

# 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.

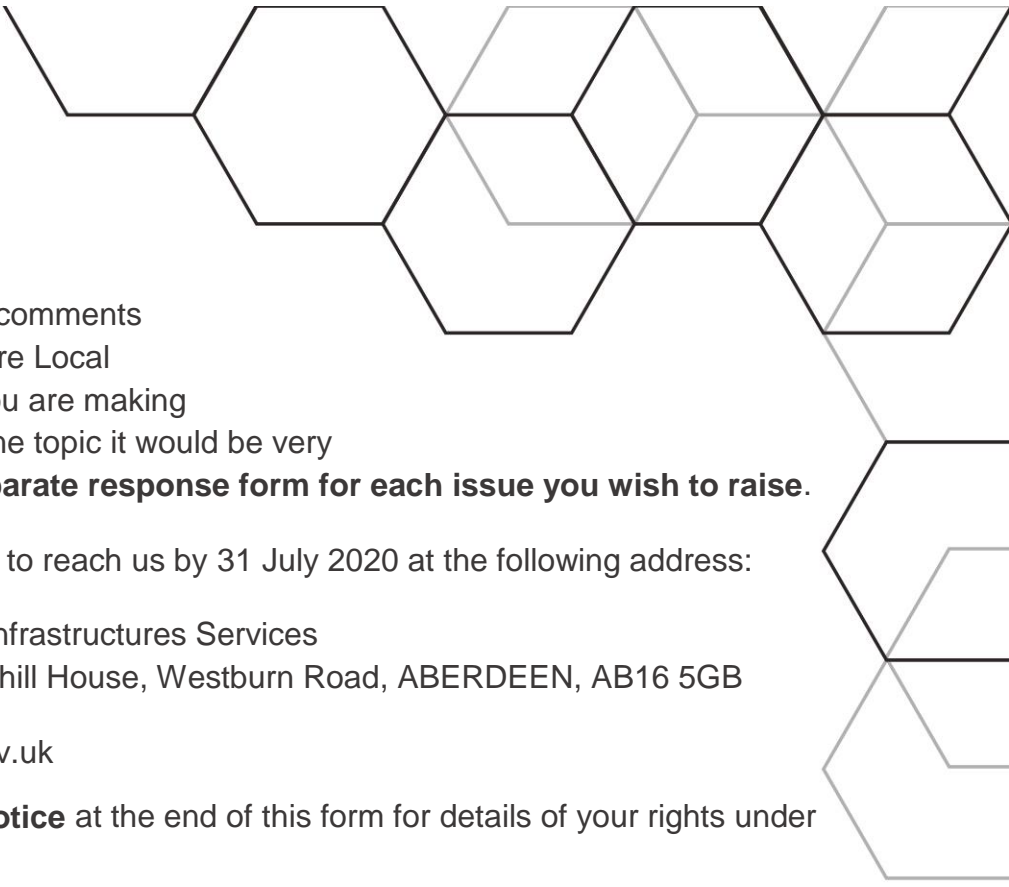
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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:	Claire
Surname:	Coutts
Date:	7 July 2020
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):

On behalf of Marshall Farms Ltd, objection is made to the removal of Future Opportunity / reserved housing sites from the Proposed Plan. Such sites were included in the Main Issues Report (MIR) and Draft Proposed Local Development Plan and should be reinstated.

Land to the north of OP1 at Blackburn (site GR088 as identified in the MIR) should be identified as a Future Opportunity or Strategic Reserve housing land which could come forward should there be demand for further housing in the lifetime of the Local Development Plan.

## Reason for change:

### Background

An initial development bid was submitted for the site to Aberdeenshire Council on 28th March 2018 (Appendix 1) on behalf of Marshall Farms Ltd. This considered that the site had the potential to accommodate up to 50 houses, as a logical extension to the OP1 allocation at Caskieben adjacent.

The Main Issues Report (MIR) was published in January 2019, which identified the site as GR088 and an Officer's preference for reserved development. Officer's acknowledged that the site is situated adjacent to the settlement boundary. Although in isolation, it would be detached from the settlement, it was accepted that the site could come forward for development, upon delivery of the land adjacent. It was subsequently identified in the Draft Proposed Local Development Plan (DPLDP) as a Future Opportunity for housing.

