

5651 - FRONTIER

# 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.

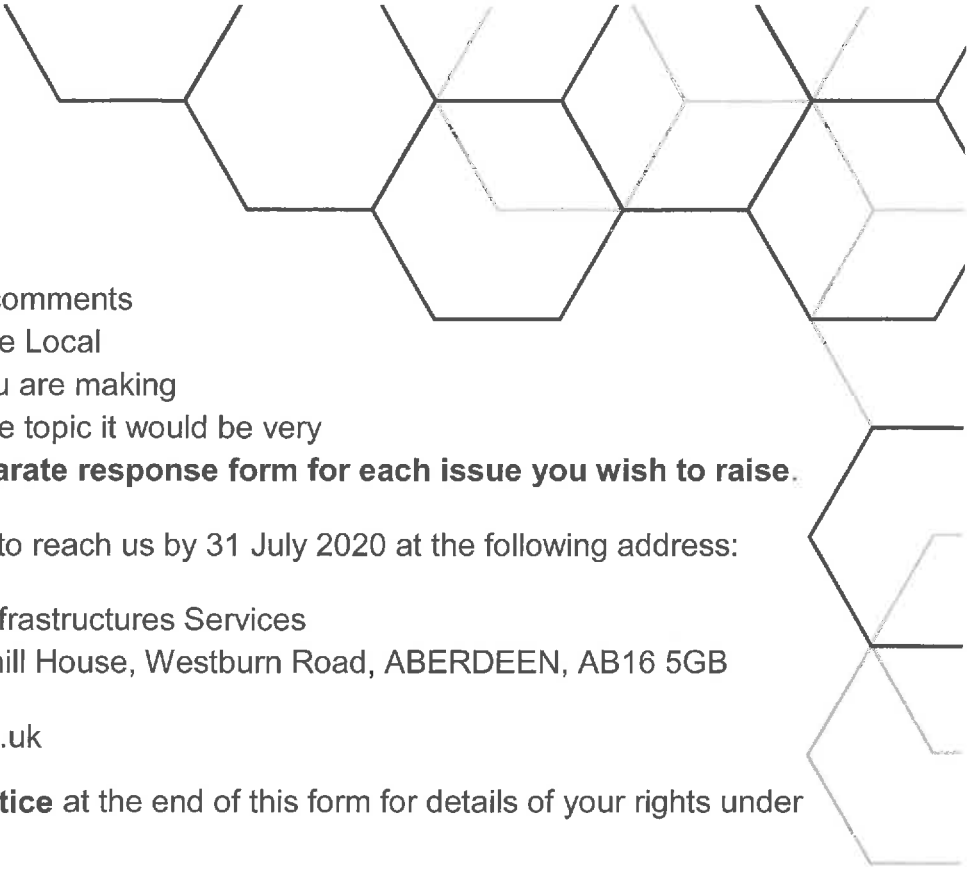
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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

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



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

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

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

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

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

## YOUR DETAILS

Title:	Mrs
First Name:	Lesley
Surname:	Tierney
Date:	14.07.2020
Postal Address:	Lippe Architects + Planners, [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): Appendix 7d - Garioch

Appendix 7d Garioch

Removal of proposed BUS2 allocation – safeguarded for business use, Kingseat settlement.

**Reason for change:**

The proposed allocation to include the land within the settlement boundary of Kingseat and to allocate it as BUS2 - safeguarded for business use, was not proposed by the owner of the land. The land owner objects to this allocation as the site has never been part of the settlement or been required to be safeguarded in any way.

Please see attached paper apart which details the full representation objecting to this proposal.

