

RESPONSE FORM

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

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

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

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

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

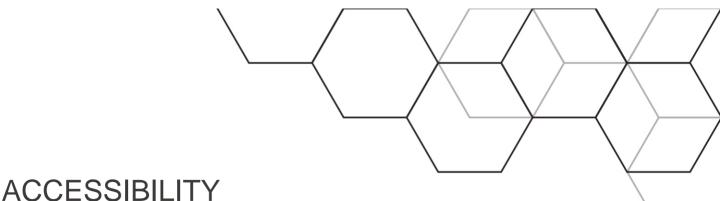
Ministers expect representations (or responses) to be concise (no more than 2000 words) and accompanied by limited supporting documents. It is important to ensure that all of the information that you wish to be considered is submitted during this consultation period as there is no further opportunity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

Please email comments to ldp@aberdeenshire.gov.uk or send this form to reach us by 31 July 2020*.

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

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





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: Idp@aberdeenshire.gov.uk Web: www.aberdeenshire.gov.uk/Idp Follow us on Twitter @ShireLDP

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



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

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

Email: ldp@aberdeenshire.gov.uk

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

YOUR DETAILS

Title:	Mrs
First Name:	Nina
Surname:	Bidwell
Date:	15/07/20
Postal Address:	
Postcode:	
Telephone Number:	
Email:	

Are you happy to receive future correspondence only by email? Yes

Are you responding on behalf of another person? Yes

If yes who are you representing? Midmar Public Hall

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, settlement statements, Garioch Page 606 Midmar

Reason for change:

The boundary line for this proposed development site is shared with the boundary of Midmar Public Hall.

Our concern is that, should site OP1 be the chosen site for a development of 12 houses, hall activities will create an unacceptable level of noise for such close new neighbours which may cause hall activities to become restricted.

As the hall is described in the local development plan (Appendix 7d, page 606, Midmar) as one of two 'vital facilities to the community', the other being the primary school, it would be unhelpful to compromise its ability to serve the community.

Midmar Hall has been a valuable asset to Midmar for the past 120 years, it is a place where we come together to share in cultural, educational and social events as well as to let our collective hair down and enjoy a good hoolie. We can be a noisy bunch as our youngsters practice their pipes and drums or wedding guests celebrate in a marquee on the lawn. There are large glass doors which open out to the garden which enables events to be held on the lawn where we have picnic tables set up within well tended flower beds. Busy evening functions in the main hall are able to spill out into the garden to cool down and take some air. As the garden will share the boundary line with the proposed new development it seems too close for comfort for those on either side.

We are so fortunate that our hall and its garden are well supported and maintained by our community and that it enjoys such good use.

In 2014 a site involving 'OP1' was granted planning permission with the proviso that a band of land, now described as 'OP1', was developed as amenity land with paths, benches and trees, please see attachment number 1. This would have enabled hall activities to continue without any fear of causing a disturbance, why has this changed?

In the Main Issues document within the Proposed Aberdeenshire Local Development Plan 2020 Consultation papers Appendix 4, part 2, page 69 it is remarked that,

'The proposed site lies within an area of protected land for development of a public garden adjacent to the village hall. As there does not appear to be a project in place to deliver this it would seem appropriate to consider alternative options for the site. '

As this site has only been partially developed and has for many years been sealed off by Heras fencing there has been no attempt by the developer to provide the amenity site that was integral to the planning permission. We would be grateful if this could be re- stipulated when further housing plans are considered in the 2020 local development plan and a smaller number of houses within the site, removed from the hall boundary, or the use of one of the other sites identified within Midmar would be a modification that the hall committee and users would appreciate.

I have attached the following supporting documents to this email;

- 1. A copy of the planning requirements agreed in 2014, points 5 and 6 refer to the amenity land
- 2. A copy of the site drawing that is discussed in the planning requirements.
- 3. Photographs to show how close our new neighbours would be

I have also added the relevant points of the planning permission, a small version of the agreed site plans and photographs below.

We are keen to protect the social heart of our community from any conflict with new neighbours as well as protect new neighbours from undue disturbance from our community activities.

