP. The continued allocation of the site is crucial in meeting strategic housing needs, supporting community facilities and services, as well as protecting and enhancing the open space around Tuach Hill, a key component of the approved masterplan for Kintore East. It has long been recognised that the site's true capacity was 1000 homes, as was identified within the approved Development Framework and also outlined within the extant LDP, which recognises the site has "*considerable potential*" for around 400 additional homes. The Proposed Plan allocation therefore recognises this potential and aligns with the requirements of Scottish Planning Policy, which directs that planning should enable "*high-quality development and making efficient use of land to deliver long-term benefits for the public*".

As was noted both within the Development Bid (Appendix 1) and the representation to the MIR (Appendix 2), substantial progress has been made toward delivery of development on site. This includes the preparation of a Development Framework which was approved by Garioch Area Committee in September 2013 and identified the broad location of commercial and residential land use, a transportation and accessibility strategy and an outline of the phasing for the development as a whole. A subsequent masterplan was prepared and approved by the Area Committee in June 2014. The Masterplan reinforced the principles contained within the Development Framework, providing the vision to create a sustainable mixed-use community, providing much-needed strategic housing targets set by the SDP for this key strategic growth settlement and helping secure facilities and infrastructure requirements identified for the settlement. Planning Permission in Principle (PPiP) also exists for the OP1 site, securing consent for 600 homes, a neighbourhood centre, open space and necessary infrastructure. This was approved following the signing of a S75 Agreement, securing the phased delivery of 25% on-site affordable housing and developer obligations at the end of 2015. It is therefore positive that the proposed OP1 description recognise this significant progress. More recently and as noted by Officers within their published Schedule 4 – Issues and Actions Paper, Matters Specified in

Conditions (MSC) applications (APP/2016/1330 & 2046) have been pursued and discussions with Council Officers are ongoing with a view to progressing the applications favourably toward formal approval.

Despite some delays encountered in the planning process, as well as turbulent market conditions experienced as a result of recent restructuring in the Oil and Gas industry and the Covid-19 outbreak, the Consortium are confident that development is likely to commence as soon as possible following a positive determination of pending MSC applications. In that respect, it is accepted that progress on the additional 400 homes should not proceed until such time as progress has been made on the initial 600 homes and not before delivery of the community facilities and neighbourhood centre associated with proposed OP5 allocation.

It is accepted that the additional 400 units would require the preparation of a revised or new masterplan for this part of the allocation, informed by updated assessments to support the additional housing. However, the Consortium would hereby object to the Proposed Plan wording which suggests that the approved masterplan for the 600 unit scheme, "*will need to be reviewed if development has not commenced on this site at the date of adoption of this Local Development Plan*". The approved Kintore East Masterplan is still very much relevant to the development of the site and has informed the extant PPiP consent to which MSC applications have been pursued and remain pending. In recognition of the scale of the development, the PPiP consent (APP/2013/3830) contains a Direction under Section 59 of the Town and Country Planning (Scotland) Act to extend the duration of the permission from 3 to 10 years, up to 3<sup>rd</sup> September 2025. It would therefore be unreasonable to request a formal review of the masterplan during the lifetime of the PPiP consent and the Consortium requests that this statement be removed from the OP1 description.

Similarly, a significant amount of supporting information and technical reports have previously been prepared and submitted to the Council, both to inform the consented PPiP and also the pending MSC applications. This has included information concerning Flood Risk, Transport Assessment, Public Transport Strategy, public access, much of which has been agreed with relevant consultees. In light of the significant time and resource that has gone into the preparation of this information, the Consortium would request that the OP1 description removes any reference to this information being updated, when in reality it is still live and subject to both consented and pending applications. Whilst it is acknowledged that updates may be required to inform the additional 400 units, there should be no suggestion that it would relate to the 600 units which are subject to an extant permission.

As highlighted within the Development Bid and MIR representation, the land reserved to the east of the site for future housing is not susceptible to flooding. Flood risk only applies to land within the flood plain of the Tuach Burn which lies outwith this area and has been appropriately considered through the preparation and submission of Flood Risk Assessments to inform the planning applications already pursued for the existing OP1 (600 unit) allocation, all to the satisfaction of SEPA. Any risk of surface water flooding associated with the eastern confines of the site would be appropriately considered as part

of a Drainage Impact Assessment and SUDS proposals to ensure that the development would alleviate any identified risk areas. This information would be required to accompany a future planning application for the remaining 400 units. The master planned development of the OP1 site has always specified the scope for future expansion and provision for this growth has been built into the detailed design parameters of the development, ensuring road layouts, pedestrian access and utilities provision is futureproofed to facilitate logical connections into the future land. As noted above, an updated Transport Assessment would be undertaken to inform any future planning application submitted for the additional 400 units, which would consider the capacity of the existing road and street network to accommodate the proposed development and identify any potential mitigation requirements. Developer obligations would also be likely to be made toward any further identified infrastructure requirements at the appropriate time.

It is noted that HES have highlighted the presence of the 4 Scheduled Monuments which lie within the proximity of the OP1 allocation (Tuach Hill Stone Circle, Midmill Long Cairn and the remnants of the Aberdeenshire Canal). The Consortium are fully aware of these protected sites and as noted by Officers within their Issues and Actions Paper, *“concerns raised by respondents in respect of potential for adverse impacts on protected sites and open space are recognised, and **those matters would have been considered within the context of the planning history associated with the site**”*. This is indeed the case, as the Development Framework and Masterplan recognise the importance of these historic sites and therefore afford them with a substantial degree of protection from development. These principles would be carried forward as part of any new or updated masterplan in relation to the additional 400 unit allocation. Furthermore, the Proposed Plan affords these sites additional protection through associated P1, P6 and P8 designations. Accordingly, there will be no adverse impacts to the existing Scheduled Ancient Monuments.

The Consortium support the inclusion of Opportunity Site ‘OP5’ within the Proposed Plan for commercial and community uses. This area, which lies immediately adjacent to the settlement boundary, includes the principle access into the site from School Road and is identified as a new neighbourhood centre within the approved Masterplan. The extant 2017 LDP, partially includes the site within the wider P1 Protected Land designation, to conserve the area around Tuach Hill, which obviously contradicts the approved Masterplan and previous planning consent for a supermarket on the site. The Proposed Plan designation now provides sufficient clarity on this and should resolve any miss-led preconceptions within certain parts of the community that the land would not be subject to development, as suggested by some of the responses detailed within the Schedule 4 – Issues and Action Papers.

The Proposed Plan also contains an illustrative representation of the principle access route that will serve the Kintore East site. This leads from School Road through the new designated neighbourhood centre (OP5), before connecting to the new residential community at OP1 and onward through the employment land to the south of Kintore at OP4 and BUS4, before joining the B987. The inclusion of this route within the Kintore Settlement Statement Maps is broadly welcomed by the Consortium, as it establishes that the Kintore East site requires fundamental new road infrastructure to cross through the

area designated as P1, in order to connect with the existing settlement. This route has long been established within the approved Development Framework, Masterplan and subsequent planning applications and has been subject to previous public consultation. Officers note within the Issues and Actions papers that whilst any associated impacts on Tuach Hill is regrettable, this is the only means of accessing the site. Illustrating the route within the settlement maps therefore reinforces the fact that provision of this piece of infrastructure is critical to the delivery of the site, and its status should therefore be engrained within the adopted LDP. It is acknowledged that the route has been drawn in an indicative manner, however to prevent any potential ambiguity within the community, the Consortium would request that this is slightly updated to align with the route approved within the approved Kintore East Masterplan, an extract of which is included at Appendix 3.

With regard to the remaining area of protected land associated with Tuach Hill, the Consortium fully appreciate the importance of Tuach Hill as a key feature in the Kintore landscape. This area therefore informs a significant proportion of open space provision and strategic landscaping for the development, as identified within the approved Development Framework and Masterplan. Accordingly, no housing development is proposed within the protected land at Tuach Hill. The community should take assurance from the site's protected status, that aside from the formation of the new principle access route, any further development which encroaches into this area and deemed detrimental to the amenity of the Hill is unlikely to be favoured by the Local Authority.

On the basis of the foregoing, the Kintore Consortium very much welcomes the continued identification of Kintore East as Opportunity Site OP1 within Proposed Plan. Recognition of the site's true capacity for a development of 1000 homes is also fully supported, which will help grow this popular settlement, delivering housing to meet strategic needs and support the broad range of services, amenities and employment land within the settlement. It is however kindly requested that the OP1 description is updated to remove reference to the need for an updated masterplan if the site has not been progressed by the time the Plan is adopted. Clarity should also be provided that any new technical reports, in relation to flood risk, transportation etc., would be required to support the additional 400 units.

The Consortium also fully support the inclusion of OP5: Kintore East for the delivery of commercial and community uses, as well as the identification of the indicative access route within the settlement statement maps. It is however suggested that the access route is updated to align with the route identified within the Development Framework, Masterplan and approved PPIP (Appendix 3).

# PRIVACY NOTICE

## LOCAL DEVELOPMENT PLAN PUBLIC COMMENT

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

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

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

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

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

### Your information is:

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

Personal Data	
Legal Obligations	X

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

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

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

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

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

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

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

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

Not applicable.

