

  
 – MAXWELL MCDONALD

# 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, zvaniem uz 01467 536230.

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

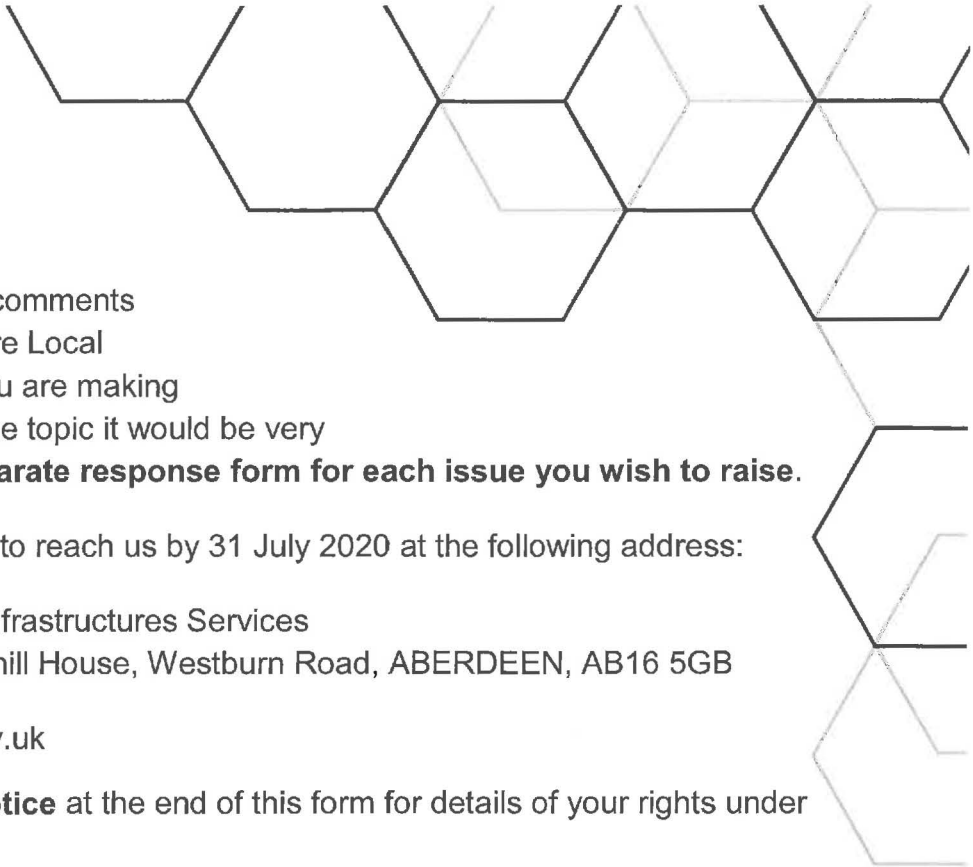
Tel: 01467 536230

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:	Mrs
First Name:	Lesley
Surname:	Tierney
Date:	15.07.2020
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 part of protected area P9 and extend BUS4 area.

**Reason for change:**

Bid site GRO52 sought to include the land at Bridgefield, North of Broomhill Roundabout, Kintore. The Garioch Area Committee agreed this but also sought to give Protected Land Status to the extent of the undeveloped area and the football pitch and extend BUS4 to include the existing business premises.

There is no objection to the Protected Area P9 to cover the football pitch within this site now contained within the settlement. However, we object to this covering undeveloped land. The area of proposed P9 to the rest of the burn is a brownfield, previously developed site which has no characteristics worth protecting and this area should be removed from P9.

We also object to the P9 area covering the extended yard area associated with the garage as this is clearly in business use. P9 in this area should be within an extended BUS 4 allocation.

Please see attached paper apart which details the full objectives 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
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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:

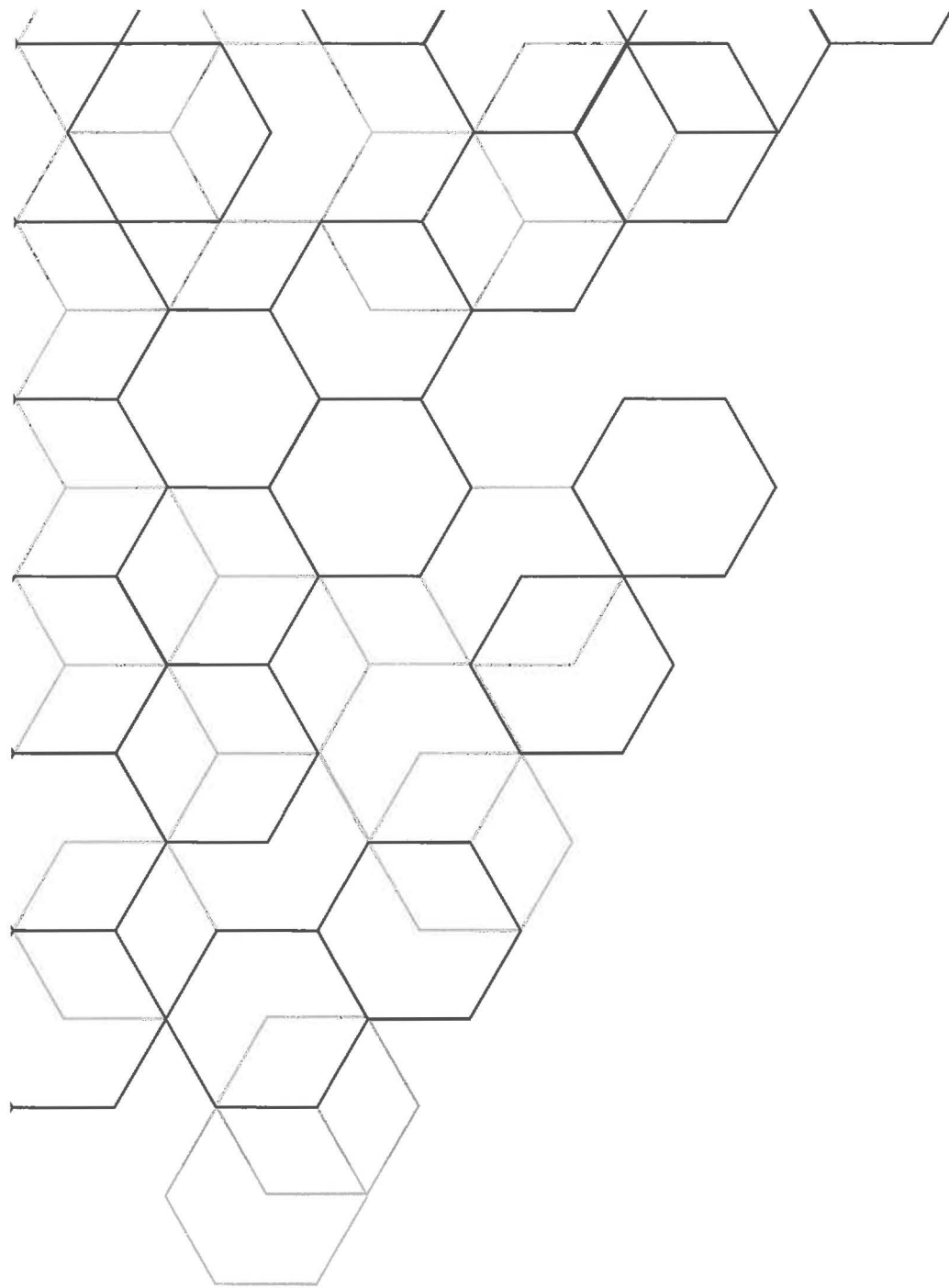
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue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