Many thanks

1. Copy of relevant points from Application Reference: APP/2014/0148

Full Planning Permission for Residential Development at Roadside Of Corsindae, Midmar, Inverurie, AB51 7PO

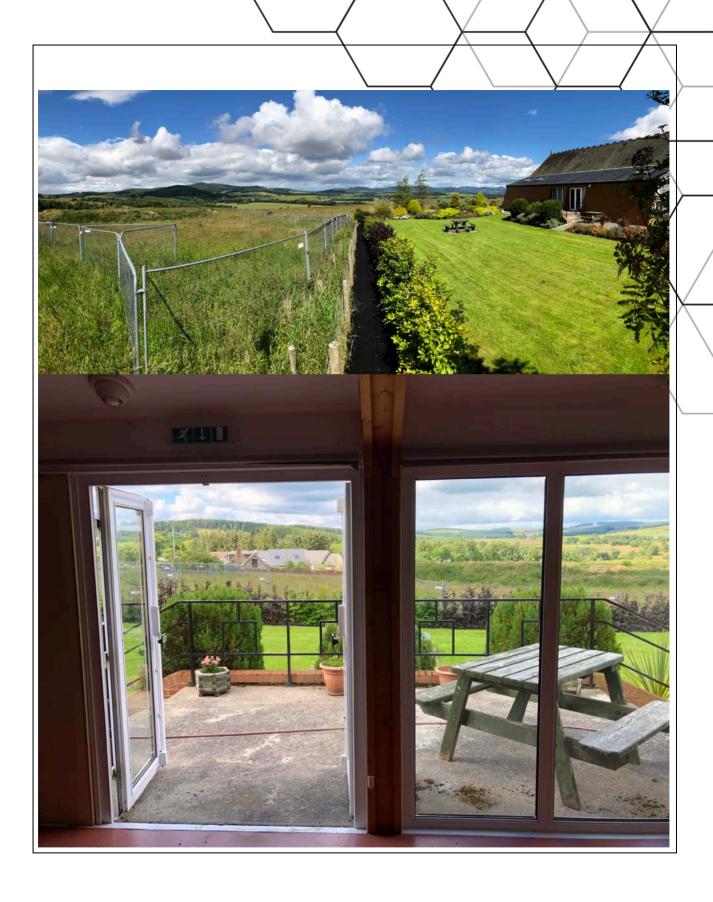
- 5. All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme as shown on drawing number 1206/21-33 and shall be completed during the planting season immediately following the commencement of the development or as otherwise agreed in writing with the Planning Authority. The penultimate dwelling house shall not be occupied unless the landscaping and footpaths within the public open space have been completed to the satisfaction of the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. That unless otherwise agreed in writing with the Planning Authority, the following additional matters shall be included in the implementation and ongoing management of the public open space:-
- (a) All new trees shall have the necessary protection from grazing rabbits;
- (b) Minimum of four two-seater benches to be provided;
- (c) The grassed area to be cut every three weeks during the growing season, at the expense of the developer;
- (d) Timber pedestrian multi user gates shall be installed in the locations marked on the plans hereby approved, suitable for wheelchair, push chair and bicycle access;
- (e) A further similar gateway shall be provided to the north-west corner of the site (through the dyke on the west side) to provide an exit route to the countryside.

Reason: To ensure the implementation of a satisfactory scheme of landscaping and access for the amenity area which will help integrate the development into the local landscape in the interests of the visual amenity and recreational use of the area.

6. That the boundary treatment as shown on the plans hereby approved shall be erected before the occupation of the dwellinghouses and all other boundaries shall be in place from the end of the planting season following commencement of the development.

Reason: In the interests of the residential amenity of the occupiers of the development and the area generally.







PRIVACY NOTICE LOCAL DEVELOPMENT PLAN PUBLIC COMMENT

Aberdeenshire



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

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

Email: dataprotection@aberdeenshire.gov.uk

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

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

Your information is:

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

Personal Data	
Legal Obligations	Χ

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:

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Not applicable.		