The retention period for the data is:

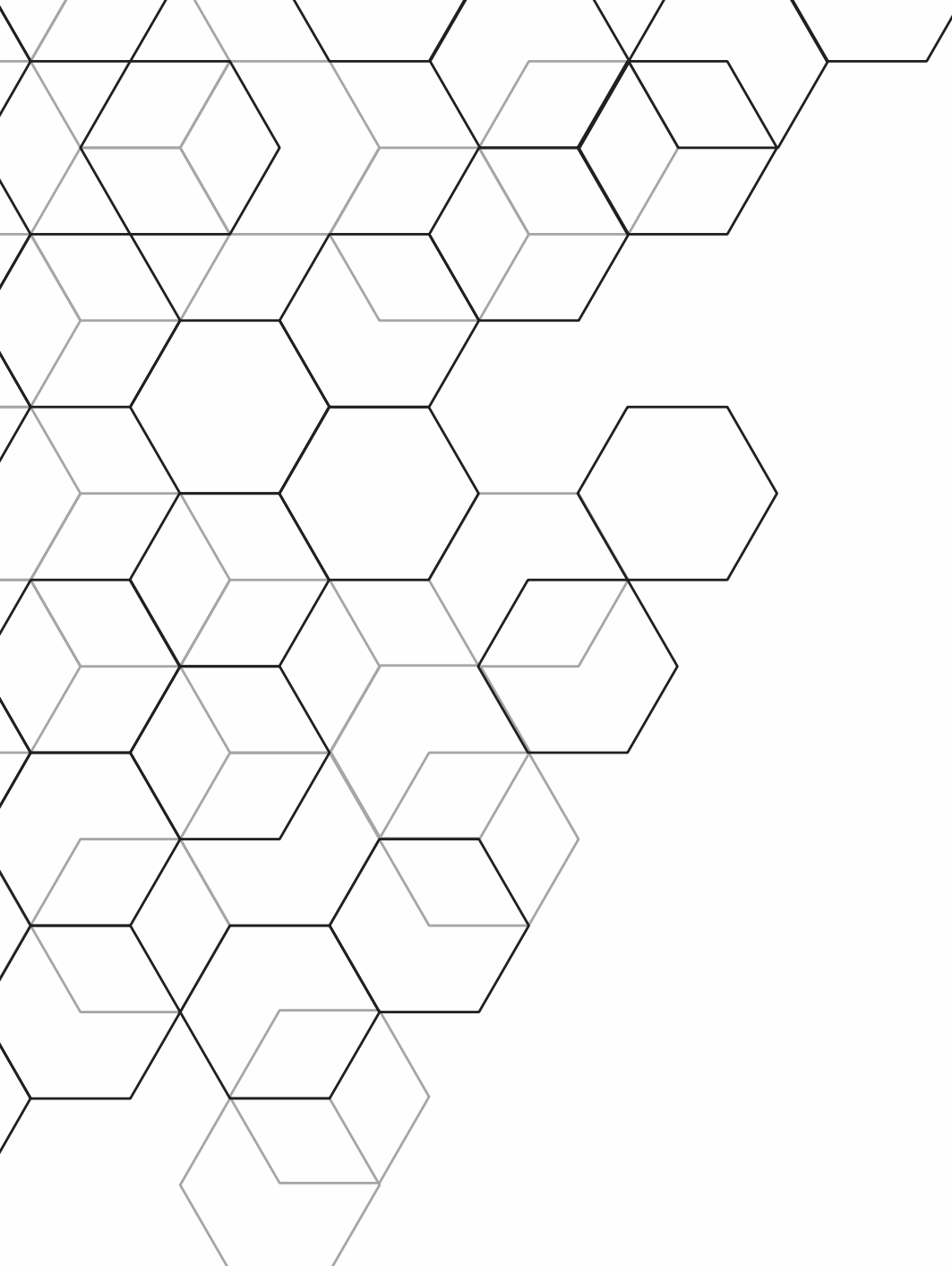
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue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

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

Not applicable.

Please note that you have the following rights:

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



# **APPENDIX 1**

## **Development Bid**

#### 4. Site Details

Name of the site (Please use the LDP name if the site is already allocated)	Kintore East, Kintore, Aberdeenshire
Site address	Land to the South East of Hillbrae Way, Newmachar, Aberdeenshire
OS grid reference (if available)	NJ 80569 14949
Site area/size	12.8 Ha
Current land use	Agricultural Land
Brownfield/greenfield	Greenfield
Please include an Ordnance Survey map (1:1250 or 1:2500 base for larger sites, e.g. over 2ha) showing the location and extent of the site, points of access, means of drainage etc.	

#### 5. Ownership/Market Interest

Ownership (Please list the owners in question 3 above)	See 3 Above.
Is the site under option to a developer?	Yes
Is the site being marketed?	Not yet
	The site will be developed by [REDACTED]

#### 6. Legal Issues

Are there any legal provisions in the title deeds that may prevent or restrict development? (e.g. way leave for utility providers, restriction on use of land, right of way etc.)	No
	Not Applicable
Are there any other legal factors that might prevent or restrict development? (e.g. ransom strips/issues with accessing the site etc.)	No
	Not Applicable

#### 7. Planning History

Have you had any formal/informal pre-application discussions with the Planning Service and what was the response?	Yes
	Yes through the LDP process and preparation of the Kintore East Development Framework.
Previous planning applications	Not Applicable



Previous 'Call for sites' history. See Main Issues Report 2013 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a>	Previous Reference: Site Ga037. The bid site formed part of the allocated OPI Site at Kintore in the current adopted LDP.
Local Development Plan status <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a>	Yes – OPI Mixed Use Site – The bid site is identified as having the potential for 400 additional houses in the longer term.
	Yes

## 8. Proposed Use

Proposed use		Housing use
Housing	Approx. no of units	400 (Mix of house types still to be determined but will include a range of different house types and house sizes to meet a range of needs)
	Proposed mix of house types	Number of:
		<ul style="list-style-type: none"> <li>• Detached:</li> <li>• Semi-detached:</li> <li>• Flats:</li> <li>• Terrace:</li> <li>• Other (e.g. Bungalows):</li> </ul>
		Number of:
		<ul style="list-style-type: none"> <li>• 1 bedroom homes:</li> <li>• 2 bedroom homes:</li> <li>• 3 bedroom homes:</li> <li>• 4 or more bedroom homes:</li> </ul>
Tenure (Delete as appropriate)	Private/Rented/Self-Build/Supported houses (e.g. for elderly)/Other (please specify): To be determined with Aberdeenshire Housing	
Affordable housing proportion	25%	
Employment	Business and offices	Indicative floor space: Not Applicable
	General industrial	Indicative floor space: Not Applicable
	Storage and distribution	Indicative floor space: Not Applicable
	Do you have a specific occupier for the site?	Not Applicable
Other	Proposed use (please specify) and floor space	Not Applicable
	Do you have a specific occupier for the site?	Not Applicable
Is the area of each proposed use noted in the OS site plan?		Not Applicable

## 9. Delivery Timescales

We expect to adopt the new LDP in 2021. How many years after this date would you expect development to begin? (please tick)	0-5 years	
	6-10 years	√
	10+ years	√
When would you expect the development to be finished? (please tick)	0-5 years	
	6-10 years	√
	+ 10years	√

Have discussions taken place with financiers? Will funding be in place to cover all the costs of development within these timescales	Yes	
	Yes Bank facilities in place.	
Are there any other risk or threats (other than finance) to you delivering your proposed development	No	
	Not Applicable	

## 10. Natural Heritage

<p>Is the site located in or within 500m of a nature conservation site, or affect a protected species?</p> <p>Please tick any that apply and provide details.</p> <p>You can find details of these designations at:</p> <ul style="list-style-type: none"> <li>• <a href="https://www.environment.gov.scot/">https://www.environment.gov.scot/</a></li> <li>• EU priority habitats at <a href="http://gateway.snh.gov.uk/sitelink/index.jsp">http://gateway.snh.gov.uk/sitelink/index.jsp</a></li> <li>• UK or Local priority habitats at <a href="http://www.biodiversityscotland.gov.uk/advice-and-resources/habitat-definitions/priority/">http://www.biodiversityscotland.gov.uk/advice-and-resources/habitat-definitions/priority/</a></li> <li>• Local Nature Conservation Sites in the LDP's Supplementary Guidance No. 5 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a></li> </ul>	RAMSAR Site	
	Special Area of Conservation	
	Special Protection Area	
	Priority habitat (Annex I)	
	European Protected Species	
	Other protected species	√
	Site of Special Scientific Interest	
	National Nature Reserve	
	Ancient Woodland	
	Trees, hedgerows and woodland (including trees with a Tree Preservation Order)	√
	Priority habitat (UK or Local Biodiversity Action Plan)	
	Local Nature Conservation Site	
	Local Nature Reserve	
	If yes, please give details of how you plan to mitigate the impact of the proposed development: Existing trees and hedgerows will be retained and enhanced where possible. Any future planning applications of the site may require to be subject of a badger survey.	

### Biodiversity enhancement

<p>Please state what benefits for biodiversity this proposal will bring (as per paragraph 194 in Scottish Planning Policy), <a href="http://www.gov.scot/Resource/0045/00453827.pdf">http://www.gov.scot/Resource/0045/00453827.pdf</a>) by ticking all that apply. Please provide details.</p> <p>See Planning Advice 5/2015 on Opportunities for biodiversity enhancement at: <a href="http://www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf">www.aberdeenshire.gov.uk/media/19598/2015_05-opportunities-for-biodiversity-enhancement-in-new-development.pdf</a></p> <p>Advice is also available from Scottish Natural Heritage at: <a href="https://www.snh.scot/professional-">https://www.snh.scot/professional-</a></p>	Restoration of habitats	
	Habitat creation in public open space	√
	Avoids fragmentation or isolation of habitats	
	Provides bird/bat/insect boxes/Swift bricks (internal or external)	
	Native tree planting	√
	Drystone wall	√
	Living roofs	
	Ponds and soakaways	√
	Habitat walls/fences	√
	Wildflowers in verges	√
	Use of nectar rich plant species	√
	Buffer strips along watercourses	√
	Show home demonstration area	
	Other (please state):	

[advice/planning-and-development/natural-heritage-advice-planners-and-developers](#) and <http://www.nesbiodiversity.org.uk/>.

