

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 or send this form to reach us by 17 July 2020.

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



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.

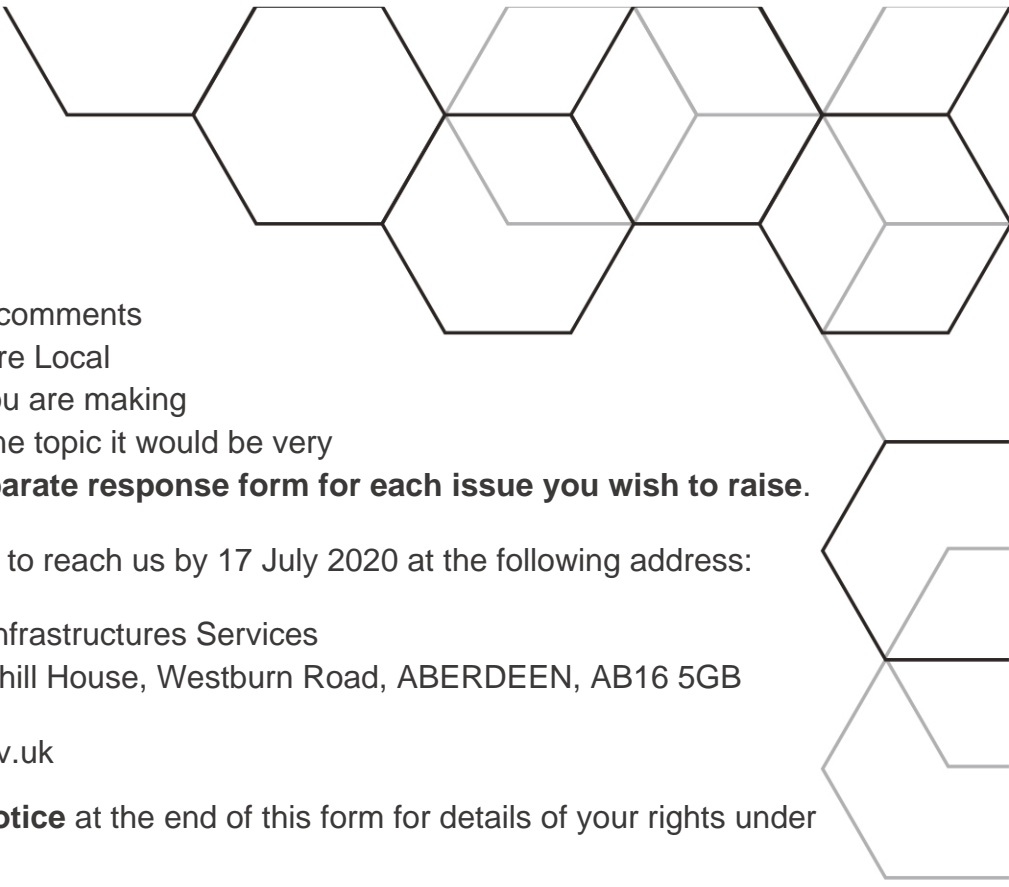
Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 536230.

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
Web: 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.



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 17 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:	Polly
Surname:	Van Alstyne
Date:	16 July 2020
Postal Address:	[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):

We wish to request modifications to the proposal for development at Site OP1, St Cyrus, specifically in regard to planned developments in Phase 2, in the southwest corner of the plan. We would request that Phase 2 be reviewed in light of the current economic climate and that specific modifications are made to the properties labelled on the Masterplan drawing published 19th June 2020 as dwelling houses 007, 008, 010 and 011. https://upa.aberdeenshire.gov.uk/online-applications/files/A9E48E4B7AA74671FC014AFFE92FA317/pdf/APP_2018_0686-MASTERPLAN-9026160.pdf

Reason for change:

The original plans that we had seen and were aware of, prior to planning application in March 2018, were for a smaller area, running only to the northeast boundary of our property. A community consultation was held in relation to the current plan on the night of 28th February 2018, the night of the beast from the east storm. We were stranded in Glasgow and unable to attend. Despite the weather conditions preventing people from attending, no further consultation was held nor were we ever directly consulted with regard to the revised plans as may have reasonably been expected considering the sizeable impact to our home. As the plan now completely surrounds our property on three sides, this completely changes the character of our home, restricts access to natural light and space, introduces noise and light pollution, and poses environmental risks.

Specific points we would like to highlight are:

Soakaway

We have a septic tank and legal rights to continued use of the soakaway, which will run underneath several of the planned houses. There has not been sufficient environmental impact studies performed on the soakaway; SEPA has not given firm assurances on Phase 2. We have serious concerns about damages to our home, or forced conversions to attach to county sewer works.

Concerns about flooding

Before the Covid outbreak, Phase 1 of the development was subject to significant flooding on the property. We have concerns that Phase 2 will compound this issue and that the flooding with Phase 1 has not been properly addressed. SEPA has not given firm assurances on Phase 2

Concerns about the viability of Phase 2 in light of domestic issues with owners of development.

We understand that there are [REDACTED] issues with the developers, and that they have [REDACTED]. This may impact the ability to deliver both Phase 1 and Phase 2.

The result could be a half-finished development, and an uncertain future. This will continue to impact our ability to sell our home.

Impact of COVID 19 and Brexit

Covid 19 has had a serious impact on the financial state of business and individuals alike. This will shortly be followed by what is increasingly looking like a hard Brexit. We are concerned about the prospect of putting up a development of 125 houses in a small rural village during an economic downturn. We are concerned about the impact to demand for the planned housing.

Damages to the value of our property

We attempted to sell our house when the development was initially approved, but were unable to do so. Our solicitor, [REDACTED], of Aberdeen Considine & Company wrote the following:

I'm sorry we didn't manage to find a buyer for your property as I was confident it would appeal to a wide market with it being in good condition and boasting the lovely views. Looking at the feedback etc it is clear that the impending development put most, if not all, the viewers off and once they looked into this it proved difficult to change their minds.

Noise Pollution:

The noise from Phase 1 has been bearable as we are several hundred metres away. During Phase 2 we will be surrounded on 270 degrees by construction equipment working within 2 metres of our home. We regularly work from home and have concerns that the noise will impact our ability to conduct business.

Trees

We have a number of trees on our property that are a habitat to many species of birds, insects, red squirrels and bats. We are concerned about the impact this development will have on their habitat.

Light Pollution

Streetlights are planned for the development that will be surrounding our home on 3 sides meaning we will be subject to light pollution and completely changing the character, and marketability of our home.

Privacy & Natural Light

Currently the property is surrounded entirely on 360 degrees by agricultural land, with no properties overlooking it and very good natural lighting. The development plan has 3 houses backing up to our property on three sides around the property, meaning that we

will no longer be afforded privacy in our home and the natural light will be severely reduced.

The mature trees on our property may lead to conflicts with maintaining the natural habitat of our home and the 'right to light'.

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

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.