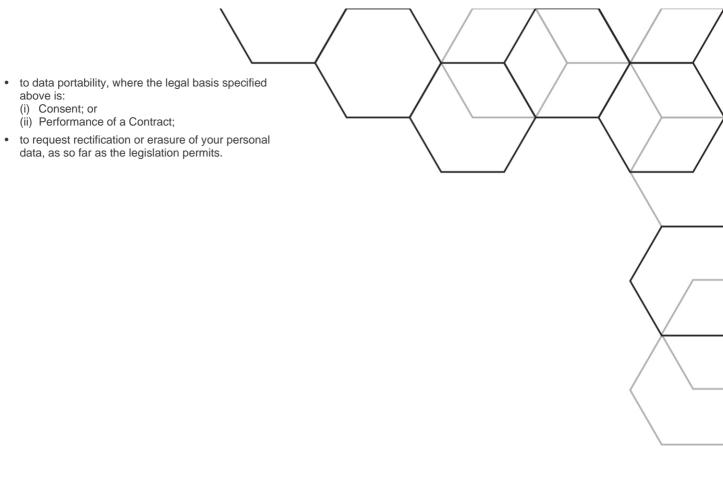
The retention period for the data is:

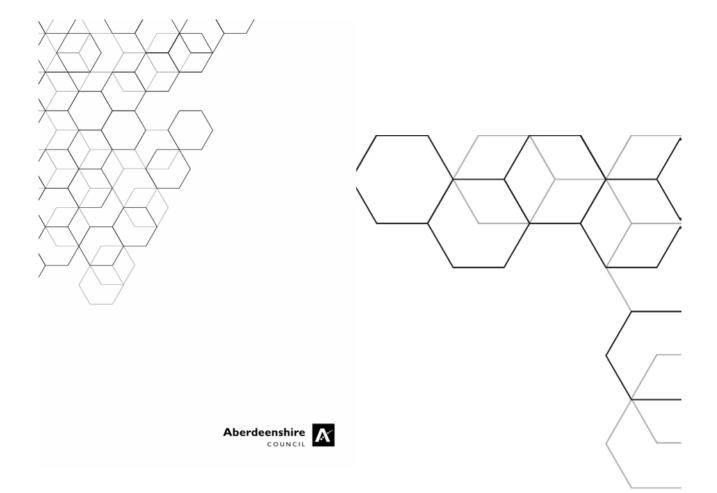
Aberdeenshire Council will only keep your personal data for as long as is needed. Aberdeenshire Council will retain your response and personal data for a retention period of 5 years from the date upon which it was collected. After 5 years Aberdeenshire Council will review whether it is necessary to continue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

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;







TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Application Reference: APP/2014/0148

TO:
Chartered Architect
FOR:

In pursuance of the powers exercised by them as Planning Authority, this Council having considered your application for the following:

Full Planning Permission for Residential Development at Roadside Of Corsindae, Midmar, Inverurie, AB51 7PQ

and in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application, do hereby give notice of their decision to **GRANT** Full Planning Permission for the said development subject to compliance with the following conditions:

(1) No works shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority.

Reason: To safeguard and record the archaeological potential of the area.

(2) That no other development in connection with the permission hereby approved shall take place and the access hereby approved shall not be brought into use unless visibility of 60 metres in both directions along the public road has been provided from a point 2.4 metres measured at right angles from the existing carriageway surface along the centre line of the/each approved new access/driveway/road. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason: To enable drivers of vehicles using the access to have a clear view of other road users and pedestrians in the interests of road safety.



(3) That within 6 months of the occupation of the penultimate residential unit in each phase of this development, all roads, footpaths, parking and turning areas within and serving that phase of the development shall be completed to their final specification to the adoptable standards of Aberdeenshire Council. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the provision of a means of access and turning space to an adequate standard in the interests of road safety.

- (4) Prior to the commencement of development, product details of the following elements of the proposed external finish of the development shall be submitted to and approved in writing by the Planning Authority:
 - Wall finish
 - Roof finish
 - Driveway materials.

Windows, doors, garage doors, fascias and soffits shall be finished in stained red wood.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

- (5) All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme as shown on drawing number 1206/21-33 and shall be completed during the planting season immediately following the commencement of the development or as otherwise agreed in writing with the Planning Authority. The penultimate dwelling house shall not be occupied unless the landscaping and footpaths within the public open space have been completed to the satisfaction of the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. That unless otherwise agreed in writing with the Planning Authority, the following additional matters shall be included in the implementation and ongoing management of the public open space:-
 - (a) All new trees shall have the necessary protection from grazing rabbits;
 - (b) Minimum of four two-seater benches to be provided;
 - (c) The grassed area to be cut every three weeks during the growing season, at the expense of the developer;
 - (d) Timber pedestrian multi user gates shall be installed in the locations marked on the plans hereby approved, suitable for wheelchair, push chair and bicycle access;
 - (e) A further similar gateway shall be provided to the north-west corner of the site (through the dyke on the west side) to provide an exit route to the countryside.