These will be incorporated in any detailed masterplan that is required to be prepared for the site.



## 11. Historic environment

Historic environment enhancement		
Please state if there will be benefits for the historic environment.	No If yes, please give details:	
<p>Does the site contain/is within/can affect any of the following historic environment assets? Please tick any that apply and provide details.</p> <p>You can find details of these designations at:</p> <ul style="list-style-type: none"> <li>• <a href="http://historicscotland.maps.arcgis.com/apps/Viewer/index.html?appid=18d2608ac1284066ba3927312710d16d">http://historicscotland.maps.arcgis.com/apps/Viewer/index.html?appid=18d2608ac1284066ba3927312710d16d</a></li> <li>• <a href="http://portal.historicenvironment.scot/">http://portal.historicenvironment.scot/</a></li> <li>• <a href="https://online.aberdeenshire.gov.uk/smrpub/master/default.aspx?Authority=Aberdeenshire">https://online.aberdeenshire.gov.uk/smrpub/master/default.aspx?Authority=Aberdeenshire</a></li> </ul>	Scheduled Monument or their setting	
	Locally important archaeological site held on the Sites and Monuments Record	√
	Listed Building and/or their setting	
	Conservation Area (e.g. will it result in the demolition of any buildings)	
	Inventory Gardens and Designed Landscapes	
	Inventory Historic Battlefields	
	A specialist report on Archaeological Evaluation of the Kintore East site undertaken in 2016 has identified that further investigations will require to be undertaken on parts of the site prior to development.	

## 12. Landscape Impact

Is the site within a Special Landscape Area (SLA)? (You can find details in Supplementary Guidance 9 at <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a> )	No Not Applicable
<p>SLAs include the consideration of landscape character elements/features. The characteristics of landscapes are defined in the Landscape Character Assessments produced by Scottish Natural Heritage (see below) or have been identified as Special Landscape Areas of local importance.</p> <ul style="list-style-type: none"> <li>• SNH: Landscape Character Assessments <a href="https://www.snh.scot/professional-advice/landscape-change/landscape-character-assessment">https://www.snh.scot/professional-advice/landscape-change/landscape-character-assessment</a></li> <li>• SNH (1996) Cairngorms landscape assessment <a href="http://www.snh.org.uk/pdfs/publications/review/075.pdf">http://www.snh.org.uk/pdfs/publications/review/075.pdf</a></li> <li>• SNH (1997) National programme of landscape character assessment: Banff and Buchan <a href="http://www.snh.org.uk/pdfs/publications/review/037.pdf">http://www.snh.org.uk/pdfs/publications/review/037.pdf</a></li> <li>• SNH (1998) South and Central Aberdeenshire landscape character</li> </ul>	<p>The Landscape Assessment undertaken for the Kintore East site identifies a principle aim of the development proposals as being to retain Tuach Hill and associated Toft Hill hilltops as a central feature within an open space area intended for recreational use for the wider site. Associated proposals include realising the full potential of the Tuach Burn watercourse which at present represents an unrealised asset through the creation of permanent open water bodies along the watercourse which includes flood mitigation measures.</p> <p>The development will seek to enhance the landscape where possible with new landscape planting.</p>

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

Is any part of the site identified as being at risk of river or surface water flooding within SEPA flood maps, and/or has any part of the site previously flooded?  (You can view the SEPA flood maps at <a href="http://map.sepa.org.uk/floodmap/map.htm">http://map.sepa.org.uk/floodmap/map.htm</a> ) Could development on the site result in additional flood risk elsewhere?	No
	This part of the Kintore East site is not affected by Flood Risk which only applies to the land within the flood plain of the Tuach Burn.
Could development of the site help alleviate any existing flooding problems in the area?	No
	Not Applicable

### 14. Infrastructure

<b>a. Water / Drainage</b>		
Is there water/waste water capacity for the proposed development (based on Scottish Water asset capacity search tool <a href="http://www.scottishwater.co.uk/business/Connections/Connecting-your-property/Asset-Capacity-Search/">http://www.scottishwater.co.uk/business/Connections/Connecting-your-property/Asset-Capacity-Search/</a> )?	Water	Yes
	Waste water	Yes
Has contact been made with Scottish Water?	Yes	
Will your SUDS scheme include rain gardens? <a href="http://www.centralscotlandgreennetwork.org/campaigns/greener-gardens">http://www.centralscotlandgreennetwork.org/campaigns/greener-gardens</a>	No	
<b>b. Education – housing proposals only</b>		
Education capacity/constraints <a href="https://www.aberdeenshire.gov.uk/schools/parents-carers/school-info/school-roll-forecasts/">https://www.aberdeenshire.gov.uk/schools/parents-carers/school-info/school-roll-forecasts/</a>	Primary education for the proposed development will be provided at the new Midmill Primary School which has considerable spare capacity and is forecast to be at only 52% capacity at 2022. The primary school is zoned to Kemnay Academy which is forecast to be well over capacity (151%) at 2022. The working capacity at the school due to non-linked classrooms is 1000 as against the identified capacity of 700 so is capable of taking more pupils. Further options are currently being explored by the Council to ensure sufficient long term capacity at the school.	
Has contact been made with the Local Authority's Education Department?	No	



<b>c. Transport</b>	
If direct access is required onto a Trunk Road (A90 and A96), or the proposal will impact on traffic on a Trunk Road, has contact been made with Transport Scotland?	Yes
Has contact been made with the Local Authority's Transportation Service? They can be contacted at <a href="mailto:transportation.consultation@aberdeenshire.gov.uk">transportation.consultation@aberdeenshire.gov.uk</a>	Yes
Public transport	The bus service in Kintore will be extended into the new Kintore East development.
Active travel (i.e. internal connectivity and links externally)	Footpath links and cycleways will be designed to encourage walking and cycling to the village and into the wider countryside network and core path network.
<b>d. Gas/Electricity/Heat/Broadband</b>	
Has contact been made with the relevant utilities providers?	Gas: Yes
	Electricity: Yes
	Heat: Yes
	Broadband: Yes
Have any feasibility studies been undertaken to understand and inform capacity issues?	Yes
Is there capacity within the existing network(s) and a viable connection to the network(s)?	Yes
Will renewable energy be installed and used on the site? For example, heat pump (air, ground or water), biomass, hydro, solar (photovoltaic (electricity) or thermal), or a wind turbine (freestanding/integrated into the building)	Yes  Technologies to be used to be confirmed.
<b>e. Public open space</b>	
Will the site provide the opportunity to <b>enhance the green network?</b> (These are the linked areas of open space in settlements, which can be enhanced through amalgamating existing green networks or providing onsite green infrastructure)  You can find the boundary of existing green networks in the settlement profiles in the LDP	Yes by connecting to the existing green network at Tuach Hill and the Tuach Burn.
Will the site meet the open space standards, as set out in Appendix 2 in the <b>Aberdeenshire Parks and Open Spaces Strategy?</b>	Yes Open space will provided to meet the range of different requirements for a development of

<a href="https://www.aberdeenshire.gov.uk/media/6077/approvedpandospacesstrategy.pdf">https://www.aberdeenshire.gov.uk/media/6077/approvedpandospacesstrategy.pdf</a>	this scale, including strategic landscaping and informal and formal open space areas.
Will the site deliver any of the shortfalls identified in the <b>Open Space Audit</b> for specific settlements? <a href="https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/">https://www.aberdeenshire.gov.uk/communities-and-events/parks-and-open-spaces/open-space-strategy-audit/</a>	Yes the open space around Tuach Hill will be given over as an open space resource for use by the whole community at Kintore.
<b>f. Resource use</b>	
Will the site re-use existing structure(s) or recycle or recover existing on-site materials/resources?	No Not Applicable
Will the site have a direct impact on the water environment and result in the need for watercourse crossings, large scale abstraction and/or culverting of a watercourse?	No Not Applicable

### 15. Other potential constraints

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

Aberdeen Green Belt <a href="https://www.aberdeenshire.gov.uk/media/20555/appendix-3-boundaries-of-the-greenbelt.pdf">https://www.aberdeenshire.gov.uk/media/20555/appendix-3-boundaries-of-the-greenbelt.pdf</a>	No
Carbon-rich soils and peatland <a href="http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/">http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/soils-and-development/cpp/</a>	No
Coastal Zone <a href="https://www.aberdeenshire.gov.uk/media/20176/4-the-coastal-zone.pdf">https://www.aberdeenshire.gov.uk/media/20176/4-the-coastal-zone.pdf</a>	No
Contaminated land	No
Ground instability	No
Hazardous site/HSE exclusion zone (You can find the boundary of these zones in Planning Advice 1/2017 Pipeline and Hazardous Development Consultation Zones at <a href="https://www.aberdeenshire.gov.uk/planning/plans-and-policies/planning-advice/">https://www.aberdeenshire.gov.uk/planning/plans-and-policies/planning-advice/</a> and advice at <a href="http://www.hse.gov.uk/landuseplanning/developers.htm">http://www.hse.gov.uk/landuseplanning/developers.htm</a> )	No
Minerals – safeguarded or area of search <a href="https://www.aberdeenshire.gov.uk/ldpmedia/6_Area_of_search_and_safeguard_for_minerals.pdf">https://www.aberdeenshire.gov.uk/ldpmedia/6_Area_of_search_and_safeguard_for_minerals.pdf</a>	No
Overhead lines or underground cables	No
Physical access into the site due to topography or geography	No
Prime agricultural land (grades 1, 2 and 3.1) on all or part of the site. <a href="http://map.environment.gov.scot/Soil_maps/?layer=6">http://map.environment.gov.scot/Soil_maps/?layer=6</a>	No Land classification 3.2
'Protected' open space in the LDP (i.e. P sites) <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a> and choose from Appendix 8a to 8f	No
Rights of way/core paths/recreation uses	No
Topography (e.g. steep slopes)	No
Other	No
If you have identified any of the potential constraints above, please use this space to identify how you will mitigate this in order to achieve a viable development:	



**16. Proximity to facilities**

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

**17. Community engagement**

Has the local community been given the opportunity to influence/partake in the design and specification of the development proposal?	No
	Public consultation has been carried out at Kintore East on a regular basis over the past 10 years through the different planning stages the site has gone through.
	Not Applicable

**18. Residual value and deliverability**

Please confirm that you have considered the 'residual value' of your site and you are confident that the site is viable when infrastructure and all other costs, such as constraints and mitigation are taken into account.	<p>I have considered the likely 'residual value' of the site, as described above, and fully expect the site to be viable:</p> <p>Please tick: <input checked="" type="checkbox"/></p>
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If you have any further information to help demonstrate the deliverability of your proposal, please provide details.

