

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:
 - Consent; or
 - Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.



HALLIDAY FRASER MUNRO

CHARTERED ARCHITECTS & PLANNING CONSULTANTS

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 refer to Aberdeenshire Council's Privacy Notice at the end of this form for details of your rights under the Data Protection Act.

Your Details

Name:	HALLIDAY FRASER MUNRO
Date:	14.07.2020
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? SEAFIELD AND STRATHSPEY ESTATES

☒ 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.



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Your Comments (no more than 2000 words)

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 7a Settlement Statements Banff and Buchan: Whitehills
Remove designation P5 and extend the P3 designation to the south to provide protection for the Red Well.
Support site OP1 in Whitehills as an allocation for 30 houses.

Appendix 7a Settlement Statements Banff and Buchan: Fordyce
Support site OP1 in Fordyce as an allocation for 5 houses.

Reason for change:

Please see attached statement.



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ABERDEENSHIRE PROPOSED LOCAL DEVELOPMENT PLAN 2020

RESPONSE TO PROPOSED LOCAL DEVELOPMENT PLAN

LAND AT PORTSOY

JULY 2020

On behalf of
Seafield and Strathspey Estates



HALLIDAY FRASER MUNRO

CHARTERED ARCHITECTS & PLANNING CONSULTANTS

Introduction

- 1.1. This report has been prepared by Halliday Fraser Munro, Chartered Architects and Town Planning Consultants, on behalf of Seafield and Strathspey Estates. It is written in response to the Proposed Aberdeenshire Local Development Plan 2020.
- 1.2. This response seeks to support the continued allocation of site OP1 in Fordyce and no modification is sought. Site OP1 in Whitehills is also supported, with no modification sought, but a modification of the plan is sought in relation to P5. This is outlined below for clarity.

Modifications sought: *Remove designation P5 and extend the P3 designation to the south to provide protection for the Red Well.*

Reasons for change: *Setting of the Red Well can easily be protected without a blanket designation of the scale proposed at P5 – see below for more detail.*

Fordyce

- 2.1 Site OP1 is located to the south of the village, between West Church Street and School Road. Fordyce is a small settlement with a falling school roll and development is needed to sustain these services. The site is adjacent to more modern development, making it the logical place to extend the settlement.
- 2.2 The Estate supports the allocation of the site in the Proposed Plan. The Estate agree with the officers' assessment in the Main Issues Report that the site is the best location to expand the village. The Estate believe the site to be deliverable and is continuing to market the site. On this basis the Estate believes there is a good prospect of the site being developed.

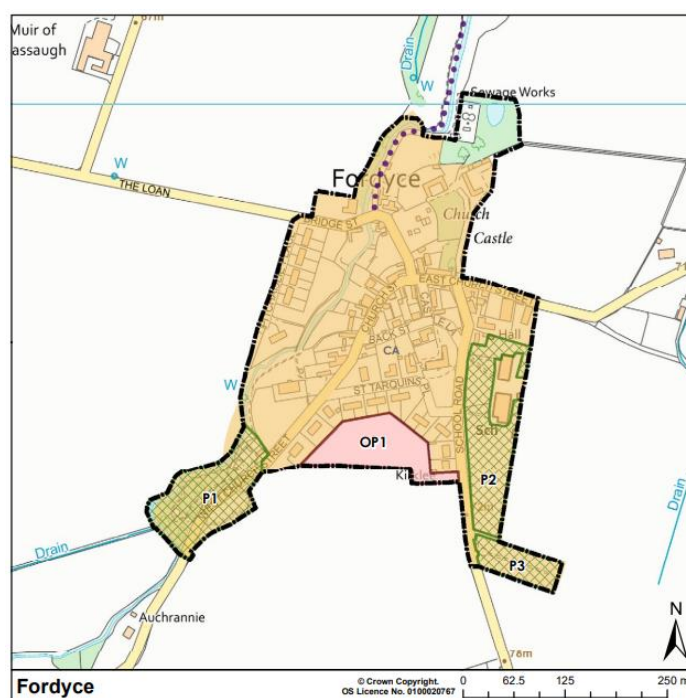


Figure 1: Extract from Proposed Local Development Plan



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Whitehills

- 3.1 Site OP1 is located to the east of the village, on a relatively flat site and has expansive views of the sea. The Estate fully supports the allocation of Site OP1 in Whitehills in the Proposed Plan for 30 dwellings. The estate has been marketing the site as part of their wider portfolio and believes the site to be deliverable with some interest from local housebuilders. There are signs that the marketing is picking up, and it is anticipated that the site will be developed. The site can be developed in a way which takes account of its coastal location and delivers the strategic landscaping required by the PLDP.