A representation (Appendix 2) was submitted to the Main Issues Report supporting the identification of the site as an Officer's preference for development and its subsequent identification in the DPLDP for future development. This representation should therefore be read in conjunction with the development bid submitted for the site at the pre-MIR stage, along with the MIR representation which together demonstrate that the site should continue to be identified for future development in the Local Development Plan.

### Justification

The vision for Blackburn acknowledges that the location of the Blackburn in close proximity to Aberdeen City, has contributed to the attractiveness of the settlement as a place live. Although this has placed pressure on existing facilities, a new primary school was delivered in 2018. It also benefits from an industrial estate offering employment opportunities.

As such, there is a clear demand for further housing within Blackburn, as supported by Aberdeenshire Council in the identification of Site OP1 for 240 units. Land to the north-west of this designation is a logical location for future housing given its proximity to the settlement boundary of Blackburn as well as the boundary of the OP1 site.

The supporting text to the OP1 allocation at Caskieben states that **“provision for possible future expansion to the northwest should be incorporated into the layout, siting and design of the**

**site**". This acknowledges that the site has the potential for future development. As such, there would be no impediment to identifying future area of searches for housing within the 2021 Local Development Plan and this strategy has been used in previous LDP's.

In fact, the Proposed Plan makes reference to strategic reserve employment sites within Policy B2 and these are identified in Appendix 1. There is no reason why a similar approach cannot be taken with housing land, considering this was considered acceptable by Aberdeenshire Council in the DPLDP.

Planning Officer's made a number of comments in relation to the development of the site within the MIR. These are maintained and addressed in turn:

**"A Landscape and Visual Impact Assessment would be required given its notably rural structure"**

The site is not located within any Special Landscape Area, has minimal natural landscape elements and no historic features. On approach from the south and east, any development would be entirely screened by existing development and landscaping along the A96 and by existing housing and future development on the OP1 site. From the west and north, it would also be seen in the context of existing development.

As stated above, this site lies immediately adjacent to the settlement boundary and to site OP1 in the Proposed Plan. In the future, the structure of the site would become less rural and be seen in the context of surrounding development, therefore, it is not considered necessary to carry out a Landscape and Visual Impact Assessment of the site.

**"A Flood Risk Assessment would be required to determine the developable area"**

The Black Burn lies to the west of the site and Aberdeenshire Council have previously acknowledged that flood risk impacts upon a relatively small part of the site. The provision of landscaping along the burn would ensure an appropriate buffer between the burn and any residential development to mitigate any flood risk. Nevertheless, a Flood Risk Assessment would be carried out at any future planning application stage, to determine any risk.

**"When considered in isolation, the site is detached from the settlement and as such could only come forward upon allocations and delivery of bid site OP1."**

It is not accepted that the site is detached from the settlement. It lies immediately adjacent to the settlement boundary and to existing development to the south west. However, it is accepted that the strategy proposed, to bring this site forward once the adjacent OP1 site is delivered, is acceptable. Given the proposer of this site also owns the adjacent OP1 site, there is potential to share access and infrastructure costs and it is sensible that this site is delivered after the site OP1 site as it is a natural extension of it. This is reflected in the associated text to the OP1 designation which requires potential future access to the site is reserved. Given this acceptance of the potential of the site, it is argued that there is no impediment to identifying this potential in the Local Development Plan as a future opportunity or strategic reserve housing land, which could come forward if there is demand and the OP1 site is complete.

Conclusion

Blackburn lies within a Strategic Growth Area and given its proximity to Aberdeen, is an appropriate location for future housing development. This has been acknowledged through the identification of OP1 for 240 houses. This site is an appropriate location for further development in the future, given its proximity to the OP1 and the settlement boundary of Blackburn and this is acknowledged in the Proposed Plan.

Reserved sites were identified in the MIR and these were carried forward into the DPLDP as Future Opportunity Sites. The Proposed Plan identifies strategic reserve employment sites and there is no impediment to the continued identified of similar sites for housing in the Proposed Plan.

It is therefore respectfully requested that the Proposed Plan identifies sites suitable for future housing development and that this site (bid site GR088 in the MIR) continues to be identified as such as site in the Local Development Plan.