In terms of continuing to identify the additional 400 houses in the plan at Kintore East the following should be taken into account:

- In addition to currently being allocated in the Local Development Plan for residential development the land is part of an approved development framework and masterplan which have been future proofed to allow for and accommodate development at the eastern end of the site;
- The allocation of a major residential allocation at Kintore East supports the Strategic Development Plan focus on major growth being located in the Strategic Growth Areas and transport corridors;
- Although a start on development at Kintore East as been delayed due to current market conditions and delays in the processing of planning applications, [REDACTED] are keen to make a start on site later in 2018;



- The Kintore East development is key to the provision of helping provide major funding for the new Midmill Primary School which is currently well below capacity (9%) and only forecast to be at 52% capacity in 2022 – it is also highly accessible for the school;
- The site is conveniently located for the employment area at Midmill Business Park, for Inverurie and will be more accessible for employment areas in Aberdeen with the opening of the AWPR later this year;
- Allocating major growth at Kintore East will be efficient in terms of utilising and helping fund the infrastructure to service Kintore East including junction improvements, community facilities and helping support the new railway station in Kintore;
- Initial work undertaken by [REDACTED] transport engineers indicates that there is capacity in the network to accommodate the additional 400 houses – this will be confirmed by more detailed studies at the appropriate time identifying any mitigations required; and
- Phase 3 is a logical longer term progression of future residential development at Kintore East;

[REDACTED] believe there is a strong planning case for their land at Kintore East to continue to be allocated in the new local development plan for residential development in accordance with the Reporters recommendations at the 2016 LDP EIP.

### 19. Other information

Please provide any other information that you would like us to consider in support of your proposed development (please include details of any up-to-date supporting studies that have been undertaken and attach copies e.g. Transport Appraisal, Flood Risk Assessment, Drainage Impact Assessment, Peat/Soil Survey, Habitat/Biodiversity Assessment etc.)

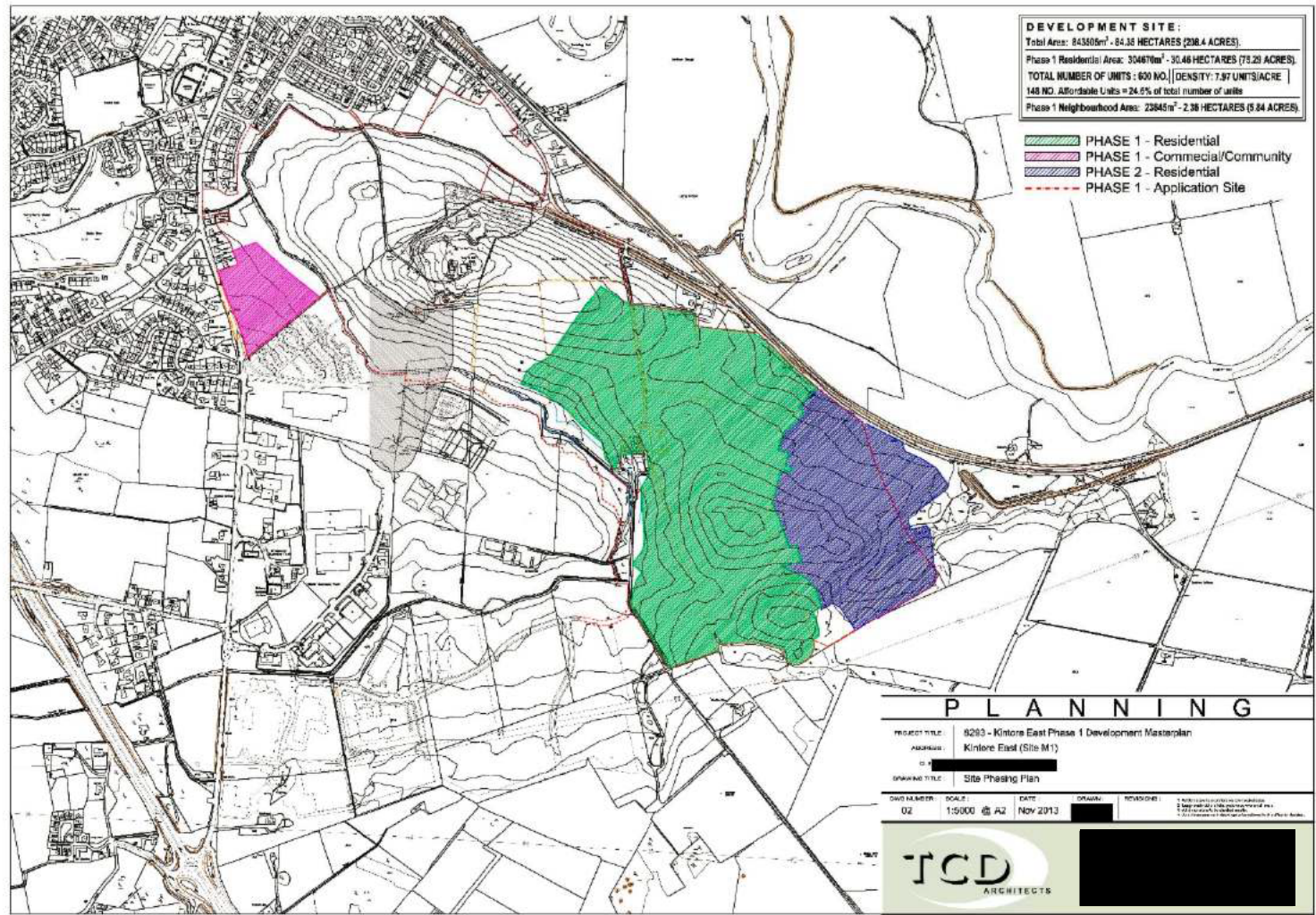
Please see and appended Supporting Planning Statement.

Please tick to confirm your agreement to the following statement:



By completing this form I agree that Aberdeenshire Council can use the information provided in this form for the purposes of identifying possible land for allocation in the next Local Development Plan. I also agree that the information provided, other than contact details and information that is deemed commercially sensitive (questions 1 to 3), can be made available to the public.

# Kintore East Phase 2 Residential Land



## Development Bid

Kintore East, Kintore, Aberdeenshire

Prepared on behalf of [REDACTED]

March 2018

### Contact details

Knight Frank LLP, [REDACTED]



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## Appendices

Appendix 1 – Site Location Plan

Appendix 2 – Kintore East Phasing Plan

Appendix 3 - Adopted LDP Garioch Settlement Statement - Kintore Extract

Appendix 4 – Kintore East - Conceptual Masterplan



## 1. Introduction

- 1.1 Knight Frank on behalf of our clients [REDACTED] are submitting this development bid for land at Kintore East, Kintore as an expression of interest to be continue to be included in the Aberdeenshire Local Development Plan 2021 as a mixed use site having the potential to accommodate an additional 400 houses in addition to the 600 houses currently subject of an approved masterplan, planning permission in principle consent and pending applications for matters specified in conditions. As a first step we would ask that the site be included in the LDP Main Issues Report as an allocated site when it is published later in 2018.
- 1.2 This statement sets out the detailed justification for why we consider our client's land at Kintore East should continue to be identified as having the potential to accommodate an additional 400 houses in the new Local Development Plan. The capacity of the site as identified in the adopted LDP is for a mix of uses including 600 homes and employment land. It is also stated that the extent of the allocated land indicates considerable potential for additional development (around 400 additional dwellings) in the longer term subject to infrastructure and cumulative transport impacts being addressed. This statement should be read in conjunction with the Development Bid Application Form submitted with the bid.
- 1.3 A Design Team comprising Knight Frank (Planning Consultants), Fairhurst (Engineers) and LAS Architecture Limited have contributed to work on the development bid for Kintore East and to help ensure that a viable and well researched bid was prepared. Plans have been prepared to support the development bid.