Reason: To ensure the implementation of a satisfactory scheme of landscaping and access for the amenity area which will help integrate the development into the local landscape in the interests of the visual amenity and recreational use of the area.

- (6) That the boundary treatment as shown on the plans hereby approved shall be erected before the occupation of the dwellinghouses and all other boundaries shall be in place from the end of the planting season following commencement of the development.
 - Reason: In the interests of the residential amenity of the occupiers of the development and the area generally.
- (7) Prior to the commencement of any works, a scheme to connect to the public waste water network shall be submitted for the written approval of the Planning Authority, in consultation with Scottish Water, and all work shall be carried out with the approved scheme.
 - Reason: In order to ensure that adequate drainage facilities are provided, and maintained, in the interests of the amenity of the area.
- (8) No development shall commence until plans have been submitted to, and approved in writing by, the Planning Authority to show two bin storage areas for each house within the development.
 - Reason: To ensure that suitable provision is made for the storage of waste and recycling bins.
- (9) That the following precautionary measures shall be adhered to, as badgers present in the wider area may potentially exploit foraging resources within the development site. These measures include the following:
 - 1) All stored or trench laid pipes with a diameter greater than 200mm should be capped at the end of each working day.
 - 2) Open trenches or pits of a depth greater than 1 metre should have escape ramps provided and must be checked at the beginning of each day for potential entrapments.

The developers should be made aware that any subsequent action involving a trapped badger should be referred to the Scottish Society for the Prevention of Cruelty to Animals (SSPCA) or a local badger expert.

Reason: To ensure badger mitigation measures are undertaken in the interest of safeguarding the habitat of a protected species.



Informatives

- (1) This planning permission will lapse on the expiration of a period of three years from the date of this decision notice, unless the development is begun within that period. [See Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)].
- (2) The person carrying out the development must give advance notice in writing to the planning authority of the date when it is intended to start the development. Failure to do so is a breach of planning control and could result in the planning authority taking enforcement action. [See Sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)]. Such notification shall contain the information set out in the 'Notification of Initiation of Development' Notice as appended.
- (3) The person carrying out the development must give advance notice in writing to the planning authority of the date when it is intended to start the development. Failure to do so is a breach of planning control and could result in the planning authority taking enforcement action. [See Sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)]. Such notification shall contain the information set out in the 'Notification of Initiation of Development' Notice as appended.
- (4) As soon as possible after the development is finished, the person who completed the development must write to the planning authority to confirm that the development has been completed. [See Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended)]. Such notification shall contain the information set out in the 'Notification of Completion of Development' Notice as appended.
- (5) As soon as possible after the development is finished, the person who completed the development must write to the planning authority to confirm that the development has been completed. [See Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended)]. Such notification shall contain the information set out in the 'Notification of Completion of Development' Notice as appended.

Reason for Decision

The proposal complies with all the relevant policies of the Aberdeenshire Local Development Plan 2012.

Dated: 21 May 2014

Head of Planning and Building Standards



List of Plans and Drawings

Reference Number: 120621-HT-E-02 Reference Number: 120621-HT-F-01 Reference Number: 120621-HT-F-03 Reference Number: 120621-HT-F-04 Reference Number: 120621-HT-G-01 Reference Number: 120621-HT-G-02

Reference Number: 1206/21-14 Reference Number: 1206/21-SLP Reference Number: 1206/21-32 Reference Number: 1206/21-33 Reference Number: 1206/21-34

Reference Number: 120621-HTH-A-01 Reference Number: 120621-HT-C-01 Reference Number: 120621-HT-C-03 Reference Number: 120621-HT-E-01



NOTES

- (i) In the case of any permission granted, this does NOT incorporate any building warrant for any operations or change of use which may be required under the Building (Scotland) Act 2003. This must be obtained separately from the Council prior to the start of building operations.
- (ii) Any permission granted does not incorporate any listed building consent which may be required. This must be obtained separately prior to the start of building operations.
- (iii) Any permission granted is without prejudice to any further consents required from Aberdeenshire Council in its role as landowner.
- (iv) If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may appeal to the Scottish Ministers under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. An appeal form should be obtained from and the appeal submitted to:

The Directorate for Planning and Environmental Appeals
4 The Courtyard
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR

Tel: 01324 696 400

Email: dpea@scotland.gsi.gov.uk

Appeals may also be submitted online at: www.eplanning.scotland.gov.uk

(v) If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

A copy of the appeal form and any documents should be sent to: Planning and Building Standards
Aberdeenshire Council
Gordon House
Blackhall Road
Inverurie, AB51 3WA



NOTICE OF REQUIREMENT FOR NOTICES

Notification of Initiation of Development

The person who intends to implement the development must inform the Planning Authority of the date they intend to start work on the development as soon as it is practicable using the enclosed Notice of Initiation of Development. This Notice must be submitted before starting work. Failure to do so would be a breach of planning control under Section 123(1) of the Town and Country Planning Act 1997 and the Planning Authority may take enforcement action.

The Permission may contain pre-conditions that require specific matters to be approved before development can commence. This means that a lawful commencement of the approved development cannot be made until the particular requirements of the condition(s) have been met. The person who intends to start development must ensure that all conditions are properly complied with. If you are in any doubt about the meaning or implications of any of the conditions you should contact the Planning Authority or seek professional advice. If you do not comply fully with the conditions the Planning Authority may serve a Breach of Condition notice on you or take enforcement action and you may be prosecuted or fined. Please note, there is no right of appeal against a Breach of Condition Notice.

Notification of Completion of Development

The person who completes the development must, as soon as practicable after doing so, give notice of completion to the Planning Authority using the enclosed Notice of Completion.

Please note, the Planning Authority may take enforcement action where such notice is not given.

PLEASE NOTE – THE ABOVE REQUIREMENTS ARE IN ADDITION TO ANY SIMILAR REQUIREMENTS UNDER THE BUILDING REGULATIONS OR ANY OTHER LEGISLATION



NOTIFICATION OF INITIATION OF DEVELOPMENT TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, SECTION 27A(1)

APPLICATION REFERENCE NUMBER: APP/2014/0148
Full Planning Permission for Residential Development at Roadside Of Corsindae, Midmar, Inverurie, AB51 7PQ
Dated: 21 May 2014

Dated: 21 May 2014 I hereby confirm that the above development is expected to commence on: Date: The person intending to carry out the development is: Name: Address: Postcode: Telephone no: *Please delete as appropriate *The above person is the owner of the land to which the development relates *The landowner is (if different from the person above): Name: Address:

Postcode:



The person appointed to oversee the carrying out of the development is (if applicable):

Name:		
Address:		
Postcode:		
Telephone no:		
0:	Б.	
Signed On Behalf of	Date	
On Benair or		
Please return this form, duly completed to:		
• •		
Head of Planning and Building Standards		
Aberdeenshire Council		
Garioch Area		
Gordon House, Blackhall Road, Inverurie, A	B51 3W	/A

IMPORTANT:

- 1. Failure to submit this Notice before commencement of development would be a breach of planning control under Section 123(1) of the Town and Country Planning Act 1997 and the Planning Authority may take enforcement action.
- 2. Any planning conditions imposed which necessitate action prior to the commencement of development, must be complied with to prevent a Breach of Planning Conditions and the subsequent service of a Breach of Condition Notice or other enforcement action.
- 3. Any planning conditions imposed relative to this planning application will be the subject of our planning condition monitoring policy which will entail a visit(s) to the site.



NOTIFICATION OF COMPLETION OF DEVELOPMENT TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, SECTION 27B(1)

APPLICATION REFERENCE NUMBER: APP/2014/0148
Full Planning Permission for Residential Development at Roadside Of Corsindae, Midmar, Inverurie, AB51 7PQ
Dated: 21 May 2014

I hereby confirm that the above development was completed on:
Date:
The person who completed the development is:
Name:Address:
Postcode: Telephone no:
Signed Date On Behalf of
Please return this form, duly completed to:
Head of Planning and Building Standards Aberdeenshire Council Garioch Area

Gordon House, Blackhall Road, Inverurie, AB51 3WA