# 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:

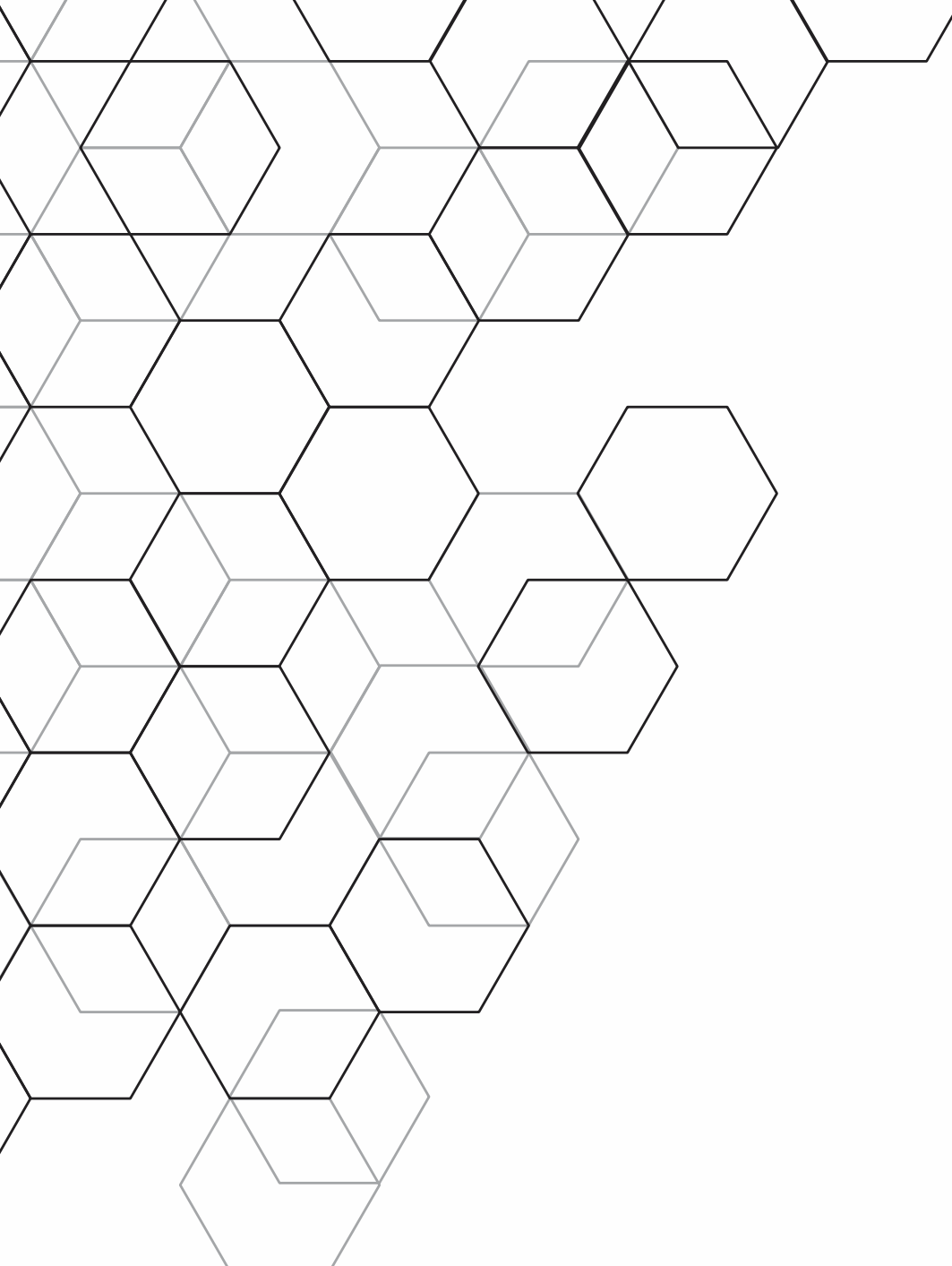
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue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





# Local Development Plan 2021

## Call for Sites Response Form



Aberdeenshire Council would like to invite you to use this form to submit a site for consideration within the next Local Development Plan (LDP 2021) for the period 2021 to 2031. A separate form should be completed for each site you wish to submit.

This is not a speculative plan. It is a fresh ‘call for sites’, so please re-submit any sites that do not or are not expected to have planning permission by 2021.

In order for the bids to be fully assessed, it is crucial that the questions in the bid form are answered fully and concisely with clear evidence of deliverability. The submission of a supporting statement, often known as a paper apart, should be avoided, and only assessments, such as a Flood Risk Assessment that has already been undertaken, should be submitted in support of your proposed site.