## 2. Site Characteristics and Background

- 2.1 Kintore has grown rapidly since the early 1980's and in 2016 had a population of circa 4600. It is located 13 miles north west of Aberdeen to which it is linked by the Aberdeen to Inverness A96 Trunk Road. The settlement is located within the Aberdeen to Huntly Strategic Growth Area. In addition to being a commuter town for Aberdeen it also is an employment centre in its own right with Midmill Business Park located at the entrance to Kintore. The town also benefits from being on the Aberdeen to Inverness railway line and a new station is due to open at Kintore in the next two years.
- 2.2 The land at Kintore East is a greenfield site allocated for mixed use residential development on the western edge of the settlement. The part of the site subject of this development bid is in the control of the Kintore Consortium. The land subject of the development bid is located at the eastern end of the site location plan identified in Appendix 1 - and measures circa 12.8 hectares. It is identified as Phase 2 Residential on the Kintore East Phasing Plan in Appendix 2.





- 2.3 In terms of infrastructure Kintore East is served by the A96 Trunk Road, the B994 Kemnay Road and with the imminent opening of Kintore station, the Aberdeen to Inverness railway line. Regular bus services are operated by Stagecoach along these routes. There are two primary schools in Kintore at Kintore Primary School and Midmill Primary School. Kemnay Academy is the secondary school that serves the town.

### **3. Planning Context**

- 3.1 The development bid site is located within the settlement boundary for Kintore in the recently adopted Aberdeenshire Local Development Plan 2017. The site is allocated in the Local Development Plan as Site OP1: Kintore East. (See Appendix 3). The full planning context and background is considered below.

#### **Aberdeen City and Shire Strategic Development Plan (2014)**

- 3.2 Scottish Ministers approved the Aberdeen City and Shire Strategic Development Plan (SDP) with modifications on 28 March 2014. The plan advocates a high rate of growth for the North East and promotes a spatial strategy which focuses future development into three Strategic Growth Areas. We welcome the more aspirational approach to economic growth adopted in the SDP and in principle support the plan's spatial strategy, particularly the emphasis on encouraging development within settlements such as Kintore which lie within the Strategic Growth Areas, where there is a strong demand for new housing and there are established opportunity sites which are serviced and deliverable.
- 3.3 It is understood that notwithstanding the passage of the new Planning Bill through the Scottish Parliament and the proposals in it to abolish Strategic Development Plans, the Scottish Government have advised the Aberdeen City and Shire Strategic Development Authority to prepare a Main Issues Report (MIR) for a new SDP which would then provide strategic guidance for the LDPs in Aberdeen and Aberdeenshire. The MIR for the new SDP was considered by the Strategic Development Planning Authority on 1 February 2018 and was published for public consultation in March 2018. One question asked in the MIR is "should LDPs be allowed to make some further housing allocations"? Our response to that is yes but not at the expense of continuing to support the allocation of existing sites such as Kintore East which will delivering new housing and support new infrastructure in Kintore.

#### **Aberdeenshire Local Development Plan (2017)**

- 3.4 The Aberdeenshire Local Development Plan was adopted by Aberdeenshire Council in April 2017. The plan continued to allocate the land at Kintore East for residential development. The site was previously identified as Site M1 in the 2012 LDP for 600 homes and 10 hectares of employment land. The site was renamed Site OP1 in the 2017 LDP with the allocation being for a mix of uses including 600 homes and employment land. A further qualification in the 2017 LDP was that "...the extent of the allocated land indicates considerable potential for additional development (around 400



additional dwellings) in the longer term subject to infrastructure and cumulative transport impacts being addressed. Given the capacity of the first phases, of up to 600 units plus employment land, it is not anticipated that any subsequent phases would be progressed in advance of the next local development plan.” This statement regarding the additional 400 houses was put into the plan following a recommendation by Reporters at the EIP into Local Development Plan in 2016 as a results of representations made to the plan by [REDACTED]. It is also stated that a new primary school will need to be constructed and opened prior to the occupation of any housing. The new primary school at Midmill opened in 2017. Development will commence on new housing on Phase 1 of the Kintore East development once all planning consents are in place.

### **Kintore East Development Framework (2013)**

- 3.5 The Kintore East Development Framework, a requirement of the LDP Supplementary Guidance for Kintore, was prepared by [REDACTED] and approved subject to amendments by the Garioch Committee at their meeting on 17 September 2013. The Framework identifies the location of the proposed residential, commercial, and business developments in the Local Development Plan including the whole Kintore East development site. It also sets out a transportation and accessibility strategy for the site and provides an outline of the phasing of these works.

### **Kintore East Masterplan (2014)**

- 3.6 The Kintore East Masterplan was prepared by [REDACTED] and is also a requirement of the Local Development Plan Supplementary Guidance. The masterplan builds on the guidance set down in the Kintore East Development Framework and establishes the vision for Kintore East which is to create a high quality, sustainable mixed-use expansion to Kintore which maximises the site’s potential and helps to deliver much-needed family housing alongside community and recreational facilities for Kintore as well as meeting the targets for growth set down in the Strategic and Local Development Plans. The masterplan was approved by the Garioch Area Committee at their meeting on 3 June 2014. It was anticipated in the masterplan that the housing would likely be completed over a period of 8-10 years depending on market demand. Land to the east of the masterplan, which forms part of LDP OP1 Site and subject of this development bid was identified as a future phase of development and will be subject of a separate masterplan at a later date following a future review of the Local Development Plan.

### **Planning Applications**

- 3.7 Planning Permission in Principle (Reference APP/2013/3830) was granted on 4 September 2015 for a residential development comprising 600 dwellinghouses, neighbourhood centre, landscaping, open space and associated infrastructure at land at Kintore East. The consent was subject to 15 planning conditions, two of which were subdivided into several sub conditions. The consent is also subject to a Section 75 Legal Agreement with a number of planning obligations covering affordable housing,



community facilities, healthcare, education, sports and recreation and waste. Affordable Housing is set at 25% which equates to the provision of 150 affordable housing units.

- 3.8 MSC applications (APP/2016/1330 and APP/2016/2046) for Kintore East seeking to purify Condition 1a (Phasing Scheme) and Condition 1b (Strategic Landscape Scheme), Condition 1c (Water Bodies), Condition 1d (Archaeology), Condition 1e (SUDS Strategy), Condition 1f (Waste Water Connection Scheme) , Condition 1g (Construction Environmental Management Plan), Condition 1h (Waste Management Plan), Condition 1i (Ecology), Condition 1j (Public Access), Condition 1k (Design Guide), Condition 1l (Roads and Bridges), Condition 2c (Access Details), Condition 2e (Levels Information), Condition 2g (Water Bodies), Condition 2h (Trees), Condition 2i (Badgers), Condition 2j (Water Voles, Otters, Bats and Red Squirrels), Conditions 6a, 6b and 6c (Remediation) were submitted in 2016 and are still pending.

## 4. Kintore East Development Bid

- 4.1 The development bid for Kintore East is seeking to ensure that the OP1 allocation for Kintore East in the LDP retains the longer term commitment for an additional 400 houses subject to infrastructure and cumulative transport impacts being addressed. On the basis of the approved masterplan and current proposed layout for the 600 houses proposed for Kintore East, some 13 hectares of zoned land remains available for future residential development.
- 4.2 In terms of continuing to identify the additional 400 houses in the plan the following should be taken into account:
- In addition to currently being allocated in the Local Development Plan for residential development the land is part of an approved development framework and masterplan which have been future proofed to allow for and accommodate development at the eastern end of the site;
  - The allocation of a major residential allocation at Kintore East supports the Strategic Development Plan focus on major growth being located in the Strategic Growth Areas and transport corridors;
  - Although a start on development at Kintore East as been delayed due to current market conditions and delays in the processing of planning applications, [REDACTED] are keen to make a start on site later in 2018;
  - The Kintore East development is key to the provision of helping provide major funding for the new Midmill Primary School which is currently well below capacity (9%) and only forecast to be at 52% capacity in 2022 – it is also highly accessible for the school;
  - The site is conveniently located for the employment area at Midmill Business Park, for Inverurie and will be more accessible for employment areas in Aberdeen with the opening of the AWPR later this year;