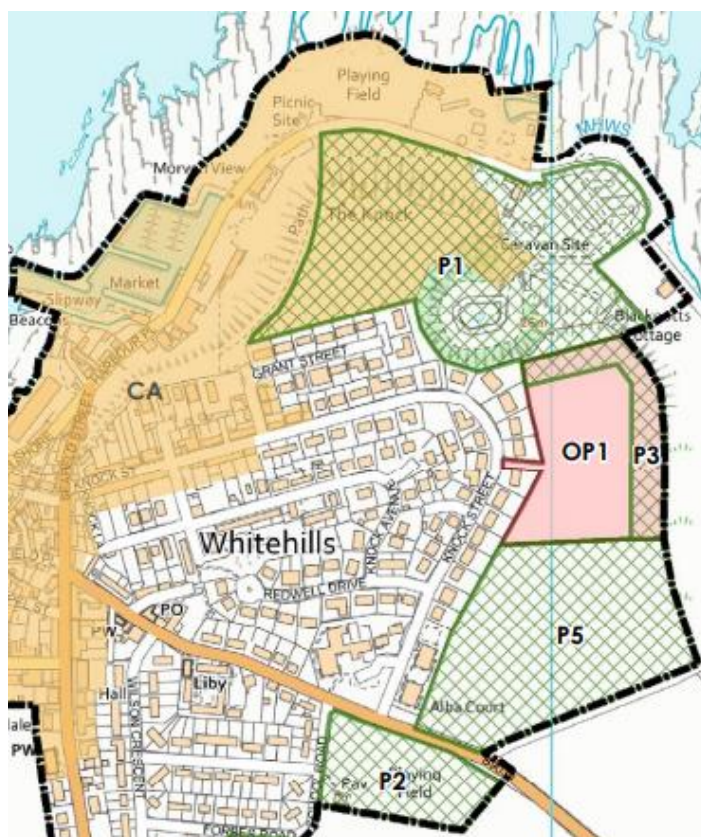


Figure 2: Extract from Proposed Local Development Plan

- 3.2 However, the Estate disagree with the designation P5 in the PLDP which is designated “to protect the setting of the ancient ‘Red Well’ as a significant contribution to the character of the place”. The topography of the land slopes towards the coastline and the red well structure sits below the site, see figures 2 and 3 below.



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Figure 3: The Red Well

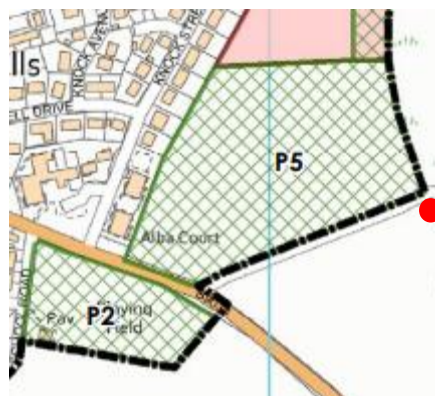


Figure 4: Approximate location of Red Well shown by red dot

- 3.3 The small well is not visible from the site and its setting is one that looks eastwards to the sea rather than inland to the site. The setting of the Red Well could easily be accommodated through landscaping improvements and a requirement for future developers of this area to provide either a masterplan or a landscape plan that illustrates how the setting could be protected. A blanket designation protecting site P5 is not appropriate, suitable protection for the character of Whitehills and the Red Well could be achieved through implementation of LDP policies or the extension of a similarly narrow P3 approach southwards along the eastern boundary of the site. It is noted that officers did not support the protection of the entire site for this purpose.

Conclusion

- 4.0 The Estate fully support the allocation of site OP1 in Fordyce and site OP1 in Whitehills. To encourage development a range of small scale and deliverable sites needs to be available across Aberdeenshire to provide a range of options to developers, including small scale builders. Site OP1 in Fordyce would support the Primary School which has a falling school roll. Site OP1 in Whitehills is fully supported to support the growth of Whitehill's. The Estate are confident that the market in the area is improving and that there is interest in developing the sites.
- 4.1 Designation P5 should be removed or altered to only cover the very east of the site. The LDP could easily include policies that protect the setting of the Red Well without ruling out the development of the whole site.