# 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
--	---

### 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:

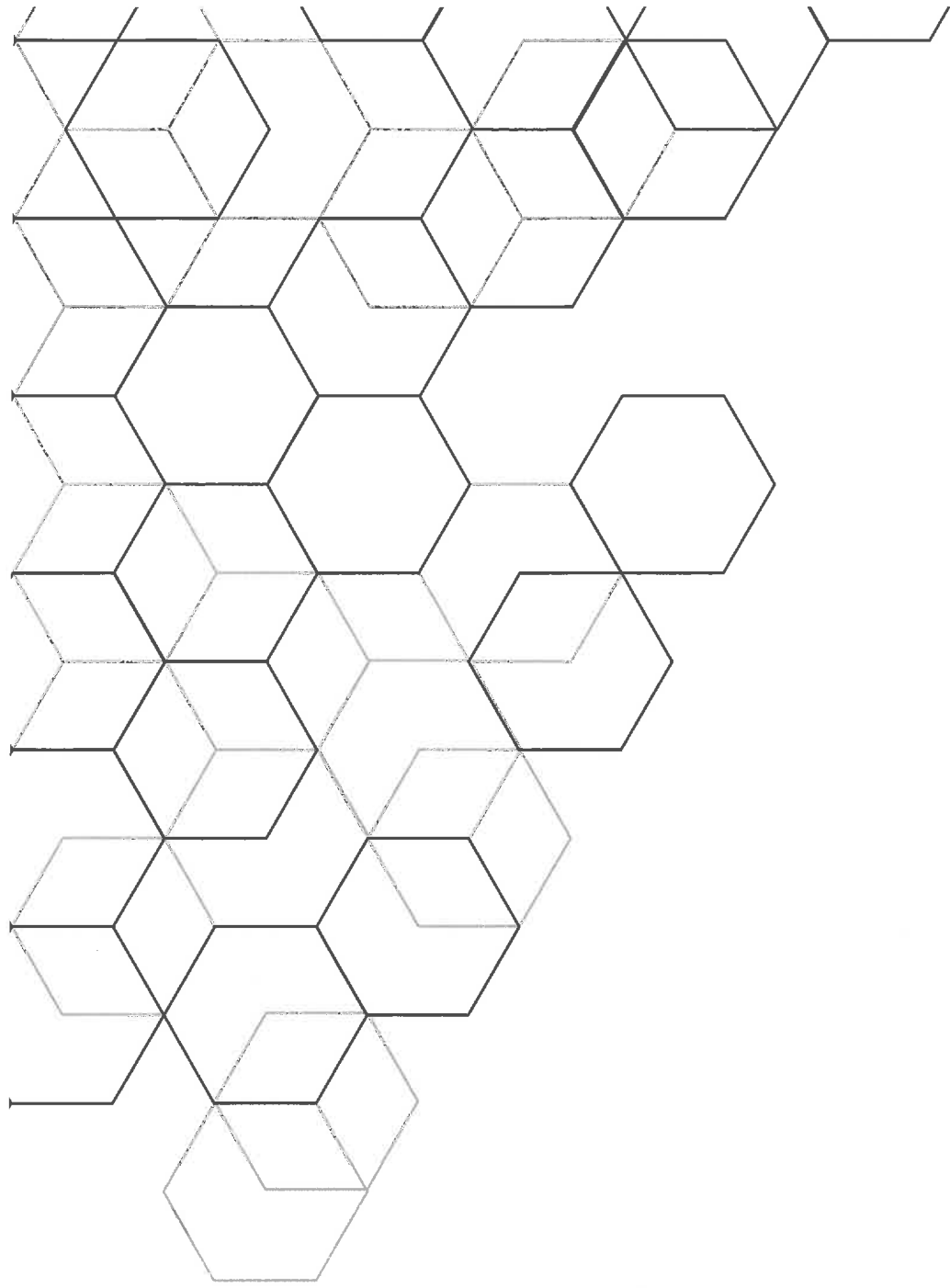
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue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



## Proposed Modification to the Proposed Aberdeenshire Local Development Plan 2020

### Appendix 7d – Garioch

#### Removal of Proposed BUS2 Allocation from Kingseat Settlement

Lippe Architects and Planners Ltd act on behalf of Frontier Agriculture Ltd based at Kingseat, Newmachar.

Frontier Agriculture is the United Kingdom's leading crop production and grain marketing business, recognised for its close customer relationships with farmers and grain customers and its successful management of the arable supply chain.

The Frontier site at Newmachar is one of 46 sites across the UK. Frontier Newmachar is an important local employer and facility.

We have previously advised Frontier Newmachar on various aspects of planning and the company was aware of the preparation of the Proposed Local Development Plan. The company's facility at Kingseat has always lain outwith the settlement boundary and within the countryside up to, and including, the current 2017 Local Development Plan. No change was proposed in this regard in the Proposed Local Development Plan and it was therefore not necessary to make a comment in this regard.

When the Main Issues Report was published, the Frontier site was now shown to be within an extended settlement boundary but with no annotation. While the inclusion of the site within the settlement was a change to previous Local Plans, this in itself was not a matter of great concern to Frontier, and it was considered that a representation did not need to be submitted.

However, when the Main Issues Report was reported to the Garioch Area Committee on 3 September 2019, Members discussed removing the area again and it remaining outwith the settlement boundary or not only including the site in the settlement as proposed, but allocating it for business use.

*"They noted the proposed change to the settlement boundary, but expressed concerns that it would result the site with the large buildings could be the subject of housing development in the future as a brownfield site. They indicated a wish to resist this and retain the site as business use. The Committee agreed that the settlement boundary be extended to the north to include Kingseat Farm, Kingseat Farm Cottages, Wood Cottages and warehouses, but that the area of land with the warehouses be given a business designation".*

It is our view that the Proposed Plan should be modified back to the site not being within the settlement boundary at all and being within the countryside, as has always been the case. As a minimum, if the site is to be in the settlement then the BUS2 allocation should be removed.

There would not appear to be any strong or reasonable planning reasons to change the site from being within the countryside to within the settlement with a BUS designation. The settlement of Kingseat may have grown over the years and development is now closer to the Frontier site, but it must be recognised that this remains a rural business, located in the countryside. The proposed business designation is far more akin to a site within a town or associated more with Class 4, 5 or 6 uses which is not appropriate in this case.

The Frontier site sits well outwith the main development area at the former Kingseat Hospital site. In addition, as bid site GR034 was not recommended for inclusion by officers and this was agreed by the Garioch Area Committee, the built development to the south of the B979 will stay at its present edge. Straddling the B979 in such a way does not seem a sensible proposal and the inclusion of the site would stretch the settlement boundary much further to the east and on the north side of the B979 which does not accord with the existing or other proposed built development at Kingseat.

Any possible future development of the site for other purposes would be determined in line with the planning policies governing that. At present, such redevelopment would need to demonstrate that the site, buildings and use are redundant. This is certainly not currently the case. In any case, if it were demonstrated that this were eventually the case, there would be a legitimate argument in terms of policy governing development in the countryside for the redevelopment of the site. The change to a business designation appears to be an unfair attempt to prevent other development at the site which may never come to fruition, and it importantly it may also limit or prevent the site being further developed by Frontier for its current purpose.