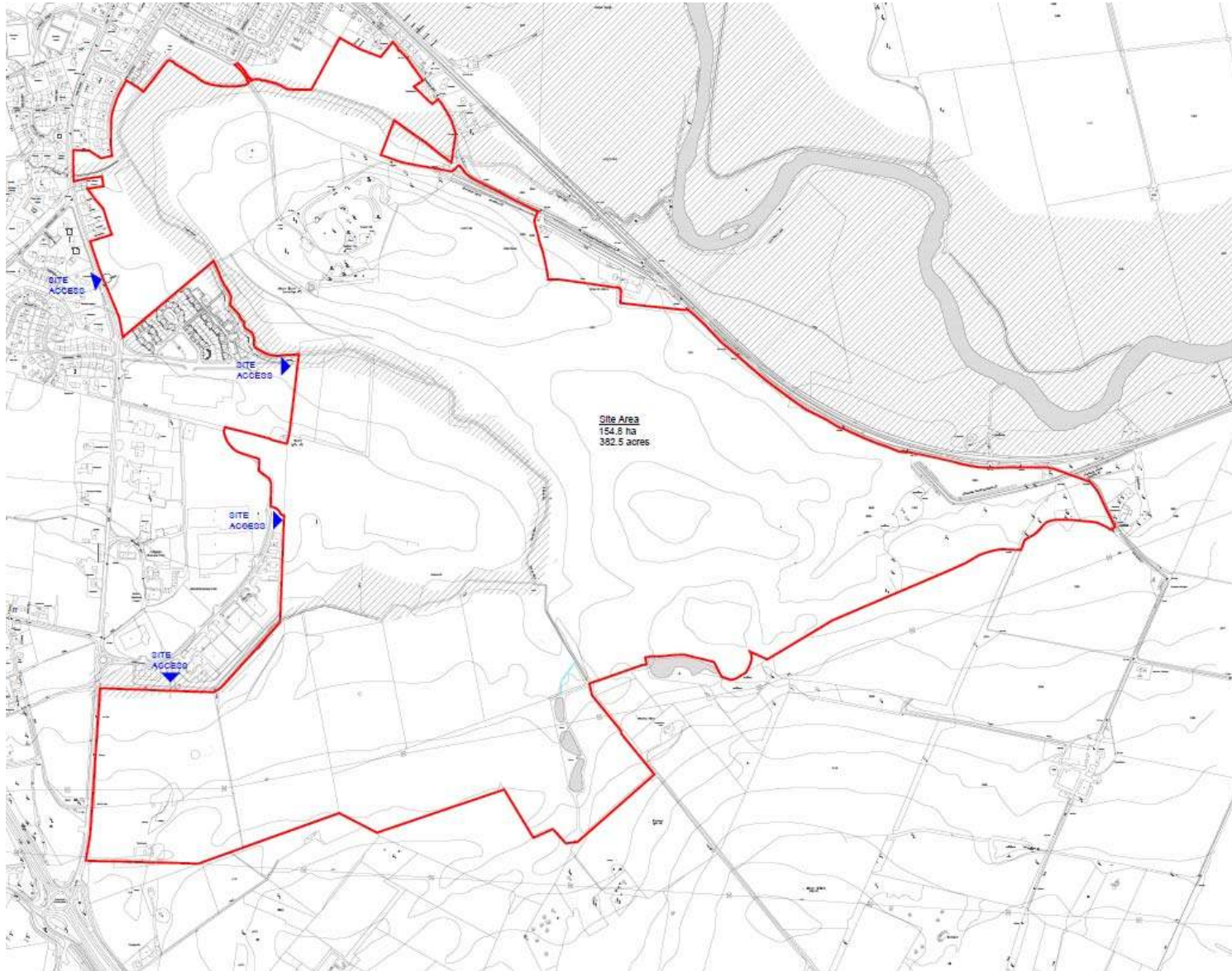
- Allocating major growth at Kintore East will be efficient in terms of utilising and helping fund the infrastructure to service Kintore East including junction improvements, community facilities and helping support the new railway station in Kintore;
- Initial work undertaken by [REDACTED] transport engineers indicates that there is capacity in the network to accommodate the additional 400 houses – this will be confirmed by more detailed studies at the appropriate time identifying any mitigations required; and
- Phase 3 is a logical longer term progression of future residential development at Kintore East;

## 5. Conclusions

5.1 Aberdeenshire Council has formally invited development bids for consideration as part of the process of preparing the next Local Development Plan for Aberdeenshire. They have asked that for sites where only part of an allocated site is expected to become effective by 2021, a bid should be submitted for the remaining part of the site. Given the longer term framework for the 400 additional houses at Kintore East, [REDACTED] deemed it appropriate to put a bid in for the site to ensure that its allocated status is retained in the plan. A planning appraisal has been undertaken for the site which provides a robust justification for continuing to allocate in the longer term land at Kintore East for 400 additional homes in addition to the 600 already allocated to the wider Kintore East site.

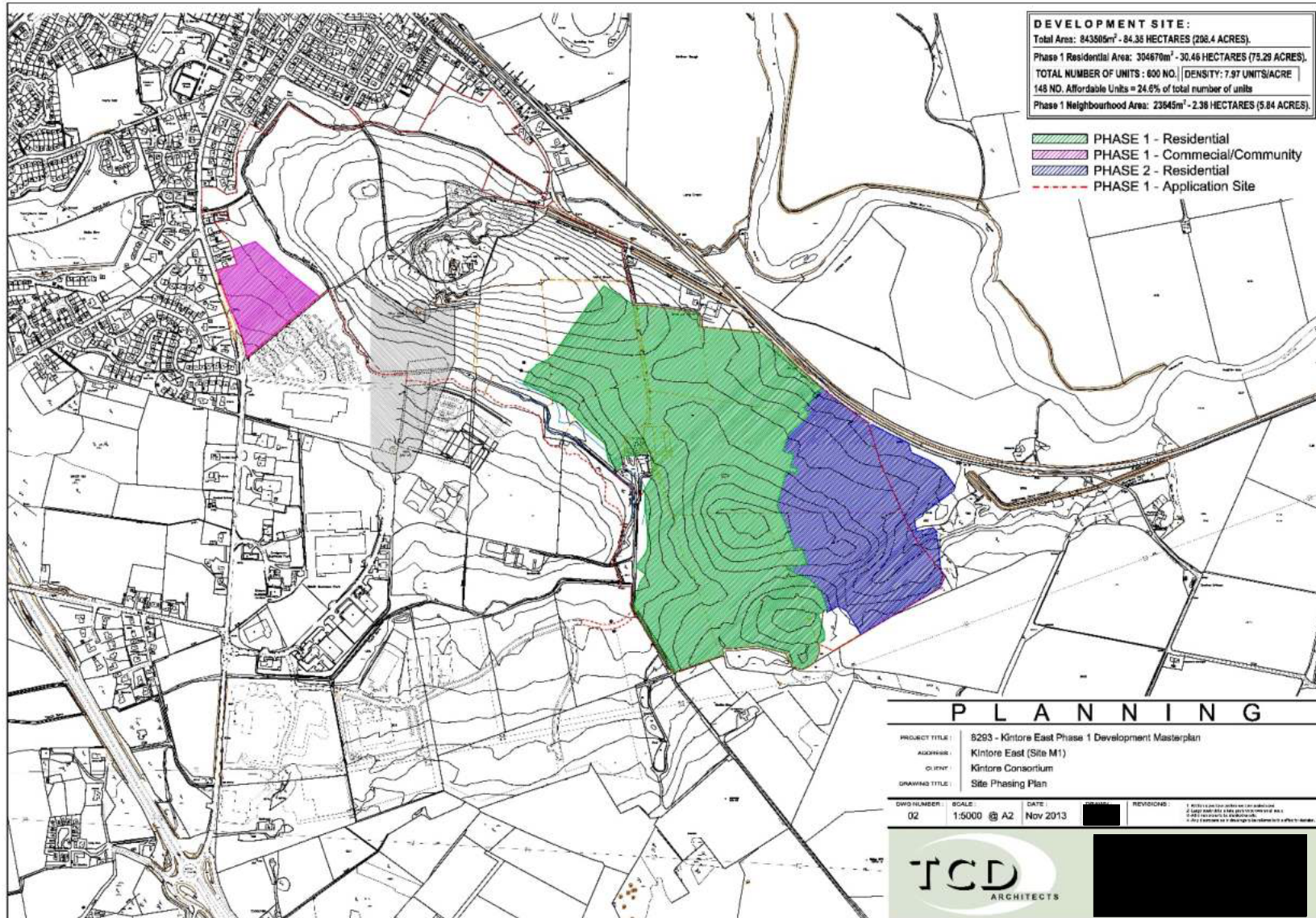
[REDACTED] believe there is a strong planning case for their land at Kintore East to continue to be allocated in the new local development plan for residential development in accordance with the Reporters recommendations at the 2016 LDP EIP.

## Appendix 1 – Site Location Plan





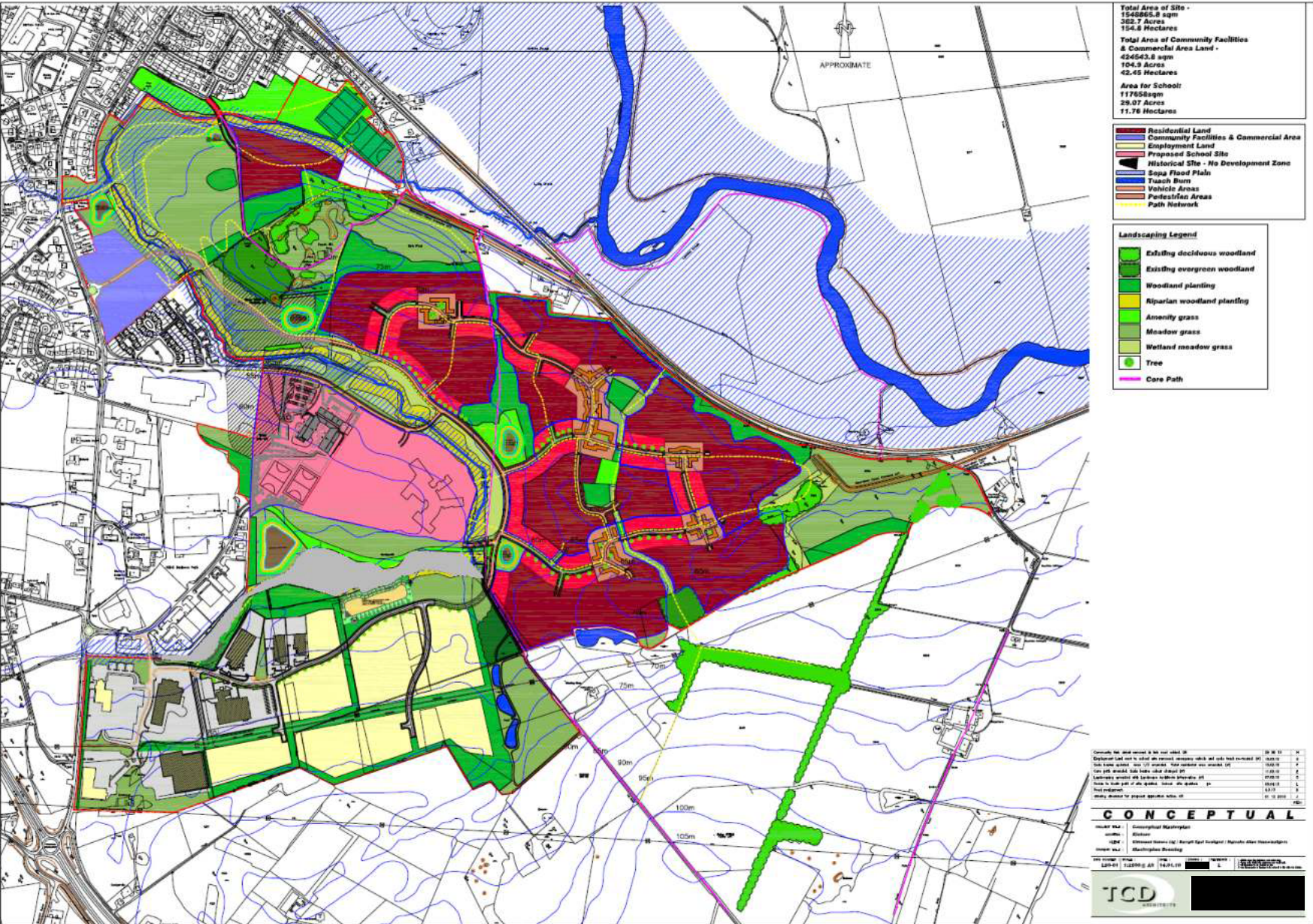
## Appendix 2 – Kintore East Phasing Plan