Completed forms and Ordnance Survey “Landline” site maps should be returned by email to: [ldp@aberdeenshire.gov.uk](mailto:ldp@aberdeenshire.gov.uk)

Alternatively, you can return the form and Ordnance Survey map by post to:  
 Planning Policy, Infrastructure Services, Woodhill House, Westburn Road, Aberdeen AB16 5GB

**All forms must be submitted by 31 March 2018.**

### 1. Your Details

Name	[REDACTED]
Organisation (if applicable)	Ryden LLP
Address	[REDACTED]
Telephone number	[REDACTED]
Email address	[REDACTED]
Do you wish to subscribe to our newsletter?	Yes

### 2. If you are acting as an agent on behalf of a third party, please give their details

Name	Marshall Farms Ltd
Organisation (if applicable)	
Address	c/o agent
Telephone number	
Email address	

### 3. Other Owners

Please give name, organisation, address, email details of other owner(s) where appropriate:	As above
Do these owners know this is being proposed for development?	Yes

**For data protection purposes, please complete the rest of this form on a new page**

#### 4. Site Details

Name of the site (Please use the LDP name if the site is already allocated)	Land to the north of P5, Blackburn
Site address	Land to the north of the P5, Blackburn
OS grid reference (if available)	NJ829129
Site area/size	5.8 ha
Current land use	Open fields
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)	Sole owners
Is the site under option to a developer?	No, but a number of house builders are interested in the site adjacent, with an option deal close to being agreed.
Is the site being marketed?	No
	If yes, please give details

#### 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
	If yes, please give details
Are there any other legal factors that might prevent or restrict development? (e.g. ransom strips/issues with accessing the site etc.)	No
	If yes, please give details

#### 7. Planning History

Have you had any formal/informal pre-application discussions with the Planning Service and what was the response?	No
	n/a
Previous planning applications	No previous planning applications
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>	Please provide Previous 'Call for sites'/'Bid' reference number: Ga041. Aberdeenshire Council officers considered that this site would provide a logical extension to the existing allocation to the south (OPI/P5 in the 2017 LDP) and is relatively well connected to the rest of the town by footpaths. It was not identified for development due to topography and visual prominence.
Local Development Plan status <a href="http://www.aberdeenshire.gov.uk/ldp">www.aberdeenshire.gov.uk/ldp</a>	Is the site currently allocated for any specific use in the existing LDP? No, but seen as a logical extension of the OPI/P5 site adjacent which is identified for development.

### 8. Proposed Use

Proposed use		Housing
Housing	Approx. no of units	The site has the potential to accommodate up to 50 houses.
	Proposed mix of house types	Number of: <ul style="list-style-type: none"> <li>• Detached: Generally a mix of detached and semi-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: Exact mix to be determined at detailed design stage</li> <li>• 3 bedroom homes:</li> <li>• 4 or more bedroom homes:</li> </ul>
	Tenure (Delete as appropriate)	Private
	Affordable housing proportion	This would be provided in line with Policy requirements at the time of development
Employment	Business and offices	n/a
	General industrial	n/a
	Storage and distribution	n/a
	Do you have a specific occupier for the site?	n/a
Other	Proposed use (please specify) and floor space	n/a
	Do you have a specific occupier for the site?	n/a
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	
	The OPI designation adjacent can be delivered immediately and an option agreement close to being agreed with a developer. It is anticipated that progress will be made on the development of this site in the immediate future. The development of the bid site would be seen as a logical extension of the adjacent development and could be developed as soon as the OPI/P5 site is complete, anticipated to tie in with the first period of the 2021 LDP.	
When would you expect the development to be finished? (please tick)	0-5 years	✓
	6-10 years	
	+ 10years	

## Appendix I – Development Bid

Have discussions taken place with financiers? Will funding be in place to cover all the costs of development within these timescales	Funding would be available by the developer at the time of development for this site
Are there any other risk or threats (other than finance) to you delivering your proposed development	No
	If yes, please give details and indicate how you might overcome them:

### 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	No
	Special Area of Conservation	No
	Special Protection Area	No
	Priority habitat (Annex I)	No
	European Protected Species	No
	Other protected species	No
	Site of Special Scientific Interest	No
	National Nature Reserve	No
	Ancient Woodland	No
	Trees, hedgerows and woodland (including trees with a Tree Preservation Order)	Yes
	Priority habitat (UK or Local Biodiversity Action Plan)	No
	Local Nature Conservation Site	No
	Local Nature Reserve	No
If yes, please give details of how you plan to mitigate the impact of the proposed development: There is an area of woodland within the site to the east and some trees along field boundaries. The area of woodland can be incorporated into any layout and other trees retained where possible.		
<b>Biodiversity enhancement</b>		
<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:</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):		

<p><a href="https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers">https://www.snh.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers</a> and <a href="http://www.nesbiodiversity.org.uk/">http://www.nesbiodiversity.org.uk/</a>.</p>	<p>The site is currently open fields, with little biodiversity value. The development of this site will introduce areas of open space and landscaping which will provide opportunities for biodiversity enhancement. This will include native tree planting, and nectar rich plant species. The creation of private gardens will also increase the opportunities for biodiversity. Land adjacent to the burn has potential to support biodiversity and a buffer zone would be retained along the burn within any layout of the site to protect any habitats and encourage further biodiversity.</p>
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## 11. Historic environment

Historic environment enhancement		
Please state if there will be benefits for the historic environment.	No impact on the historic environment 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. 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	No
	Locally important archaeological site held on the Sites and Monuments Record	No
	Listed Building and/or their setting	Yes
	Conservation Area (e.g. will it result in the demolition of any buildings)	No
	Inventory Gardens and Designed Landscapes	No
	Inventory Historic Battlefields	No
<p>The B Listed Gardener’s Cottage lies outwith the site to the south east within the P5 site. Development of the bid site will have no impact upon it.</p>		

## 12. Landscape Impact

<p>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>)</p>	<p>No <b>If yes</b>, please state which SLA your site is located within and provide details of how you plan to mitigate the impact of the proposed development:</p>
<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-">https://www.snh.scot/professional-</a></li> </ul>	<p><b>If your site is not within an SLA</b>, please use this space to describe the effects of the site’s scale, location or design on key natural landscape elements/features, historic features or the composition or quality of the landscape character:</p> <p>The site is considered to be a logical area of expansion, immediately adjacent to the settlement boundary.</p>

<p><a href="#">advice/landscape-change/landscape-character-assessment</a></p> <ul style="list-style-type: none"> <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 assessment <a href="http://www.snh.org.uk/pdfs/publications/review/102.pdf">http://www.snh.org.uk/pdfs/publications/review/102.pdf</a></li> </ul>	<p>The site has minimal natural landscape elements and no historic features. The existing area of woodland within the site would be retained to provide a mature landscape feature to any proposed residential development.</p> <p>On approach from the east along the A96 any development would be entirely screened by existing hard landscaping along the verge of the dual carriageway and by future development on the OPI site. The site sits in the valley of the Black Burn and is contained by the unclassified road to the east and Littlehill Wood beyond. From the west and north it would be seen in the context of the existing allocation.</p> <p>Additional landscaping on the site would mitigate any landscape impacts and ensure the site is well screened. A buffer strip along the burn would improve the landscape setting of the site.</p> <p>Aberdeenshire Council considered, during the 2017 LDP examination that visual prominence can be overcome by appropriate layout, design and landscaping. Therefore, this is not considered to be an issue in the allocation of the site.</p>
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### 13. Flood Risk

<p>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?</p> <p>(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>)</p>	<p>River - Yes. The Black Burn lies to the west of the site. Surface Water – No.</p> <p>Aberdeenshire Council considered during the previous promotion of the site that flood risk impacts upon a relatively small part of the site. A Flood Risk Assessment would be prepared and submitted with any planning application. The provision of landscaping along the black burn would ensure an appropriate buffer between the burn and residential development and mitigate any flood risk.</p>
<p>Could development on the site result in additional flood risk elsewhere?</p>	<p>No</p> <p>If yes, please specify and explain how you intend to mitigate or avoid this risk:</p>
<p>Could development of the site help alleviate any existing flooding problems in the area?</p>	<p>No</p>