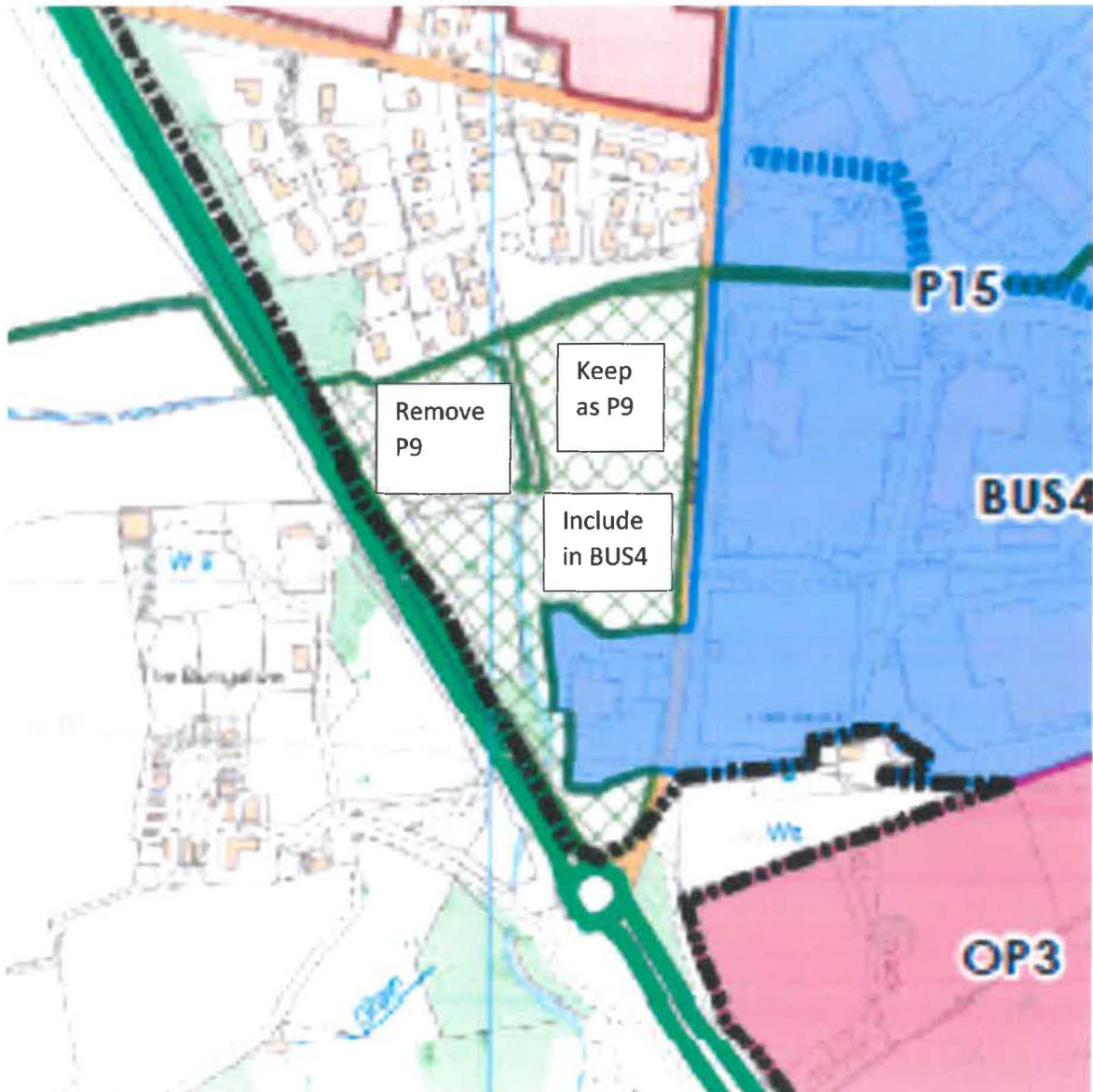


**APPENDIX 1**

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

**Appendix 7d – Garioch**

**Part removal of Proposed Protected Area P9 and include additional land in BUS4 at site at  
Bridgefield, North of Broomhill Roundabout, Kintore**



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

### **Appendix 7d – Garioch**

#### **Part removal of Proposed Protected Area P9 and include additional land in BUS4 at site at Bridgefield, North of Broomhill Roundabout, Kintore**

Lippe Architects and Planners act on behalf of [REDACTED] who operate a car garage adjacent to Broomhill Roundabout at the southern edge of Kintore.

Since planning permission was granted in 2014 for the garage there have been requests to include the area within the settlement boundary to accord with the adjacent business and industrial development at Midmill. It has been considered an inconsistent approach from the Planning Service, including through the consultation on the LDP 2017, to not recognise the garage and neighbouring land including a yard and football pitch as part of the wider settlement. As such a bid was submitted.

The Main Issues Report stated under bid GR052 that “it was unclear exactly what development was promoted by the bid”. There was no proposed development, only to include the site within the settlement boundary. However, it was recognised that the site contains commercial uses and a football pitch consistent with the functioning of the wider settlement and it would be “reasonable to include the area within the settlement”.

The Main Issues Report was reported to the Garioch Area Committee on 4 September 2019 with the recommendation from the Planning Service to extend the settlement boundary in line with the bid and extend the BUS4 allocation to include the existing business premises. However, it was also recommended that Protected Land status is given to the extent of the undeveloped area.

The area to the immediate north of the existing garage is an extended yard area for the garage granted planning permission in 2019. This should not be covered by the P9 Protected Area but should also be part of the new BUS4 allocation along with the garage.

There is no objection to the Protected Area P9 covering the football pitch to the far north end of the site which now also benefits from a recent permanent planning permission granted in 2019.

However, the area of Protected Area P9 shown in the Proposed Plan covers land to the west of the Sherriff Burn, between it and the A96. The justification for P9 is “to protect the football pitch and open space as an amenity for the settlement and forming part of the green-blue network”. There are no special features on this area of ground and it is a



brownfield site having been used as a garden centre and nursery. It is understood that protected land can include football pitches or parks where there is a wider public and community interest. However, the areas of ground to the west of the Sherriff Burn is not functional open space and does not require any special protection.

We would therefore request that the BUS4 allocation extends north of the proposed BUS4 area and that the P9 allocation is reduced to only cover the football pitch. We have shown the boundaries we wish to be modified accordingly in Appendix 1.

For clarity, the area to the west of the Sherriff Burn and the garage is not in the ownership of [REDACTED]. This is also annotated in Appendix 1.