# Appendix 4 – Kintore East - Conceptual Masterplan



# **APPENDIX 2**

## **MIR Representation**

## **Aberdeenshire Local Development Plan 2021: Main Issues Report 2019**

### **Main Issues Report Response Form**

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

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

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

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

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

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

<b>Name</b>	██████████
<b>Organisation (optional)</b>	<b>Ryden LLP</b>
<b>On behalf of (if relevant)</b>	<b>The Kintore Consortium</b>
<b>Address</b>	██████████ ██████████ ██████████
<b>Postcode</b>	██████████
<b>Telephone (optional)</b>	██████████



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

## Fair processing notice

<p><b>Please tick to confirm your agreement to the following statements:</b></p> <p>By submitting a response to the consultation, I agree that Aberdeenshire Council can use the information provided in this form, including my personal data, as part of the review of the Aberdeenshire Local Development Plan. This will include consultation on the Main Issues Report (including any subsequent Proposed Plan).</p> <p>I also agree that following the end of the consultation, i.e. after 8 April 2019, my name and respondent identification number (provided to you by Aberdeenshire Council on receipt of your submission) can be published alongside a copy of my completed response on the Main Issues Report website (contact details and information that is deemed commercially sensitive will not be made available to the public).</p>	<input checked="" type="checkbox"/>
<p>The data controller for this information is Aberdeenshire Council. The data on the form will be used to inform a public debate of the issues and choices presented in the Main Issues Report of the Aberdeenshire Local Development Plan 2021. It will inform the content of the Proposed Aberdeenshire Local Development Plan.</p> <p>Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue to retain your information for a longer period. A redacted copy of your submission will be retained for 5 years beyond the life of the Local Development Plan 2021, possibly until 2037</p> <p><b>Your Data, Your Rights</b></p> <p>You have got legal rights about the way Aberdeenshire Council handles and uses your data, which include the right to ask for a copy of it, and to ask us to stop doing something with your data.</p> <p>If you are unhappy with the way that Aberdeenshire Council or the Joint Data Controllers have processed your personal data then you do have the right to complain to the Information Commissioner’s Officer, but you should raise the issue with the Data Protection Officers first. The Data Protection Officers can be contacted by writing to:</p> <ul style="list-style-type: none"> <li>▪ <span style="background-color: black; color: black;">[REDACTED]</span>, Data Protection Officer, Aberdeenshire Council, Business Services, Town House, 34 Low Street, Banff, AB45 1AY</li> </ul>	



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.

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

## Your comments

### **Representations to the Main Issues Report on behalf of The Kintore Consortium in relation to Site Ref: GR078, Land East of Kintore, Kintore.**

This representation, relative to the above, is submitted on behalf of The Kintore Consortium, comprising Kirkwood Homes Limited, Barratt North Scotland and Malcolm Allan Housebuilders Limited. It follows a Development Bid submitted to Aberdeenshire Council's Call for sites (Ref: GR078) covering existing LDP allocations at Kintore OP1, Bus 4 and Protected Areas P1, P6 and P7, in addition to a small parcel of land to the south east. The Consortium hereby welcome the publication of Aberdeenshire Council's Main Issues Report, and support the continued identification of this strategic land to the east of Kintore as an existing allocated site and Officers' preference for delivery of a mixed use development of 600 new homes and employment land.

It is also welcomed that Officers recognise the site's capacity to accommodate an additional development of 400 homes for release following a future review of the Plan, which The Consortium supports. The Officers' Preference for Kintore East has also been identified within the Draft Proposed LDP, which has been prepared to illustrate how the content and specific site allocations may look within the next LDP and this is also welcomed and supported by the Consortium. It is noted that the MIR has effectively broken the GR078 Development Bid down into **GR078a** (existing OP1 allocation for 600 homes and employment land); **GR078b** (future opportunity site for 400 homes) and **GR078c** (land not suitable for development).

As was detailed within the Development Bid prepared for the site, the land at Kintore East has been identified for a mixed use development since first inclusion in the 2012 LDP, which was subsequently rolled forward into the extant 2017 LDP. Since its original allocation, significant progress has been made toward delivery of development on site. This has included the preparation of a Development Framework which was approved by Garioch Area Committee in September 2013, and identified the broad location of commercial and residential

land use, a transportation and accessibility strategy and an outline of the phasing for the development as a whole. A subsequent masterplan was prepared and approved by the Area Committee in June 2014. The Masterplan reinforced the principles contained within the Development Framework, providing the vision to create a sustainable mixed-use community, providing much-needed strategic housing targets set by the SDP for this key strategic growth settlement and helping secure facilities and infrastructure requirements identified for the settlement. Planning Permission in Principle (PPiP) also exists for the OP1 site, securing consent for 600 homes, neighbourhood centre, open space and necessary infrastructure and an associated S75 for the phased delivery of 25% on-site affordable housing and developer obligations at the end of 2015. More recently, Matters Specified in Conditions (MSC) applications have been pursued and discussions are ongoing. This signals a significant planning milestone that will see the ultimate delivery of development on site, which is programmed to commence later this year (2019).

It is welcomed that the MIR acknowledges the site is identified as effective within the 2018 Housing Land Audit. Despite some delays encountered in the planning process and more turbulent market conditions experienced over the past number of years due to significant restructuring in the Oil and Gas industry, The Consortium are confident that development is likely to commence as soon as possible following a positive determination of pending MSC applications. Accordingly, the continued mixed-use allocation of the Kintore East site for 600 homes will provide continuity for both The Consortium and the local community on the direction of growth for Kintore. It is therefore important that the site continues to be allocated, to ensure appropriate delivery of new homes, affordable homes, employment opportunities, community facilities and services within a key settlement located in the Aberdeen to Huntly Strategic Growth Area (SGA). It will also serve to bolster both established and future employment opportunities associated with the land to the south and west (BUS3, BUS4 and OP4 allocations) at Midmill Business Park.

This allocation addresses the three key planning objectives specifically outlined within the MIR's Kintore Settlement Statement with regard to meeting strategic housing needs, supporting community facilities and services as well as protecting and enhancing the open space around Tuach Hill, a key component of the approved masterplan for Kintore East. These planning objectives also align with key policy requirements contained within the MIR. The delivery of this sustainable, mixed use development of 600 new homes across the current and next LDP Plan periods will ensure continued alignment with Policy H1 Housing Land, which seeks to deliver housing in line with existing allocations and to ensure a 5 year land supply is maintained.

The Consortium are concerned in relation to the updated wording in the MIR Settlement Statement from that which appears in the current LDP. This is in relation to the addition of text concerning matters raised by the community regarding any potential encroachment of development on Tuach Hill and that this should be *“avoided at all costs to preserve amenity”*. The Draft Proposed LDP also includes this text within its updated vision for Kintore. In reality however, inclusion of such text appears somewhat at odds with the approved

planning status of the site. The Consortium fully appreciate the importance of Tuach Hill as a key feature in the Kintore landscape and this area forms a key aspect of open space provision for the development, as identified within the approved Development Framework. Accordingly, no housing development is proposed within the protected land at Tuach Hill. However, approved Planning Permission in Principle for the site does envisage development in the form of new roads, paths and landscape planting to provide usable public open spaces and connectivity between the town centre and new housing. In light of the current planning position, the Consortium would therefore suggest that the sentence, *“Encroachment on Tuach Hill from the development and infrastructure is of a concern to the local community and should be avoided at all costs to preserve its amenity”*, be removed and not included within the Proposed Plan. The community should take assurance from the sites’ protected status, that development which is detrimental to the amenity of the Hill would not be favoured.

The site will provide 25% affordable housing, significantly increasing much needed supply in Kintore, thus conforming to SPP’s benchmark requirements, Policy H2 Affordable Housing and Main Issue 11, which proposes that developers secure 25% or more affordable housing on site. The expansion to the existing Kintore community will supplement and sustain existing and programmed infrastructure, such as the school rolls at recently opened Midmill Primary school and the new railway station which is scheduled to open in 2020. A S75 Agreement is currently in place securing developer contributions towards community facilities, healthcare, education, sports and recreation and waste, thus satisfying MIR Policy RD2 Developers’ Obligations. As highlighted above, the approved Masterplan and associated MSC applications identify a high quality new development, incorporating excellent standards of design, open space, landscaping and connectivity, thereby satisfying the general principles contained within Policies P1: Layout, siting and design and P2: open space in new development identified within the MIR.