**I4. 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	No
	Waste water	No
Has contact been made with Scottish Water?	No. Upgrades would be required for any additional development in Blackburn but this is not considered to be an impediment to the identification of the site for residential development.	
Will your SUDS scheme include rain gardens? <a href="http://www.centralscotlandgreennetwork.org/campaigns/greener-gardens">http://www.centralscotlandgreennetwork.org/campaigns/greener-gardens</a>	To be confirmed at detailed design stage.	
<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>	Kinellar Primary School is operating over capacity, however, the new Kinellar Primary School is due to open in 2018 and it is understood that it will have increased capacity for additional development on the P5 site.	
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?	n/a	
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>	No.  The LDP states that Caskieben Road is unlikely to be appropriate as a route for a major access to the (OPI) site, but would be suitable as an emergency access. It is considered that Caskieben Road could be an emergency access for the bid site also, with the main vehicular access taken from the OPI/P5 site adjacent. The adjacent site is allocated in the Local Development Plan and is owned by the same landowner that is promoting the bid site. There is no impediment to providing access from the adjacent site.	
Public transport	Public transport services are provided along the B979 south and west of the site, within 400 metres of the site. Public transport operates 7 days a week, with links to Aberdeen, Inverurie, Kintore and the surrounding area.	

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Active travel (i.e. internal connectivity and links externally)	The site will provide an internal network of footpaths, which will link with existing footpaths outwith the site.
<b>d. Gas/Electricity/Heat/Broadband</b>	
Has contact been made with the relevant utilities providers?	Gas: No
	Electricity: No
	Heat: No
	Broadband: No
Have any feasibility studies been undertaken to understand and inform capacity issues?	No feasibility studies have been undertaken at this stage, however, there are utilities in the area and this is not considered to be an impediment to development, given the residential development located to the east.
Is there capacity within the existing network(s) and a viable connection to the network(s)?	This is unknown at this stage, however, it is not considered to present an impediment to development
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)	Unknown at this stage, but would be considered in more detail at the appropriate design stage. The south facing aspect of the site has the potential for passive solar gain.
<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	There are a number of areas of open space within Blackburn, the closest being P2, being located along the southern and eastern boundary of the bid site. This land is protected too conserve the landscape/setting, which contributes to the green network in Blackburn.  The development of the bid site presents direct opportunities to extend and enhance the green network in Blackburn, up to the woodlands of “Sycamores”, Littlehill and Caskieben Road.
Will the site meet the open space standards, as set out in Appendix 2 in the <b>Aberdeenshire Parks and Open Spaces Strategy?</b> <a href="https://www.aberdeenshire.gov.uk/media/6077/ approvedpandospacesstrategy.pdf">https://www.aberdeenshire.gov.uk/media/6077/ approvedpandospacesstrategy.pdf</a>	Yes, the development will provide a range of open space in line with Aberdeenshire LDP standards.
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">https://www.aberdeenshire.gov.uk/communities</a>	The open space audit for Blackburn states that there are a wide range of open spaces in the settlement and the Averon path network received a high score in terms of usage levels and attractiveness and provides an excellent



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<a href="#">-and-events/parks-and-open-spaces/open-space-strategy-audit/</a>	<p>amenity area for the local community. Blackburn is also the interface between a proposed Core Path between Aberdeen City Kirkhill Forest area, and links westward to Kinnellar Hall Wood, and beyond to Kintore, Port Elphinstone and Inverurie</p> <p>Although the development of this site will not directly deliver any of the requirements as they lie outwith the site, the development would retain and extend the green network into the site and provide links to the woodland and surrounding countryside which is considered important. Developer contributions could go towards off site requirements if necessary.</p>
<b>f. Resource use</b>	
Will the site re-use existing structure(s) or recycle or recover existing on-site materials/resources?	No structures, materials or resources on site which could be re-used.
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

### 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

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'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
<p>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:</p> <p>The site is not affected by any constraints and is the only option for expansion of Blackburn given the pipeline constraints to the west.</p>	

### 16. Proximity to facilities

How close is the site to a range of facilities?	Local shops	400m
	Community facilities (school, public hall, health centre)	400m – 1 km
	Sports facilities (e.g. playing fields)	400m – 1 km
	Employment areas	> 1 km
	Residential areas	400m
	Bus stop or bus route	400m
	Train station	n/a
	Hotel	400m

### 17. Community engagement

Has the local community been given the opportunity to influence/partake in the design and specification of the development proposal?	No
	If yes, please specify the way it was carried out and how it influenced your proposals:
	The local community would have been aware of the LDP process when the site was promoted through the 2017 LDP. The local community will have the opportunity to participate in the new LDP process and if the site is identified, further consultation would take place.