The Aberdeen City and Shire Structure Plan 2009 and the Strategic Development Plan 2014 set Housing Supply Targets which have resulted in an appropriate supply of effective land in both Aberdeen City and Aberdeenshire, largely brought about by Strategic Allocations focused within the various SGA’s across the City and Shire. The Housing Land Audit 2018 indicates an effective supply of 37,442 homes. To ensure an effective 5 year land supply at all times, significant focus must be made on the delivery of strategic sites such as the 600 unit allocation at Kintore East. It is therefore in the best interests of Aberdeenshire Council to ensure such allocations are supported to successfully deliver a sustained supply of new homes over the medium to long term. This is a key message contained within the Proposed Strategic Development Plan (2018) in order to give the City Region the security of supply to meet current and future levels of housing demand. Continued support for the 600 unit allocation, is therefore crucial in maintaining an effective housing land supply and the Consortium welcomes its continued allocation within the MIR

There is acceptance that the site has the capacity to accommodate additional housing, over and above the 600 homes currently allocated. This was identified within the approved Development Framework, with land associated to the east of the site, identified for future housing. This is also outlined in the extant LDP, which recognises the site has “*considerable potential*” for around 400 additional homes, over and above the 600 allocation, thereby conforming to the requirements of Scottish Planning Policy, which directs that planning should enable “*high-quality development and making efficient use of land to deliver long-term benefits for the public*”. The OP1 allocation does however stipulate that this expansion would not be advanced prior to the adoption of the next LDP. The Consortium supports Officers’ continued identification of the site’s capability to accommodate a further 400 homes within the MIR. This is referenced as Site GR078b, which stipulates that there is scope to accommodate an extension to the allocation of around 400 additional homes, taking the site’s capacity up to 1000 units and that this text should remain within the next LDP as ‘reserved’. Considering the site is at an advanced planning stage and estimated completion rates going forward, it is deemed appropriate that the additional 400 units continue to be identified as reserved, to be released under a future interim review of the next LDP.

The Consortium would also suggest that the next LDP contains suitable provision for an early draw down mechanism to ensure an uninterrupted supply of housing land to meet demand, should any issues arise during the lifecycle of the next Plan. It is imperative that such a mechanism is in place, particularly considering the LDP could be adopted for a ten year period, pending the outcome of the ongoing planning review. Accordingly, the proposed identification of the (GR078b) land within the Draft Proposed LDP as ‘FOP3’ for as a future opportunity site, lying immediately west of OP1 is entirely appropriate and effectively locks in 400 units as strategic reserve, to be delivered as part of the strategic reserve allowances identified within the Proposed SDP, either following an interim review of the next LDP or implementation of an appropriate draw down mechanism should failure to meet a 5 year land supply arise through the lifetime of the Plan.

In the Officers’ response to bid site GR078b, it suggests that the future release of the reserved 400 units will be subject to further consideration to ensure infrastructure can accommodate the scale of development and resolve constraints regarding flood risk. It should be stressed that the land to the east, which would be reserved for future housing delivery is not subject to any flood risk. As acknowledged within the Development Bid, the land reserved to the east of the site for future housing is not susceptible to flooding. Flood risk only applies to land within the flood plain of the Tuach Burn which lies outwith this area and has been appropriately considered as part of the planning applications already pursued for the existing OP1 allocation. Any risk of surface water flooding associated with the GR078b site would be appropriately considered as part of a Drainage Impact Assessment and SUDS proposals to ensure that the development would alleviate any identified risk areas. This information would be required to accompany a future planning application for the remaining 400 units. The master planned development of the OP1 site has always envisaged scope for future expansion and provision for this has been built into the detailed design parameters of the development, ensuring road layouts,

pedestrian access and utilities provision is futureproofed to enable connections into the future land. A Transport Assessment would also be undertaken to inform any future planning application submitted for the reserved allocation, which would consider the capacity of the existing road and street network to accommodate the proposed development and identify mitigation requirements should any impacts. Developer obligations would also be likely to be made toward any further identified infrastructure requirements at the appropriate time.

It is noted that the MIR has identified some of the land within the Development Bid as GR078c to be retained as open space and that it would not equate to the developable area on site, referring to the area around Tuach Hill. The Draft Proposed LDP continues to identify this area of land as protected from development under the P1 designation, to “*conserve Tuach Hill and surrounding area which contributes to the green network*”. The Consortium have no objection to this as it reflects the approach adopted within the existing LDP. The small parcel of land to the south east corner of the Bid site has however been removed to preserve the remains of the Aberdeenshire Canal. It should be noted that the Consortium did not propose any built development in this area, instead identifying it for additional landscaping, woodland planting etc., as highlighted within the Conceptual Masterplan submitted at Appendix 4 of the Development Bid. This was to provide a strong landscape context for the land reserved for future expansion on approach from the east. It would therefore seem logical to include this land and conserve it through a similar ‘protected’ status for strategic landscaping proposals to be determined as part of a future masterplan for the site, identified as FOP3 in the Draft Proposed LDP.

On the basis of all of the above, The Kintore Consortium very much welcomes the MIR and Draft Proposed LDP’s continued allocation of 600 units in the period 2021-2026 and the continued identification of land for an additional expansion of the site for around 400 units as strategic reserve, for future release under a subsequent review of the LDP. It is therefore kindly requested that this approach be taken forward into the Proposed Plan as the settled view of Aberdeenshire Council on the content of the 2021 LDP.

As highlighted above, it may also be more appropriate to include the land to the south east corner of the site (GR078c) as protected within the next LDP, for future strategic landscaping proposals.

**APPENDIX 3**  
**Kintore East Masterplan Extract**



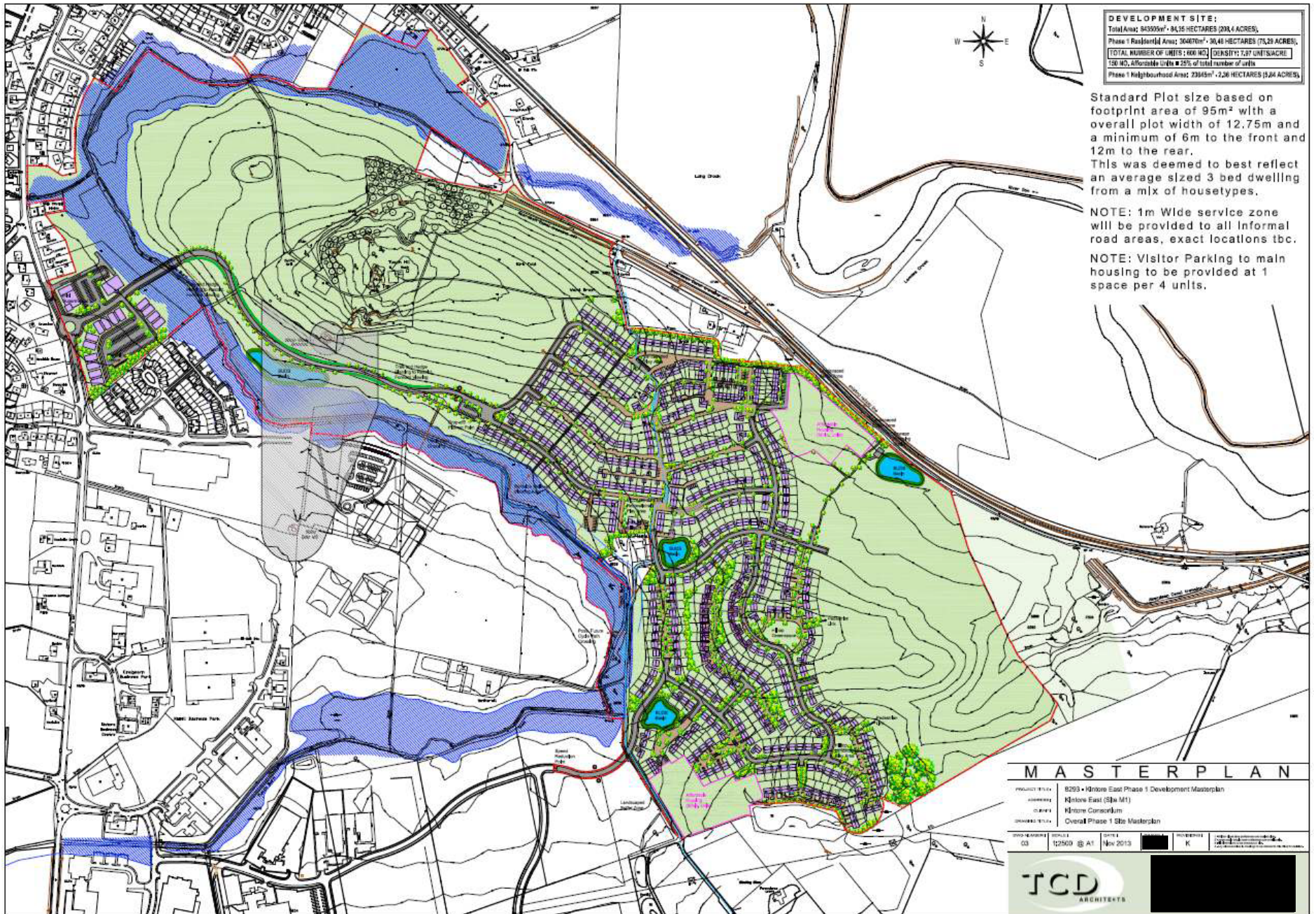


Figure 16: Overall Masterplan