**18. Residual value and deliverability**

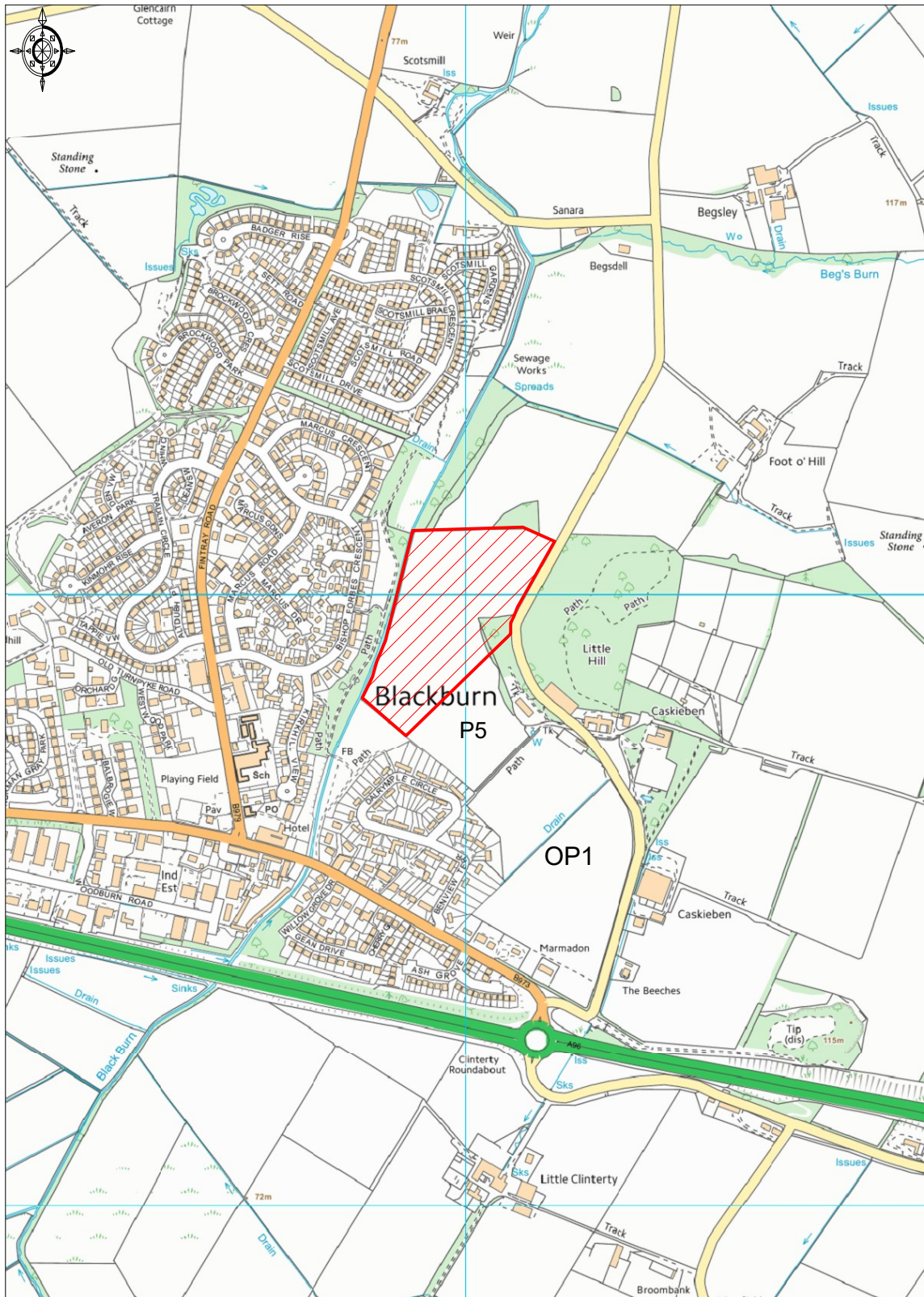
Please confirm that you have considered the 'residual value' of your site and you are confident that the site is viable when infrastructure and all other costs, such as constraints and mitigation are taken into account.	I have considered the likely 'residual value' of the site, as described above, and fully expect the site to be viable:  Please tick: <input data-bbox="981 353 1120 427" type="checkbox"/>
<p>If you have any further information to help demonstrate the deliverability of your proposal, please provide details.</p> <p>The expansion of Blackburn can realistically only take place in this direction due to pipeline constraints that exist to the west of the settlement. This is demonstrated in the allocation of the OPI and P5 site adjacent. The identification of the bid site would be a logical extension of this development and would be well contained in the landscape, providing opportunities to enhance the green network in Blackburn.</p> <p>The landowner is confident that there is a residual value following development of the site and the provision of the necessary infrastructure which does not pose an impediment on development.</p>	

**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.)
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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.



## 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>	Ryden LLP
<b>On behalf of (if relevant)</b>	Marshall Farms Ltd
<b>Address</b>	██████████ ██████████ ██████████
<b>Postcode</b>	██████████
<b>Telephone (optional)</b>	██████████
<b>E-mail (optional)</b>	██████████



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

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

## Fair processing notice

Please tick to confirm your agreement to the following statements:

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

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

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

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

### Your Data, Your Rights

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

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

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

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

<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 on behalf of Marshall Farms Ltd in relation to Site Ref: GR088 – Land north of P5, Caskieben, Blackburn

On behalf of Marshall Farms Ltd, support is given to the identification of bid site GR088 within the Main Issues Report as an Officer's preference for a reserved site for 50 homes. Subsequently support is also given to the identification of this site as a Future Opportunity (FOP1) for housing within the Draft Proposed Local Development Plan (DPLDP). This representation requires to be read in conjunction with the development bid submitted at the pre-MIR stage, which confirms that bid site GR088 is a suitable location for future development proposed.

The vision for Blackburn acknowledges that the settlement is a popular commuter town situated on the A96 and benefits from a range of facilities, including employment land and a new primary school. The demand for housing in close proximity to Aberdeen City has driven development within the settlement. As such, there is considered to be demand within Blackburn for further housing which is supported by Aberdeenshire Council, with the identification of bid site GR088. This is a logical location for future housing given its proximity to the settlement boundary and site OP1 (GR087) which is identified in the MIR for 268 homes, with GR088 forming an appropriate future extension of this site.

#### **“A Landscape and Visual Impact Assessment would be required given its notably rural structure”**

The site is not located within any Special Landscape Area, has minimal natural landscape elements and no historic features. On approach from the south and east, any development would be entirely screened by existing development and landscaping along the A96 and by existing housing and future development on the GR087 site. From the west and north, it would also be seen in the context of existing development.

As stated above, this site lies immediately adjacent to the settlement boundary and to site OP1/P5 in the 2017 Local Development Plan which is proposed as OP1 for 268 homes in the Draft Proposed LDP. In the future, the structure of the site would become less rural and be seen in the context of surrounding development, therefore, it is not considered necessary to carry out a Landscape and Visual Impact Assessment of the site.

#### **“A Flood Risk Assessment would be required to determine the developable area”**

The Black Burn lies to the west of the site and Aberdeenshire Council have previously acknowledged that flood risk impacts upon a relatively small part of the site. The provision of landscaping along the burn would ensure an appropriate buffer between the burn and any residential development to mitigate any flood risk. Nevertheless, a Flood Risk Assessment would be carried out at any future planning application stage, to determine any risk.

#### **“When considered in isolation, the site is detached from the settlement and as such could only come forward upon allocations and delivery of bid site OP1 and P5/GR087.**

It is not accepted that the site is detached from the settlement. It lies immediately adjacent to the settlement boundary and to existing development to the south west. However, it is accepted that the strategy proposed, to bring this site forward once the adjacent OP1 site is delivered, is acceptable. Given the proposer of this site also owns the adjacent OP1 site, there is potential to share access and infrastructure costs and it is sensible that this site is delivered after the site GR087 site as it is a natural extension of it.

### **Conclusions**

Blackburn lies within a Strategic Growth Area and given its proximity to Aberdeen, is an appropriate location for future housing development. Bid site GR088 is an appropriate location for further development in the

future, given its proximity to the GR087 site which is identified for immediate development in the Draft Proposed Local Development Plan.

It is therefore respectfully requested that bid site GR088 continues to be allocated as a Future Opportunity (FOP1) site in the Proposed Aberdeenshire Local Development Plan.